

**LESSONS FOR EFFECTIVE NATIONAL
ANTI-RACISM POLICIES**

NATIONAL ACTION PLANS AGAINST RACISM



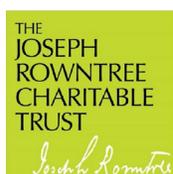
EUROPEAN NETWORK AGAINST RACISM

The voice of the anti-racist movement in Europe

Published by the European Network Against Racism (ENAR) in Brussels, in 2019, with the support of the Rights, Equality and Citizenship Programme of the European Union, the Open Society Foundations, the Joseph Rowntree Charitable Trust, the Sigrid Rausing Trust and the ENAR Foundation.



EUROPEAN UNION



SIGRID RAUSING TRUST



The contents of this publication can in no way be taken to reflect the views of the European Commission, the Open Society Foundations, the Joseph Rowntree Charitable Trust, the Sigrid Rausing Trust, or the ENAR Foundation.

ENAR reserves the right not to be responsible for the accuracy, completeness or quality of the information provided in this report. Liability claims regarding damage caused by the use of any information provided, including any information which is incomplete or incorrect, will therefore be rejected.

AUTHOR

Sarah Isal

REVIEWERS

ENAR Staff: Julie Pascoët, Juliana Santos Wahlgren and Georgina Siklossy

LAYOUT & DESIGN

J. A. M. Sanka Chandima Abayawardena, Digital Communications Officer, ENAR



INTRODUCTION

WHY WE NEED NATIONAL ACTION PLANS AGAINST RACISM (NAPAR)



ENAR has been long engaged in calling EU Member States to develop strong comprehensive strategies against racism, be it against racist crimes, racial discrimination and for equality data in different areas of life.

Acknowledging the important legislative framework that is currently in place in EU countries, such strategies are crucial to question their lack of implementation and push for more public policies that could come as a complement and tackle more structural forms of racism.

There is a sense of emergency requiring strong actions and commitments from States to act at structural level and not only through fragmented and isolated policies or projects, responding to the urgencies of day-to-day reports of racist violence or discrimination. National Action Plans Against Racism (NAPAR) can be a unique tool to develop a comprehensive framework which puts victims at the centre of the social justice and equality agenda, with an intersectional anti-racist perspective, and ensures coherence across different areas.

Adopting a National Action Plan against Racism would also send a powerful signal in public debates and contribute to shift mentalities and attitudes in society, by using both soft and hard measures. Coordinated strategies combined with tangible guidelines are crucial to maximise the impact of public policies. From a civil society perspective, ENAR sees this policy endeavour as a unique way to mobilise a wide spectrum of organisations working against racism on the ground but which lack links with each other and with state authorities.

NAPARs, as a State policy, could become a major tool to contribute to achieving equality for all if certain conditions and indicators highlighted below are implemented. But this can only be achieved if civil society actors are part and parcel of the whole process, from design to implementation as of day one.

Last but not least, the need for a targeted approach to racism is crucial within the broader fight against inequalities if achieving concrete results is the aim. However, it should never be disconnected from mainstream social policies and the struggle against other forms of discrimination since racism is a major hurdle for significant parts of the population that prevents them from enjoying justice and equality. In order to be effective, policies need to be based on robust understanding and acknowledgment of the specificities of different forms of racism and of the intersections with multiple oppressions and power structures.

CONTEXT OF NATIONAL ACTION PLANS AGAINST RACISM

The recommendation for countries to draw up National Action Plans Against Racism came out of the UN World Conference Against Racism (WCAR), which took place in Durban, South Africa in 2001. The Conference's Declaration and Programme of Action called on countries to "develop or elaborate national action plans to promote diversity, equality, equity, social justice, equality of opportunity and the participation of all."¹ This was reiterated at the Durban Review Conference in 2009. The call for NAPARs was also advocated by NGOs attending both conferences, as they saw them as a good instrument for national governments to establish concrete, comprehensive and action-oriented strategies to tackle racism in their respective national contexts and to complement existing legislation.

OBJECTIVE AND METHODOLOGY

The objective of this report is to shed light on what an ideal NAPAR should look like, in particular which "ingredients" are needed for a NAPAR to be effective. The report assesses four existing national plans or strategies identified as bringing together some characteristics of a NAPAR. In addition, the Municipal Plan to Combat Islamophobia from the city of Barcelona is also examined. Although it is not a national plan, and it focuses on one type of racism specifically, it is still considered as a number of elements offer interesting learning along the indicators identified in the present report.

It is worth noting that the identification and assessment of the above plans do not constitute their endorsement by ENAR or the author of this report. Other national/local action plans tackling racism and racial discrimination exist. More research would be needed to collect data on their status of adoption and implementation.



The methodology used in writing this report comprised of the following:

Desk research

The desk research consisted of reading general publications on national action plans from international and European institutions, in particular the UN Office for the Commissioner on Human Rights guide on National Action Plans against Racism, and ECRI's workshop conclusions on National Action Plans for Human Rights. The researcher also read a feasibility study for a National Action Plan in Belgium, carried out in 2016. The four existing plans were analysed and were used to exemplify the various elements that should form an ideal NAPAR.

Stakeholder interviews

Phone interviews were carried out with the following key stakeholders to supplement analysis of existing NAPARs:

- Vera Egenberger: NGO representative Germany
- Leif Magnusson: NGO representative Sweden
- Camilla Molin: civil servant Sweden
- Natasha Moritz: civil servant Netherlands
- Saila Oualb Chaib: researcher Belgium
- Carol Young: NGO representative Scotland

Report structure

This report outlines indicators of what constitutes a good NAPAR in relation to its content and its process. Under each heading, elements drawn from existing plans are included as examples of such indicators.

A summary table included in an appendix to the report highlights how the various plans examined fare in relation to the indicators identified.

This report breaks down the elements needed for a good NAPAR in two distinct categories:

- Content-based indicators, which include the different elements in relation to policies and measures needed in the NAPAR itself for it to be of good quality, namely a sophisticated understanding of racism that recognises specific forms of racism, includes clear action-oriented policy objectives, and covers a comprehensive scope.
- Process-based indicators, which highlight the processes that national governments are expected to develop to enable a good NAPAR, namely, strong leadership, consultation with civil society, links with other government agendas and proper implementation and monitoring.

Nevertheless, it is important to stress that these indicators should be adapted to each national context. Stakeholders should consider which targets need to be adjusted, the opportunities for negotiations, the existing goals under each Member State scenario. Other standards could be developed, especially those which reflect on whether national governance models are well equipped to implement measures to tackle racism and other forms of discrimination.

CHECKLIST: WHAT MAKES A GOOD NAPAR

CONTENT

- | | | |
|--|-------|---|
| Sophisticated definition of racism
Recognises structural discrimination
Mentions intersectionality | ----- |  |
| Recognises specific forms of racism
Afrophobia
Islamophobia
Antisemitism
Antigypsyism
Anti-migrant racism | ----- |  |
| Data collection
Comprehensive equality data collection
Attitude and experience surveys
Hate crime statistics | ----- |  |
| Comprehensive scope and diverse strategies | ----- |  |

PROCESS

- | | | |
|------------------------------------|-------|---|
| Political leadership | ----- |  |
| Link with other government agendas | ----- |  |
| Local dimension | ----- |  |
| Consultation with civil society | ----- |  |
| Adequate financial resources | ----- |  |
| Strong implementing mechanism | ----- |  |

CONTENT-BASED INDICATORS FOR A GOOD NAPAR

1. A SOPHISTICATED UNDERSTANDING OF RACISM IN NAPARS

A precondition to addressing racism effectively is a sophisticated understanding of the concept itself. A basic definition of racism in the NAPAR will not be sufficient to put in place appropriate measures to eradicate it. A strong and comprehensive definition, that can be drawn by using resources produced both by academics and NGOs, will allow not only to better understand the phenomenon and design effective actions but will also help identify baseline data to properly monitor progress in tackling racism.

Systemic racism

Although the situation of racism and discrimination might vary across different EU member states, there is merit in grounding a NAPAR in a common definition of racism, which is comprehensive and sophisticated. This definition of racism must clearly display an understanding of the complexities of racial discrimination, how it has been constructed over time and how it manifests itself today. In particular, it should go beyond addressing racist crime and also acknowledge and tackle the different dimensions of racism: individual but also historical, institutional and structural.

ENAR's Shadow Report on Afrophobia in Europe defines racism as:

“...an ideological construct that assigns a certain race and/or ethnic group to a position of power over others on the basis of physical and cultural attributes, as well as economic wealth, involving hierarchical relations where the “superior race exercises domination and control over others.”²

The UN Convention on the Elimination of Racial Discrimination (CERD) defines racial discrimination as:

“...any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life.”³

The Race Equality Directive⁴ includes the concepts of direct and indirect discrimination as well as harassment in its definition of how racism manifests itself, which also provide a good basis for defining racism in NAPARs. Indirect discrimination under EU law is where an apparently neutral provision, criterion or practice would put persons of a racial or ethnic origin at a particular disadvantage compared with other persons. However, this legislation focuses on one aspect of racism, i.e. individual racism, and overlooks the systemic aspect of racism.

Both CERD and the Directive’s definitions, through their reference to indirect discrimination, demand that attention be paid to how apparently neutral policies or behaviours can increase racial inequalities, thus recognising the concept of indirect discrimination as a legal way to address structural discrimination. Recognition of the latter is crucial in any strategy to address racism and goes further than indirect discrimination. It occurs when rules, norms, routines, patterns or attitudes and behaviour in institutions and other societal structures, represent obstacles to certain people in achieving the same rights and opportunities that are available to the majority of the population. It occurs independently of individuals’ intentions. However, individuals’ actions are often significant for the occurrence of discrimination.⁵

NAPARs should adopt a comprehensive and sophisticated definition of racism as a system that encompasses different dimensions of racism, including individual, historical, structural and institutional dimensions.

- The Scottish Framework recognises that racial inequalities can be the result of structural discrimination and expresses its intention to tackle this manifestation of racism.

- The Swedish Plan provides a sophisticated definition of racism that includes structural racism, which it defines as “racist actions [...] not always based on individual’s political convictions but can also be unconscious. This means that racism, in various forms, exists as part of the structures of society”.⁶

Intersectionality

A sophisticated understanding of racism also includes recognition of the intersectional dimension of racism.⁷ This means recognising that in some situations, a person can be discriminated against on a combination of grounds that interact and are impossible to untangle, thus creating a specific experience of discrimination. Examples of that include Muslim women that are discriminated against on grounds of race, religion and gender or Roma women who experience discrimination based on both their gender, ethnicity and socio-economic status. Another example includes African-Caribbean men disproportionately sectioned under the Mental Health Act in the UK, highlighting discrimination on grounds of both ethnicity and disability.

NAPARs should include measures that recognise and address intersectional discrimination and are mainstreamed and connected to all social and public policies as a result.

- The Swedish Plan recognises intersectionality and highlights its intention to link up with other government agendas, including gender equality and LGBTQ rights.

- Intersectionality is an overarching guiding principle of the Scottish Framework, which spells out its intention to “further explore intersectional issues around the goals and actions set out in the Framework”.⁸

- There is no real mention of intersectionality in the Dutch Programme other than a reference on women specifically under combating anti-Muslim discrimination.

- The Barcelona Plan highlights the intersectional dimension of Islamophobia from the onset and recognises the need to take this dimension into account when devising actions to combat Islamophobia. It also recognises that Islamophobia affects women more strongly.

2. RECOGNITION OF SPECIFIC FORMS OF RACISM

Whilst there are a number of indicators common to all communities affected by racism, a NAPAR should also recognise that they experience racism differently and therefore require specific action. ENAR has worked in the past five years to increase understanding of the way in which racism affects different groups, in particular Afrophobia, Islamophobia, Antisemitism, Antigypsyism and anti-migrant racism.

NAPARs should include targeted measures to combat specific forms of racism.

- The Swedish Plan spells out the specific groups that are the focus of targeted measures namely: Afrophobia, Antisemitism, Antigypsyism, Islamophobia and racism against the Sami. It also includes a focus on combating homophobia, biphobia and transphobia.

- In the Dutch Programme, there is recognition that specific grounds of discrimination need targeted action, hence specific measures outlined in the Programme's annex for people facing discrimination on the grounds of descent, skin colour and religion (as well as sexual orientation, gender, age and disability & chronic illness). Within this section, it foresees specific measures to tackle anti-black racism, Muslim discrimination, and Antisemitism.

Afrophobia⁹

Afrophobia is a specific form of racism that refers to acts of violence and discrimination, as well as hate speech, fuelled by historical abuses and negative stereotyping and leading to the exclusion and dehumanisation of Black people. It refers to direct discrimination but also structural discrimination faced by People of African Descent (PAD) in fields such as employment, policing, housing and justice. This is associated with understandings of racism as a concept which is based on historically repressive structures of colonialism, the apartheid system in South Africa and the transatlantic slave trade.

NAPARs should recognise and acknowledge the historical realities of racism faced by PAD and incorporate targeted actions to tackle it.

One possible framework for action is the UN International Decade for People of African Descent, which runs from 2015 to 2024 and encourages effective measures by national governments to tackle racism experienced by people of African descent.

- The Swedish Plan recognises Afrophobia and has a number of targeted measures aimed at tackling Afrophobia, mentioning the UN Decade as a framework for action at a national level.

- The Dutch Programme recognises “anti-Black racism” as a phenomenon that requires specific action, in particular recognition and commemoration of the history of slavery. It also mentions a series of activities as part of the UN Decade.

- The Scottish Framework mentions the need to recognise Scotland’s involvement in the slave trade and colonialism, and how “the impact of these global events can still be seen in the inequalities faced by minority ethnic communities today”.¹⁰

Islamophobia¹¹

Islamophobia is a specific form of racism that refers to acts of violence and discrimination, as well as racist speech, fuelled by historical abuses and negative stereotyping leading to exclusion and dehumanisation of Muslims, and those perceived as such. It is characterised by a political and media climate that aims to systematically stigmatise Muslims, thus provoking and encouraging such acts of discrimination and violence against Muslims. Islamophobia is a form of racism in the sense that it is the result of the social construction of a group as a race and to which specificities and stereotypes are attributed (racialisation).

NAPARs should recognise Islamophobia and have targeted measures to tackle it, including its gender dimension.

- Aside from mentioning protection of Muslim places of worship and institutions, the French Plan does not mention any action to tackle Islamophobia.
- The Dutch Programme focuses most of its planned actions relating to Muslim communities on increasing awareness of “Muslim discrimination” and improving the reporting and recording of “anti-Muslim discrimination”.
- The Swedish Plan is the only one that recognises and defines the concept of Islamophobia. Most of the measures outlined in the Plan to tackle Islamophobia specifically focus on the need for further research into the phenomenon, rather than providing specific measures to tackle it.
- The Barcelona Plan is entirely dedicated to combating Islamophobia, having recognised that it is a growing, yet not well-known phenomenon. The first goal of the Plan is therefore to raise awareness about Islamophobia as a form of discrimination present in Barcelona.

Antisemitism

Antisemitism refers to hatred towards Jewish people, people perceived as Jewish, Jewish institutions, Jewish communities, Jewish culture, Jewish properties and Jewish collectivities. The European Parliament adopted a resolution on 1 June 2017, calling on Member States to adopt the working definition employed by the International Holocaust Remembrance Alliance (IHRA), which defines Antisemitism as “...a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities.”¹²

NAPARs should include specific measures to tackle Antisemitism. The 2017 European Parliament resolution offers some interesting suggestions that a NAPAR could draw on to elaborate its strategy.

- Although the French Plan mentions the fight against Antisemitism as a general statement throughout, it does not suggest any specific action to tackle Antisemitism, aside from protection of Jewish institutions and synagogues.

- The Swedish Plan highlights Antisemitism as a form of racism but does not provide targeted measures.

- The Dutch Programme focuses measures in relation to Antisemitism on reducing tensions between Jews and Muslims, encouraging Holocaust education, tackling antisemitic chants at football matches, and protecting Jewish institutions.

Antigypsyism¹³

The Alliance against Antigypsyism provides the following working definition of Antigypsyism:

“Antigypsyism is a historical, persistent complex of customary racism against social groups identified under the stigma ‘gypsy’ or other related terms, and incorporates:

1. A homogenizing and essentializing perception and descriptions of these groups;
2. The attribution of specific characterizations to them;
3. Discrimination social structures and violent practices that emerge against that background, which have a degrading or ostracizing effect and which reproduce structural disadvantages.”¹⁴

There is a strong tendency to define Roma exclusion mostly or exclusively in terms of “social exclusion”, i.e. poverty, lack of access to services, unemployment, and adverse living conditions, or of “human rights violations”. Both concepts have their limitations and are rather consequences of those attitudes and actions, which constitute Antigypsyism. Both fall short of identifying Antigypsyism as a root cause of social exclusion or human rights violations. Indeed, social exclusion of Roma is, in complex but intimate ways, related to racism towards Roma. At an EU level, both the European Commission and the European Council have pushed member states to develop national strategies for Roma integration (NRIS).¹⁵ Because of the lack of recognition that racism is integral to Antigypsyism, however, there has been concern that the NRISs have not been as effective in tackling it. There are nevertheless some useful practices identified in some NRISs. For instance, Sweden has commissioned a White Paper on Antigypsyism in Sweden, which is referenced in its NAPAR and will be used as a basis for actions to combat Antigypsyism.

National Roma Integration Strategies can form a good basis for measures to tackle Antigypsyism and should therefore be considered in drafting a NAPAR, and contribute to strengthening the anti-racist approach of the Roma strategy.

- The Swedish Plan is the only one that recognises Antigypsyism as a specific form of racism. It does not provide specific measures to combat Antigypsyism but indicates it will develop them, based on the findings from research undertaken by a Commission on Antigypsyism set up by the Swedish Government.

Anti-migrant racism

Racism faced by migrants, asylum seekers and refugees has always been prevalent in Europe, accentuated recently by the so-called asylum and migration 'crisis'. This racism manifests itself both through increased violence and hate speech directed at migrants, but also through systemic and structural discriminatory policies and practices by member state governments that exclude migrants from participating in society fully. As highlighted by ENAR:

Migration policies at both EU and national levels, are rooted in institutional racism, hierarchising workers according to implicit racialised criteria (expatriates, low/medium or high skilled migrant workers, students, researchers, family reunification migrants, seasonal migrants, circular migration migrants, blue card migrants, refugees, asylum seekers, subsidiary protection beneficiaries...). [...] This contributes to the ethno-stratification of the labour market.¹⁶

NAPARs should address the link between migration and racism and include measures to combat racism faced by migrants, refugees and asylum seekers. Links with integration plans, if applicable, should be made as well. This includes recognising that migrants face a specific form of racism that must be taken into account in all anti-racism and integration strategies.

- The Swedish Plan does not make any reference to migrants as a group targeted by discrimination and therefore does not propose any specific measures.

- The Scottish Framework recognises that ‘recent migrants face additional barriers to employment, on top of the barriers relating to the structural and personal racism faced by the wider minority ethnic population in Scotland’.¹⁷ It mentions lack of recognition of overseas qualifications as an additional challenge and proposes to improve recognition of such qualifications to improve access to the labour market for migrants.

- The Dutch Programme does not refer to migrants in its strategy. An interview with a civil servant involved in drafting the Programme mentioned that there is a separate agenda on integration, however there is little crossover between the two Programmes.

3. DATA COLLECTION TO ALLOW FOR STRONG INDICATORS OF PROGRESS

NAPARs should not be a declaration of intent or a list of existing priorities, but should include policy objectives that are specific, with clear and measureable indicators of progress. In particular, it is crucial to have baseline data to be included in the NAPAR to measure progress against such data.

For this to be achieved, equality data collection is essential.¹⁸

ENAR refers to equality data as:

“...all types of disaggregated data used to assess the comparative situation of a specific discriminated group or group at risk of discrimination, design public policies so that they can contribute to promoting equality and assess their implementation.”¹⁹

Data should be collected to assess the experience of discrimination as well as to monitor access to all areas of social and political life, such as employment, housing, health, goods and services.

ENAR has long advocated for the adoption of consistent equality data collection policies in all EU countries. In doing so, it insists on the following principles that should always be respected to ensure that data protection standards are met, and that further protection, participation and self-consent mechanisms are offered to respondents:

1. **Self-identification:** Identification should be based on the individual data subject's perception of her/his ethnic or racial origin.
2. **Voluntary participation:** Every individual has the right to opt into data collection (there is therefore no need to reach a consensus among all communities/individuals) and no one can be forced to provide sensitive data. Individuals will be informed that non-participation will not cause any negative consequences and that the provision of data will not be linked to social benefits or other services.
3. **Confidentiality of personal data:** Sensitive data should always be treated confidentially; in addition, secure data collection implies that early anonymisation is to be provided for every piece of information linked to sensitive data.
4. **Informed consent:** Every individual should receive clear, transparent information regarding the exact purpose of the data collection and the benefits and risks of their participation. They will be ensured that the data will not be shared with third parties and will only be used for the specific purpose. They shall then be asked if they are willing to consent or not to providing individual data.

5. **Community participation:** Groups at risk of discrimination should actively participate throughout the process, directly or through the intermediary of representative organisations, in particular for the definition of categories, the analysis and evaluation of the data collected, and the dissemination of the data.
6. **Multiple grounds/identities:** Data subjects should have the right to choose multiple and intersectional identities and it should be possible to combine grounds when analysing the data.

Many EU countries have so far been reticent to introduce equality data collection practices at national level. As a result, in most of the NAPARs examined, the focus is on attitude and qualitative surveys rather than equality data collected systematically by public bodies through all field of life. These surveys are a good first step but fail to really give a comparable overview of the situation of different minority groups. A notable exception concerns hate crime statistics, based on victimisation surveys or figures reported to the criminal justice agencies (police, Ministry of Justice etc.), which are more commonly available as they seem to be more readily collected at national level.

- Because equality data collection is widely accepted and used in the UK, the Scottish Framework plans to build on existing data collection practice to “ensure that ethnicity statistics and social research findings are effectively used to inform action, including through building it into the implementation process for the Framework”.²⁰

- The Swedish Plan recognises that it “takes a restrictive view of statistics and data collection in relation to the national minorities and the Government has no reason to re-evaluate this approach”.²¹ The main source of data used in the Plan is therefore based on attitudes and experiences surveys. In addition, it collects hate crime statistics.

- France has a long-standing view that its Republican values are incompatible with ethnic data collection. The French Plan therefore does not include any data collection apart from an annual victimisation survey, in order to gain better knowledge of racist and antisemitic crime. It also plans to publish data relating to racist, antisemitic and anti-Muslim incidents and crimes.²²

- The Dutch Programme mentions data collection in relation to incidents of discrimination. It recognises the need for better recording of incidents of discrimination in order to get a clearer picture of the situation and therefore plans to harmonise the way incidents are recorded at a regional level by the different institutions that receive the data (local anti-discrimination agencies, police, Human Rights Council) to allow for better analysis.²³

4. SCOPE OF NAPAR

The reality of racism and discrimination affects people of colour/ethnic and religious minorities in all areas of life and a plan should therefore be comprehensive enough to tackle racism in all its manifestations, while keeping an intersectional approach.

NAPARs should include measures to address racism faced by ethnic and religious minorities in areas such as education, housing, health, employment, policing, security and the criminal justice system, taking into account intersections of oppressions (sexism, homophobia, ableism, classism, etc.). Different strategies should be implemented in parallel to be efficient, including awareness-raising, positive action measures, knowledge production, assessment of legislation, recognition of past and current oppressions, etc.

- The Swedish Plan focuses mainly on educational measures and measures to tackle hate crime.

- The Scottish Framework sets out measures to tackle racial inequality across social and economic policy areas including community cohesion and safety, participation and representation, employment, education, health and housing.

- The Dutch Programme focuses its measures on employment, education and policing.

- The French Plan focuses most of its measures on a communication campaign and legislative changes to improve the effectiveness of sanctions for racist crimes.

PROCESS INDICATORS OF A GOOD NAPAR

1. STRONG LEADERSHIP THAT TRANSCENDS PARTY POLITICS

The call for NAPARs emerged out of the Durban World Conference, regularly followed up by the UN Committee on the Elimination Against Racial Discrimination (CERD).

In the current context of constant electoral shifts, the NAPAR process should be grounded in this human rights framework to ensure it remains independent and unaffected by national political changes. It is also important that the NAPAR is given high-level support and visibility. In addition, the timeframe of the NAPARs is significant: a longer-term Plan will allow for long-term planning, independent from political changes.

- In Sweden, the decision to produce a NAPAR was sped up by the UN Universal Periodic Review recommendation. A strong leadership coming from the Minister for Culture and Democracy also helped spearhead the process of producing a NAPAR.

- In the Netherlands, the impetus for establishing the Programme seems to have partly come from its requirements under several UN bodies, exemplified by the fact that it formed part of the submission to the UN Universal Periodic Review. In addition, the Programme states within its section devoted to specific grounds, including race, that it has dedicated a section on discrimination on the grounds of race, skin colour, descent and religion, as a result of observations made by the UN CERD and the Council of Europe's ECRI.

- In Belgium, a feasibility study into the drafting of a NAPAR was commissioned by the Ministry in charge of equal opportunities; however, since the publication of the study, a new Minister for Equal Opportunities was appointed and the latter has shown little interest in producing a NAPAR. However, the vice-Prime Minister mentioned the future adoption of the plan at the UN Council of Human Rights session in 2017.

- In France, the drive to produce a Plan against Racism and Antisemitism has come from the President declaring the fight against racism and antisemitism "a great national cause".

- The Scottish Framework runs from 2016 to 2030, thus allowing for long-term planning, which is consistent with the ambitious targets set out.

2. ENSURING MAINSTREAMING OF NAPAR MEASURES AND POLICY COHERENCE

A comprehensive strategy to tackle racism cannot operate in isolation from other government policies that might be relevant to achieving its objectives.

NAPARs should make the appropriate links to other government agendas and departments, where crossover can be established. Mainstreamed and targeted actions should go hand in hand to be as efficient as possible.

- The Swedish Plan recognises that its actions need to operate in conjunction with other government plans including reducing the democratic deficit, social and economic inclusion, education and youth policy and preventing violent extremism.

- In Scotland, an explicit link is made between the Framework and other key strategies, legislation and other key areas of work all listed in an appendix to the document.

- In the Netherlands, the drafting of the Programme was coordinated by the Ministry of the Interior but it brought together contributions by all the other relevant departments to integrate elements from other key strategies and programmes (such as the gender equality plan and discrimination in the labour market strategy).

3. ENSURING IMPLEMENTATION AT ALL LEVELS (NATIONAL, REGIONAL, LOCAL) THAT ARE ACTION AND SOLUTION-ORIENTED

Involving the various authorities at all levels in the implementation of the NAPAR is key to its success, both at regional and local levels. In particular, ensuring the involvement of local authorities and municipalities is crucial in identifying and dealing with racial discrimination.

- In the Dutch Programme, there is a strong focus on the local level, with an entire section dedicated to supporting municipalities and local anti-discrimination offices in implementing effective anti-discrimination measures.

- The French Plan identifies that better structures at local level are needed to combat racism and Antisemitism. It therefore aims to create local operational bodies in every “département”, which need to draw up a strategy to combat racism and “promote citizenship”.

4. PARTNERSHIPS WITH CIVIL SOCIETY AND ACADEMICS INCLUDING TARGETED GROUPS

Although the leadership behind the setting up of a NAPAR should come from governments, this should be done with the input and active participation of civil society organisations and representatives of the communities affected by racism.

This involvement of targeted groups will ensure both that the content of the NAPAR is adequate since those groups are best placed to know what the challenges are and how to address them. It will also increase the legitimacy of the NAPAR, providing buy-in from the communities affected. The process must be truly participatory and engagement must take place throughout the planning, implementation and monitoring of the plan. In addition, it is worthwhile to include academics and researchers who can provide some qualitative input into the plan, to gain a better understanding and provide baseline data that will serve to better monitor progress. The process of drafting the NAPAR can offer a good opportunity for setting up a formal and ongoing engagement process between Government and civil society.

- The Scottish Framework was developed as a result of intense consultation and involvement of a wide range of organisations and individuals. This engagement with stakeholders was central in the process leading up to the drafting of the Framework. As a result, the visions and goals set out in the Framework are mostly based on what members of ethnic minority community organisations have said they wanted to see included.

- The Swedish Plan was developed following a range of consultations with different groups in Sweden, including Roma, people of African descent, and Muslims. A commission on Antigypsyism was established in 2014, following a white paper on past abuses against the Roma. A report on Afrophobia was commissioned detailing the discrimination faced by Afro-Swedes. The Government also organised a conference on Islamophobia. All these served to influence the content of the NAPAR.

- In the Netherlands, several meetings were held with opinion leaders and community groups from different communities affected by racism (Black, Muslim and Jewish groups). Meetings were also held with institutions such as the police and municipalities.

- In planning for the Barcelona Plan, a comprehensive consultation plan was implemented over two months and included meetings with organisations fighting racism and discrimination, Muslim groups, including young Muslims and Muslim women associations. In total, 63 people participated in the meetings. In addition, 14 interviews were carried out with key stakeholders who are recognised experts on the issue of Islamophobia.

5. ENSURING THE NAPAR'S IMPLEMENTATION AND MONITORING WITH HUMAN AND FINANCIAL RESOURCES

An ambitious NAPAR needs appropriate resources to ensure that all its provisions are implemented. Alongside political leadership, it is a crucial precondition to ensuring its success. Transparency and accountability mechanisms are also crucial for adequate implementation.

NAPARs should have the involvement from the start from relevant ministries in charge of budgeting to ensure that sufficient funds are allocated to the development and implementation of the Plan, as the Council of Europe proposes for National Action Plans for Human Rights.

Apart from the Barcelona Plan against Islamophobia, none of the plans make clear reference to the budget they intend to allocate to their respective strategy. Financial information is at best patchy and at worse totally absent from the documents examined, thus representing a notable gap in the plans analysed.

- The Swedish Plan states that it has increased its budget for anti-racism work by SEK 156 million and intends to further increase the budget by SEK 40 million in 2017. It also mentions its intention to increase funding to the Swedish Agency for Youth and Civil Society for work to combat Afrophobia, Antisemitism, Antigypsyism, Islamophobia, racism against the Sami, homophobia and transphobia, though it does not say how much precisely.

- The French Plan states that Government will provide 100 million euros to implement its actions against racism over the lifetime of the Plan.

- The Barcelona Plan states it will allocate a budget of €55,000 for 2017 and €47,000 for 2018 to the fight against Islamophobia.

Drafting a strong NAPAR with concrete actions and measures can only be effective if these are implemented and monitored. The way in which the NAPAR will be put into effect should therefore be considered at the inception stage and should be embedded in the Plan. One dedicated organisation should be assigned with the specific task of coordinating and monitoring the implementation of the NAPAR.

The Equality Body, which should exist in each Member State as a requirement in the Race Equality Directive, could act as the coordinator for the implementation of the NAPAR while establishing structured coordination mechanisms with NGOs and political representatives.

It needs to receive adequate resources to play such a role and be given a clear and meaningful mandate, competences and roadmap.

- The Swedish Plan has officially assigned the Living History Forum, a public authority, with the task of monitoring the implementation of the measures in the Plan. They have appointed a dedicated member of staff, whose role it is to develop a monitoring system to measure progress.

- The responsibility for the implementation of the French Plan falls on the DILCRA, the inter-ministerial body in charge of drafting the plan. The latter produced a report after one year, to report on the progress in implementing its actions.

- In the Netherlands, the Ministry in charge of coordinating and implementing the programme has to report annually to the parliament.

- The actions within the Scottish Framework are monitored internally by the civil servants responsible for the Framework. The Scottish Government is also keen to continue its stakeholder engagement to get their views on progress. An independent adviser was appointed to act as a “race equality champion” and to help drive forward the implementation of the Framework.

Implementation and monitoring processes should be carried out with the support of civil society organisations, community activists and experts, and should involve them the design of the surveys to the qualitative assessment review.

CHECKLIST: WHAT MAKES A GOOD NAPAR

	Sweden	Netherlands	Scotland	France
CONTENT				
Sophisticated definition of racism				
Recognises structural discrimination	✓		✓	
Mentions intersectionality	✓		✓	
Recognises specific forms of racism				
Afrophobia	✓	✓		
Islamophobia	✓	✓		
Antisemitism	✓	✓	✓	✓
Antigypsyism	✓			
Data collection				
Comprehensive equality data collection			✓	
Attitude and experience surveys	✓	✓		
Hate crime statistics	✓	✓	✓	✓
Comprehensive scope and diverse strategies			✓	
PROCESS				
Political leadership	✓	✓	✓	
Link with other government agendas	✓	✓	✓	
Local dimension		✓		✓
Consultation with civil society	✓	✓	✓	
Adequate financial resources				
Strong implementing mechanism	✓	✓	✓	

ENDNOTES

1. World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance Declaration and Programme of Action. Paragraph 99, p.39. Available at: <http://www.un.org/WCAR/durban.pdf>.
2. Nwabuzo, Ojeaku. 2015. Afrophobia in Europe, ENAR Shadow Report 2014-2015. Brussels: ENAR, p.8. Available at: http://www.enar-eu.org/IMG/pdf/shadowreport_afrophia_final_with_corrections.pdf.
3. International Convention on the Elimination of Racial Discrimination, Article 1. Available at: <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CERD.aspx>.
4. Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin. Available at: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32000L0043:en:HTML>.
5. Pincus, Fred L. 2000. Discrimination Comes in Many Forms: Individual, Institutional, and Structural, p.1, extract from Readings for Diversity and Social Justice, edited by Adams, Maurianne; and Najcevska, Mirjana. 2010. 'Structural discrimination: an International Perspective'. Poverty & Race. Available at: http://www.prrac.org/full_text.php?text_id=1332&item_id=13088&newsletter_id=114&header=Race+%2F+Racism&kc=1.
6. Swedish National Action Plan Against Racism, p.11.
7. The academic Kimberlé Crenshaw first articulated the concept of intersectionality by referring to the disadvantage faced by African American women based both on their race and their gender. Crenshaw, Kimberlé. 1989. Demarginalising the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory and Antiracist Politics. University of Chicago Legal Forum.
8. Scottish Race Equality Framework, p.20.
9. See <http://www.enar-eu.org/People-of-African-descent-experience-wide-spread>.
10. Scottish Race Equality Framework, p.43.
11. See <http://www.enar-eu.org/-1156>.
12. European Parliament Resolution of 1 June 2017 on Combating anti-Semitism. Available at: http://www.europarl.europa.eu/sides/getDoc.do?type=TA&reference=P8-TA-2017-0243&language=EN&ring=B8-2017-0383#def_1_4.
13. See <http://www.enar-eu.org/-1166>.
14. Antigypsyism – A Reference Paper, version July 2016. Available at: <http://antigypsyism.eu/wp-content/uploads/2016/10/Antigypsyism-reference-paper-Layouted-version.pdf>

15. See <http://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX:52011DC0173>.
16. See <http://www.enar-eu.org/Introduction-1301>.
17. Scottish Race Equality Framework, p.65.
18. ENAR webpage on equality data collection. Available at: <http://www.enar-eu.org/Equality-data-collection-151>
19. ENAR. 2014. Measure, Plan, Act – How data collection can support racial equality, p.5.
20. Scottish Race Equality Framework, p.25.
21. Swedish National Action Plan Against Racism, p.56.
22. French Action Plan Against Racism and Antisemitism, p.8.
23. Dutch Anti-Discrimination Programme p.7.
24. Speech given by Vice Prime Minister Didier Reynders at the 34th Session of the UN Council for Human Rights. Available at: https://diplomatie.belgium.be/fr/newsroom/nouvelles/nieuwsberichten/2017/discours_du_ministre_didier_reynders_loccasion_de_la_34eme



EUROPEAN NETWORK AGAINST RACISM

ENAR is the only pan-European anti-racism network that combines advocacy for racial equality and facilitating cooperation among civil society anti-racism actors in Europe. The organisation was set up in 1998 by grassroots activists on a mission to achieve legal changes at European level and make decisive progress towards racial equality in all EU Member States.