



MIGRATION
AND RIGHTS:
BUILDING
DEVELOPMENT
TOGETHER

LOCAL ACTION PLANS FOR
THE INTEGRATION AND HUMAN
RIGHTS OF MIGRANTS



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Project AMITIE CODE

Awareness on Migration, development and human rights
through local partnership - Capitalizing On Development
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PREFACE

Susanna Zaccaria, Deputy Mayor, City of Bologna

Migrations are at the core of public debate in Europe. Visible causes and consequences of migrations, such as climate change, human rights violations, conflicts and demographic change in European cities invite us to act through development cooperation and, later, through humanitarian aid. Since 2015, development cooperation policies of the European Union have been the object of joint planning and programming, to encourage EU member states to join their efforts in the field of development cooperation, in order to reach higher levels of effectiveness and efficiency and to avoid redundant interventions in third countries. The nexus between development and migration is mirrored in the United Nations 2030 Agenda for sustainable development, where migration is acknowledged as a potential growth multiplier for development of both origin and destination countries. In this framework, the role of development cooperation in facing the challenges and opportunities that the present global situation entails is central.

AMITIE CODE (Awareness on Migration, Development and Human Rights through local partnerships, Capitalizing On Development) is a development education project, co-financed by the European Union and coordinated by the City of Bologna, involving public administrations, NGOs and universities in six European countries (Germany, Italy, Latvia, Portugal, Spain and France) two regions (Emilia-Romagna, Andalusia) and eight cities (Bologna, Hamburg, Reggio Emilia, Riga, Loures-Lisbon, Toulouse, Seville), joined by the important objective of raising awareness among citizens in general and some key groups in particular about the human rights of migrants and taking a step further: beyond awareness raising, information and training, the project wants to leave a practical and concrete mark.

During the 32 months of the project, partners implemented various information, awareness-raising and training activities: an interactive web application on development cooperation, a travelling film exhibition on migrations to organise public screenings, a web series on human rights of migrants, an international contest for videos produced by young people on the same issues, training for teachers and school labs for students. Along with teachers and students,

civil servants have been one of the key intermediate groups targeted by the project, because of the fundamental role of cities in the process of migrant inclusion: cities deliver services, they provide the frame for participation in institutional life, their institutional activity impacts directly on the lives of individuals and communities. Their primary role as the institutional level that operates closest to the population has been acknowledged by the United Nations both in the Urban Agenda Habitat III and in the Sustainable Development Goals, where goal 11 is completely dedicated to cities and city life. In a process fostered by the EU policy on subsidiarity, the role of local administration has gained more weight in the last decades in all European Countries, including those that were traditionally structured on a more centralised and top-down institutional order.

To target this specific group, civil servants, partners organised specific training courses in the six project focus cities (Loures, Seville, Toulouse, Bologna, Hamburg and Riga) dealing with migration, integration, human rights and co-operation. The training had a multi-disciplinary approach and a practice-oriented scope since, as mentioned before, the AMITIE CODE project has the ambition to deliver concrete practical change and this is probably one of the most innovative aspects of the project. But it was also an instrumental, preparatory action: although training in itself is an essential tool to trigger change (and continuous training emerged as a strong need for civil servants), the AMITIE CODE training aimed at producing a Policy Document or a Local Action Plan (PD/LAP) that could impact on the institutional activity of the partner cities, bringing about concrete change.

The choice to have the PD/LAP as the output of training, where civil servants along with representatives of migrant communities were called to actively contribute - rather than as a document drawn up by policy makers or legal experts - was central to the idea we had of these documents: they draw from practical experience, grassroots expertise and focus on the issues that strongly emerge as critical in everyday institutional practice. They identify specific problems, relevant to migrant communities in the local contexts, and set possible interventions tools and strategies to face them.

INTRODUCTION

Professor Gustavo Gozzi, University of Bologna

AMITIE CODE (Awareness on Migration, Development and Human Rights through local partnerships, Capitalizing On DEvelopment) is a European project that aims at understanding how institutions and European civil societies can face the huge flows of migrations that represent a challenge for the cultural identity and the future of the European Union.

It is a development education and global citizenship project co-financed by the EU in the frame of the Development Cooperation Instrument, the programme to fight poverty and promote fair and sustainable development in Europe.

At the core of the AMITIE CODE project there is the awareness of the connection among migrations, human rights and development. Stating that there is a nexus between development and migrations entails the necessity to analyse the causes of migrations and the limits of development programmes. The conditions of famine, drought, climate change and war also call into question development programmes and even the concept of development itself.

This concept became a topic of international debate after the Second World War in order to favour the economic and social growth of the countries that were previously under colonial rule. But many voices have pointed out the ambivalences of this concept, underlining at the same time the continuity with the preceding economic colonial legislation. So a critical review of the concept of development has been fundamental in the implementation of the AMITIE CODE project, introducing in particular the idea of *human development*, i.e., the full realisation of the person's capabilities through the enjoyment of the rights to a long and healthy life, education and participation in the life of our democracies. And this concept of human development is the essential condition for economic development not only in Third World countries, but also in our advanced European countries.

In this perspective and strictly connected with this idea of human development, the AMITIE CODE project has

proposed the concept of *co-development* that represents migrants as *transnational actors* who with complete and successful integration into our European communities can contribute to the development of the receiving country and their own countries of origin.

This idea of co-development has been clearly announced since the Conclusions of the Tampere European Council of 1999 and we can read this relationship between migration and development in other documents of the EU as well, for instance in the more recent paper of the European Commission issued on 18 November 2011 and entitled *The Global Approach to Migration and Mobility* (GAMM), where the fourth pillar of the European policy towards migration declares the necessity of “maximising the *development impact* of migration and mobility”. However we have to say that these declarations of European policy have not yet been applied. In this regard we can say that the AMITIE CODE project clearly contributes to create awareness about the difficulties and shortcomings of the European policies towards migrations.

In the AMITIE CODE project the migration-development nexus is considered under a *human rights based approach*, which keeps us from representing migrants only as a workforce, but rather to the contrary takes into account all the complexity and the richness of the migrants’ identity: the peculiarity of their cultural identity, of their history, their family ties, their connection with the country of origin. So the human rights based approach has been conceived in the AMITIE CODE project based on two pillars: human development of migrants and respect and protection of their cultural rights.

This perspective concerns directly the problem of *integration* of migrants in our local communities through the policies of local authorities. This is indeed the main purpose of the AMITIE CODE project: examining and proposing integration policies in the administrative, social and cultural realities of the receiving societies of the six partner countries (France, Germany, Italy, Latvia, Portugal, Spain). The AMITIE CODE project involves 14 partners from these countries - not only local authorities, but also associations and universities - that are the institutional and social actors more directly in contact with and more affected by the changes produced by migration flows in the frame of the economic crisis and in the context of the transformations in social cohesion.

As we can read in Resolution 296 (2010) of the Congress of Local and Regional Authorities of the Council of Europe, “Europe’s local and regional authorities also have a key role to play in the day-to-day application of the fundamental values of democracy and human rights”, guaranteeing “equal access to public services for all citizens and non-citizens, without any discrimination, while ensuring that social rights are upheld”.¹

So the question of integration through education, information and training of teachers and civil servants has been the fundamental purpose and the main task of all the partners of the AMITIE CODE project.

As we can read in the Action Plan on the integration of third country nationals of the European Commission (2016), “Today there are 20 million non-EU nationals residing in the EU, who make up 4% of its total population.² Human mobility, in varying degrees and for a variety of different reasons, will be an inherent feature of the 21st century for Europe as well as globally, meaning the EU not only needs to shift into a higher gear when it comes to managing migration flows, but also when it comes to its integration policies for third-country nationals”.³

However, notwithstanding the efforts made by the European countries and, in particular, by local authorities, third-country nationals in the EU continue to be worse off than EU citizens when it comes to employment, education and social inclusion.⁴

¹ THE CONGRESS OF LOCAL AND REGIONAL AUTHORITIES Resolution 296 (2010) Revised. Role of local and regional authorities in the implementation of human rights

² See: Eurostat (2015).

³ This Action Plan addresses the integration of migrants including refugees who are nationals of non-EU countries and who are in the EU legally. It does not concern nationals of EU member states, who have a third country migrant background through their parents or grandparents, nor EU nationals who have exercised their right to free movement and their family members.

⁴ See Eurostat data: http://ec.europa.eu/eurostat/statistics-explained/index.php/Migrant_integration_statistics_-_overview and OECD/European Union (2015), Indicators of Immigration Integration 2015 – Settling In: <http://www.oecd.org/els/mig/Indicators-of-Immigrant-Integration-2015.pdf>.

But the European Agenda on Migration ⁵ emphasised the need for effective integration policies for third-country nationals, because “investing resources and energy in integration policies today will contribute to making Europe a more prosperous, cohesive, and inclusive society in the long run”. ⁶

Unfortunately many studies suggest that third-country nationals have to constantly face barriers in the education system, the labour market and in accessing decent housing. ⁷ They are more at risk for poverty or social exclusion compared to host-country nationals, even when they are employed. But there is a clear risk that the cost of non-integration will turn out to be higher than the cost of investment in integration policies. In fact “the integration of third-country nationals is and should be an integral part of efforts to modernise and build inclusive social, education, labour market, health and equality policies, in order to offer meaningful opportunities for all to participate in society and the economy”. ⁸

The EU has been built on fundamental values such as democracy, rule of law, human rights.

The Charter of Fundamental Rights of the EU proclaims many rights that are crucial for the integration policies, in particular freedom of speech and religion and the right to a substantial equality and non-discrimination, which are the basic conditions for living and participating in a host society. ⁹

⁵ See: COM(2015)240 final of 13.5.2012.

⁶ COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS Action Plan on the integration of third country nationals, COM (2016) 377 final, p. 2.

⁷ In 2015, third-country nationals’ employment rate was 12.4% lower than that of host country nationals, with women having particularly low rates.

⁸ COM (2016) 377 final, cit., p. 4.

⁹ Ibid., p. 5.

These theoretical assumptions have been the basis for training courses targeting teachers and civil servants that have been implemented in all partners countries. As Abdelmalek Sayad has affirmed, migration is a “social global fact” that needs to be interpreted through a multidisciplinary approach: legal, economic, political, cultural, psychological, anthropological, demographic, historical.

This complex paradigm has represented the perspective of the training courses that the partners have implemented in their own countries according to the specificities of their national conditions and traditions. But the purposes – i.e., the aim of analysing the current specific integration policies and proposing the necessary measures for migrants’ integration - have been the same in all countries.

The different implementation structures of the training courses reflect the specific ways and the different levels that have been experienced in integration policies of the partners’ countries.

One can think that the awareness of these differences represents an important result in order to understand the complexity of migrants’ integration in the whole EU and the premise for reflecting on how to achieve an increasingly uniform level of migrant inclusion in Europe.

In this perspective the local action plans that have been issued by the partners of the project give us some key points that may be regarded as the results of a survey. All local plans point out some specific subject areas: non-discrimination, well-being and access to services, communication, participation and training of public officers.

To each area the plans attribute specific objectives that are in turn translated into a series of actions.

Fundamental is the area of non-discrimination, to which plans attribute a particular relevance. Indeed, the right to non-discrimination is strongly proclaimed by the Universal Declaration of Human Rights in art. 2 and by other important international covenants and conventions, such as the European Convention on Human Rights (art. 14) and by the Charter of Fundamental Rights of the EU (art. 21). The right to non-discrimination defined as the equal treatment

of individuals that are in similar situations, but also as a specific treatment for the protection of different cultural identities, is the essential condition for the realisation of an inclusive multicultural society.

The complexity of the right to non-discrimination depends on the fact that it implies both the promotion of shared values and the respect of cultural diversity.

The perspective of non-discrimination represents the essential cultural condition for specifying the objectives and providing a set of actions in the field of social services.

Many are the objectives that are related to the different areas and that correspond to the different solutions that partners have adopted for creating a more inclusive society.

Some objectives are common to all plans: for instance fostering respect for diversity, enhancing participation and fostering dialogue among all actors involved in the process of integration of migrants.

The actions that derive from and specify all these objectives demonstrate the extent and the plurality of solutions that can be adopted in the different national contexts in order to find the specific ways for the protection of migrants' rights. For instance, in Spain, FAMSI is a network of local municipalities and other entities that has issued guidelines for local action plans to be adopted by the different municipalities. In Hamburg, the AMITIE CODE activities have been included in a limited way within the frame of the Local Action Plan of the City of Hamburg, and so on.

There are actions that aim at guaranteeing migrants accessibility to primary health care and assuring them a differential health treatment.

Access to education is another fundamental action, as well as the creation of conditions for assuring appropriate housing.

All plans emphasise the importance of realising intercultural moments in different ways (for instance promoting the sharing of cultural customs and traditions, and so on).

The actions of the local plans have to be adopted in the perspective of a sustainability strategy and should be monitored through adequate indicators in order to assess the level of integration that has been achieved.

The plurality and the variety of these actions are issues that regard the local context, of which the AMITIE CODE project has demonstrated a core position of creating a multicultural and inclusive society. To achieve this result the process of training civil servants and training teachers in a different context represent the essential conditions for dealing with the challenges posed by migrants in European countries.

Let us hope that the local plans developed by the partners of the AMITIE CODE project can contribute to proposing a pattern for the integration of migrants that represents a model to be adopted by all countries of the EU!

KEY WORDS AND CONCEPTS ANALYSIS

GENERAL ANALYSIS

Significant similarities and differences emerge from the *key words and concepts analysis* of the six Local Action Plans (LAP). Overall, the documents result in full coherence with the project’s objectives and well-centred on human and social rights, integration and non-discriminatory processes, with a clear attention to migrants and new citizens. Each LAP presents a series of actions that seem concrete and ready to be implemented at the local level through public services and new approaches to the public space. Within this common framework, the Plans also present differences related to cultural differences and local approaches. For instance, Bologna highlights the concept of “well-being”, Hamburg “sustainability”, Loures and Sevilla the “community” dimension, Riga the legal aspects and Toulouse cultural connection. Interestingly enough, training and education emerge as cross-cutting needs and as priorities in these domains for all.

A matrix of the 10 key-words utilised in the PAL is presented below.

KEY WORDS	Bologna	Hamburg	Loures	Riga	Sevilla	Toulouse
Right(s) (40)	Development (29)	Migrant(s) (41)	Status (83)	Social (30)	Rights (22)	
Participation (23)	Training (26)	Community(ies) (31)	Person(s) (105)	Community (21)	Migrants (16)	
Training (16)	Integration (17)	Population (16)	Latvia (64)	Principles (17)	Cultural (15)	
Services (15)	Education (14)	Services (14)	Alternative (57)	Policies (16)	Diversity (11)	
Citizens (13)	Sustainability/	Training (13)	Newcomers (53)	Diversity (15)	Access (10)	
Well-being (13)	Sustainable (14)	Social (13)	Residence (49)	Context (15)	Social (9)	
European (13)	Integration (13)	Communication (12)	Social (39)	Inclusion (13)	Services (8)	
Foreign (13)	Public (12)	Integration (11)	Permit (35)	Integration (12)	Discrimination (7)	
Social (13)	Cooperation (10)	Public (11)	Refugees (33)	Economic (12)	Municipal authorities (6)	
Public (13)	Associations/	Migration (10)	Asylum seekers (33)	Public (11)	Society (5)	
	NGO (18)	Intercultural (9)				
	Different (9)					

BOLOGNA

The Bologna's LAP is focused on three main objectives: well-being, non-discrimination, and participation. A cross-cutting objective is also present: to foster the integration of policies of the three domains, and, in general, of the issue of human rights and access to their exercise, in particular by new citizens. The LAP also provides indications for the implementation, such as the establishment of a steering committee.

The main focus of the Plan is on services provided by local authorities in the public arena. A special cross-cutting attention is paid to the rights of the new citizens in terms on participation, access to services and social space. Finally, training programs received significant attention in all domains.

HAMBURG

The Hamburg's LAP presents its concept of integration with a strong attention to civil society organisations. In addition, as well presented in the LAP, "Two elements characterize this concept to a great extent: the involvement of relevant experts in its emergence as well as the approach of making the integration process transparent and measurable on the basis of specific goals as well as valid and comprehensible indicators and data, and of continuously reviewing the goal fulfillment."

"Development", "sustainability" and "integration" are key concepts of this Plan, while education and training result as central approaches to reach these objectives.

LOURES

The overall objective of this LAP is to facilitate the process of including migrants in local communities through a joint close work with each of them. The potential achievement of this objective is presented through three focuses: non-discrimination, training and awareness, social services and structures. The key concept of the Plan lays in the migrants-communities axes: integration and intercultural results depend from this relation. In addition, the LAP lists a diversified array of stakeholders that will be involved in the implementation on this nexus.

RIGA

Riga's LAP is a detail analysis for guidelines and good practices in public services. It touches several specific aspects of migrants' daily life, often defines as "newcomers", from employment to healthcare, and from housing to social support. It also emerges a strong focus on legal aspects and norms referred more at the national than at the local dimension. For instance, refugees and asylum seekers are often considered in relations to legal procedures, rights and needs.

SEVILLA

This output from the Sevilla's partners is a strategic document" centred on human rights and non-discrimination. The objectives are highlighted: promoting an improvement in local policies on migration, cooperation and human rights; increasing the level of coordination, mutual understanding and coherence between local authorities' policies and initiatives; and an active involvement of migrant communities and the diaspora in integration policies.

In the document the "community" dimension is often stressed, as well as the relevant to pay attention to specific contexts.

TOULOUSE

The LAP presented for Toulouse is concise, but it well presents clear principles and potential actions. The six sections of the document are dedicated to: protecting and promoting migrants' rights and duties (including education in human rights), providing access to services and ensuring equality of opportunity for all, participation in civil society, cultural diversity as a source of exchange and dialogue, fostering tolerance and the fight against discrimination and racism, favouring social cohesion and a shared sense of belonging.

Migrants' rights are therefore at the core of this LAP, and, interestingly, the authors chose to use the concept of "tolerance" beside non-discrimination.



BOLOGNA

.....
Local action plan for a non-discriminatory action
towards new citizens with a human rights based
approach
.....

THE ACTION PLAN AND ITS CONTEXT

The municipal Action Plan for new citizenship rights with a human rights approach is a result of the participatory process conceived and developed within a training course of the European AMITIE CODE project. The course, organised by the University of Bologna (CIRSFID - “Guido Fasso - Augusto Gaudenzi” Interdisciplinary Centre for Research in Law History, Philosophy and Sociology of Law and IT Law of the University of Bologna), saw the participation of more than 30 public employees, mainly from the City of Bologna, but also from the Emilia-Romagna Region, the AUSL, the Metropolitan City, the ASP City of Bologna and other Municipalities of the metropolitan area. The document was then discussed with the council member Susanna Zaccaria, responsible for neighbourhoods, equal opportunities and gender differences, LGBT rights, fighting discrimination, rights of new citizens and approved by the guidance act of the City Council of Bologna on ...

The Action Plan covers four years (2017-2021) and is structured along three domains: well-being, participation and non-discrimination. For each domain one to three objectives were identified, and for each objective two to five actions aimed at translating objectives into proposals and operational practices, to which a cross-cutting objective is added. Although the Plan is intended for the entire population and it is believed that the general public can benefit from it, during its definition particular attention was paid to new citizens, migrant people and communities, the main target of the AMITIE CODE project as they are particularly exposed to difficulties in accessing their rights.

To be effective and sustainable, the Action Plan will be discussed and integrated within a participatory programme organised by the Rights and New Citizens office, to which will be invited the other institutions and stakeholders of the local area. After the Guidance Act and before final approval it will be translated into various languages, discussed and shared with the other public administrations of the local area, with the University of Bologna, organisations of migrant communities, employers, civil society, trade unions and other stakeholders interested in participating.

CROSS-CUTTING OBJECTIVE - DOMAIN INTEGRATION AND CREATION OF A STEERING COMMITTEE

As a cross-cutting objective, the Action Plan aims to foster the integration of policies of the three domains, and, in general, of the issue of human rights and access to their exercise, in particular by new citizens. As a concrete action for achieving this goal, it is suggested to establish a Steering Committee with the responsibility for the coordination, programming, implementation and monitoring of tasks, composed of the sector directors under the direction of the “Rights and New Citizens” office. For its implementation, a working group can be established that takes into account the experience of the European AMITIE CODE project, and its first participants could be those who took the course, but it could also be open to other participants, including other organisations. The objective is to form a cross-cutting and multi-level governance group on human rights issues. Finally, with regard to the method, the Action Plan must be implemented using the checklists of the *Toolkit for Equality*, an instrument proposed by the European Union’s Fundamental Rights Agency, learned during the training.

DOMAIN 1 - WELL-BEING

The well-being of individuals and communities is determined by a variety of factors and dimensions, and is a dynamic condition that can evolve and change over time. Starting with the Universal Declaration of Human Rights (UDHR), the right to health is one of the fundamental rights that must be guaranteed to all individuals. In fact, well-being is intended holistically, both in terms of the well-being of individuals and the community, with attention to psychological, health and social aspects (UDHR, art. 25), as defined by the World Health Organisation (WHO, 1948).

The well-being domain finds its primary European references in the right to health and well-being of the European Convention on Human Rights (ECHR, art. 2, 3, 8), in the European Social Charter (art. 3, 7, 11), in the Treaty on European Union (EU Treaty, art. 3, para. 1, 9) and at a national level in art. 32 of the Italian Constitution.

The objectives of this domain are to pursue the well-being of all citizens through the use of services that must be nearby and accessible.

A necessary and essential condition for the pursuit of these goals is the organisational well-being of the municipal staff. They are therefore objectives and actions that at least in part must be dealt with by the organisational culture of the municipal administration.

OBJECTIVE 1 - IMPROVE THE RELATIONSHIP BETWEEN CITIZENS, ESPECIALLY MIGRANTS, AND SERVICES CENTRED ON THE CITIZEN AND IMPROVING THE WORKING CLIMATE

Action I - Training of personnel of the Public Relations Office (URP - Ufficio Relazioni con il Pubblico) and offices for human rights, immigration and multiculturalism

The manner in which the relationship between citizens and public operators is developed can have a decisive impact on the well-being of the general public. For this reason, personnel should be supported by adequate training on immigration and, in particular, on aspects related to human rights and multicultural communication. In fact, on these points are based more advanced actions to eliminate discriminatory or disrespectful behaviours, both explicit and implicit. Neighbourhoods can be starting places for the first experimental training, based on an approach that goes beyond classification by target audience and addresses citizens as human beings. Staff training is therefore of fundamental importance as it constitutes the necessary prerequisite to achieve - in addition to an improved relationship with the public - the reception and integration of communities and people regardless of their origin.

In this sense, the concept of “multicultural communication” is the translation of an approach founded on human rights through respect for cultural identities and the guarantee of “human development”, i.e., physical, psychological and social abilities, especially of migrant people. The concept of well-being - thus interpreted as physical, psychological and social well-being - necessarily implies a precise coordination of sociological and healthcare services in the context of a global vision of well-being.

Action II - Update the Code of Conduct of the City of Bologna on the responsibilities of operators in relation to the requests of people with migrant backgrounds

The Code of Conduct needs to be updated with specific operator conduct guidelines to relate to citizens with a migrant background. This measure must be accompanied by the updating of the Regulation on the general organisation of offices and services and by targeted assessments of personnel. The objective is to define precise types of requests to which the operator must be able to provide an adequate response, under certain circumstances even gathering necessary information from other municipal offices by taking personal initiative and making use of appropriate training.

Action III - Provide operators with information platforms and cross-cutting databases for an overview of the situation of the individual and/or family

Continue the development of technological infrastructure in the direction of *multiplatform computing* for the sharing of the administration’s information assets among professional operators and citizens. The goal is to facilitate access to services through the integration of databases and organisational models, ensuring security and confidentiality of the information, as well as the protection and autonomy of each service.

The action aims at simplifying citizens’ access to services, requiring as little information as possible, avoiding duplication and using an IT management that displays all the information about the individual.

OBJECTIVE 2 - IMPROVE THE RELATIONSHIP BETWEEN SERVICE OPERATORS WITH A VIEW TO ENHANCING ORGANISATIONAL AND OCCUPATIONAL WELL-BEING

Action I - Creation of a network of operators and services

Creation of an internal and inter-institutional and multidisciplinary network among service providers for the exchange of information, knowledge and good practices, aimed at making the outward process more fluid.

Action II - Encourage moments of professional and educative exchange focused also on taking care of those who take care

Support service operators in direct contact with the public, listening and caring for those who take care, reinforcing the awareness of their role. This support can take place through professional and training sessions, also by consulting experts on organisations and by promoting places and times for spending time together, including extra-professional activities (company canteens, company daycare, gym, etc.).

DOMAIN 2 - NON-DISCRIMINATION

Discrimination can be defined through two macro categories: direct and indirect discrimination. There is direct discrimination when a person is treated less favourably by virtue of belonging to a particular group or identity compared to how someone else in the same situation is, was or would be treated. There is indirect discrimination when an apparently neutral disposition, criterion, practice, act, agreement or behaviour puts people of a particular group or identity in a disadvantaged position compared to other people. Indirect discrimination is the kind that most closely regards institutions.

The right to non-discrimination is first and foremost rooted in the UDHR (art. 2) and in conventions on specific discriminations, like the International Convention on the Elimination of All Forms of Racial Discrimination (1965). At a European level, the fundamental references are found in the ECHR (art. 14), in the EU Treaty (art. 2, 3) and in the EU Charter of Fundamental Rights (art. 21), while at a national level references can be found in the first articles of the Italian Constitution (art. 2, 3 and art. 8 and 19 on freedom of worship).

Non-discrimination also applies to the full exercise of religious freedom - which includes the right to freedom of conscience and the right to freedom of worship - and is an integral part of the rights of minorities proclaimed by art. 27 of the International Covenant on Civil and Political Rights of 1966. The article recognises “in community with

the other members of their group, to enjoy their own culture, to profess and practise their own religion, or to use their own language” and is thus a fundamental right of the human rights-based approach .

The actions of the first objective, aimed at removing all discriminatory barriers, must be realised in sequence. In contrast, the actions of the second objective, on the one hand, are aimed at supporting, monitoring and assessing the implementation of anti-discrimination actions, and, on the other hand, spreading this culture.

OBJECTIVE 1 - REMOVAL OF ANY DISCRIMINATORY BARRIERS PRESENT IN MUNICIPAL REGULATIONS AND SERVICES

Action I - Study of any discriminatory barriers present in municipal acts and regulations

The study, to be carried out with the involvement of stakeholders and experts, will focus on accessibility, identifying any regulatory, communicative, architectural and IT discriminatory barriers, as well as those present in the proceedings and the deliberative acts of the municipality. Also realised through the involvement of the Ombudsman, the Guarantor of the Personal Freedom of Private Persons, the Guarantor for Childhood and Adolescence and the Equality Adviser, the action will also be implemented in synergy with the projects of FAMI (Asylum, Migration and Integration Fund) focused on the issue of institutional discrimination against people of migrant backgrounds by the Regional Anti-Discrimination Centre of the Emilia-Romagna Region, and in particular by its municipal hub node (which will also have to be appropriately strengthened as indicated hereinafter).

Action II - Organisational feasibility plan for the elimination of barriers

The plan, strictly operational, will be aimed at eliminating any barriers identified by the study presented in the previous Action through coordination, programming, implementation and monitoring activities. The plan will also identify the priorities to start with according to the criteria of relevance, cost, time and sectors/services of reference for the

elimination of discriminatory barriers. Guidelines and checklists will also be defined to prevent the future adoption, even involuntary, of discriminatory acts or measures.

Action III - Mandatory training for staff on anti-discrimination, with an intercultural focus aimed at enhancing cultural proficiency

Based in part on the results of the monitoring (Action I), the training for staff of the City of Bologna, aside from having an approach based on facilitating intercultural communication and enhancing cultural proficiency (introducing elements of ethno-psychoanalysis and coping with multicultural tools), will have to include specific sections on prevention and counteracting discrimination.

During the planning of the training, particular attention will be paid to cross-cutting and inter-sectoral aspects and to the participation of managers, focusing on teamwork and cooperative strategies; specific training courses will also be devoted to organisational aspects of work and personnel management, with particular reference to staff in delicate situations and improvement of skills.

Action IV - Strengthening intercultural mediation services

Strengthening intercultural mediation services will improve the capacity of institutions to dialogue with all citizens and to make their services more accessible. Particular attention will therefore have to be paid to this in future organisational choices in relation to help desk and communication activities, identifying specific practices and resources for the acquisition of these services. Thus over time personnel will be trained to effectively handle needs, increasing the expertise of current professionals and qualifying them even further, reducing the time necessary for mediation activities.

OBJECTIVE 2 - DISSEMINATION OF THE CULTURE OF DIFFERENCES

Action I - Evaluate the performance of managers with regard to anti-discrimination

The action seeks to introduce a system of assessment by the workforce, by integrating the tools for the evaluation of managers and by providing that judgement on their work is also considered in relation to their attitude to not discriminate, starting from facilitating the elimination of identified discrimination and/or facilitating the training of employees.

Action II - An event to communicate and raise awareness of anti-discrimination

The action aims to promote the adoption of good anti-discrimination practices and to raise awareness of existing ones. During the metropolitan network events on anti-discrimination awareness, on a significant day (annual World Day Against Racial Discrimination on 21 March or World Refugee Day on 20 June), an event will be organised to share and communicate the actions undertaken to remove any discriminatory barriers present in municipal regulations and services and on actions taken by the city to disseminate the culture of differences.

Action III - Strengthening the Hub Node

The action is aimed at strengthening (even in terms of communication and visibility) and the institutionalisation of the Hub Node of the metropolitan anti-discrimination network (still today not fully redefined in light of organisational and institutional changes like the transformation of the Province of Bologna into the Metropolitan City of Bologna, and the transfer of duties from the ASP Personal Services Office of the City of Bologna to the City of Bologna). Starting from the timely redefinition of the duties and resources allocated and identifying the roles the institutional parties are involved in (Municipality, ASP City of Bologna, Metropolitan City of Bologna) it will be possible to strengthen its role and allow the Node to participate, with its own identity and authority, in the ordinary actions and projects of the Regional Anti-Discrimination Network, as well as to activate new ones.

OBJECTIVE 3 - PROMOTING AND PROTECTING RELIGIOUS FREEDOM IN A PLURALISTIC CONTEXT

Action I - Census of the needs of religious communities in relation to the duties of the body and the services it provides

Check with religious communities in the city to identify the presence of any situations that are discriminatory or hinder the free expression of religious identity.

Action II - Define a protocol with the Islamic community and neighbourhoods for the opening of prayer rooms

Islam is the only religion with which the Italian state has not signed an agreement pursuant to article 8 of the Italian Constitution. Since in the Bologna area there are many communities from countries having a Muslim majority, it is necessary to verify their effective access to freedom of worship, even more so where the opening and the role of the Islamic community prayer rooms have already generated misunderstandings between the government and representatives of the Islamic community or between them and the general public.

The protocol is aimed at creating greater understanding directly in the local areas, either through a service of effective guidance and accompaniment on the procedures to be followed, offered to communities wishing to open a place of prayer (for example, the charter of the associations of reference or the contents of association-municipality agreements), and through adequate preparation of the area to welcome the place of prayer (for example, with communication activities promoted by the neighbourhood municipality branch office and, if necessary, mediation of conflicts). To achieve this objective, it is also necessary to disseminate certain criteria and legal references mentioned in the introduction of this domain.

DOMAIN 3 - PARTICIPATION

The right to participation is grounded in the Universal Declaration of Human Rights (art 20, 21) and has multiple references at a European level (e.g., Treaty on the European Union - Title II “Provisions on democratic principles” art. 9-12 and the EU Charter of fundamental rights, art. 39-44) and in the Italian Constitution (art. 4, 17, 18, 48-54). In addition, in 1992 the Council of Europe adopted the “Convention on the Participation of Foreigners in Public Life at Local Level” based on three chapters: the first affirms full freedom of expression, assembly and association for foreign residents, regardless of their nationality; the second addresses the issue of representation and participation of foreigners, the establishment of consultative bodies and the adoption of methods to allow foreign residents to comment on local policies; the third recognises the right to vote and stand at a local level for all foreign nationals legally resident in one of the member states for at least five years. Italy ratified the Convention in 1994 but not the third chapter on the right to vote in local elections, the adoption of which was optional and could in any case be approved at any time thereafter.

The right to participation strictly adheres to civil, political and social rights of citizenship. The rights of civic citizenship are based on the guarantee of individual rights. The rights of social citizenship provide a minimum of welfare and economic security, up to the right to life in accordance with the prevailing social standards. The institutions primarily involved in ensuring these rights are the school-education system and social services. By rights of political citizenship are meant the right of participation and of management of political power.

The domain on participation has two macro objectives. The first is aimed at promoting higher administrative and political participation by all residents in the area, with particular focus on new citizens and migrants. The actions of this objective tend to favour a process of growing awareness of policy makers and public opinion. The second goal seeks to support integration and provide support to formal and informal participation, even in ways that do not fit into traditional forms, and making use of “positive actions” where necessary to promote substantive equality in access to rights, as required by the General Comment to art.18 of the International Covenant on Civil and Political Rights, which protects the right to non-discrimination.

OBJECTIVE 1 - RECOGNISE, FACILITATE, SUPPORT PARTICIPATION IN ITS VARIOUS FORMS IN THE LOCAL AREAS AND IN PEOPLE'S LIVES

Action I - Survey using a "research-action" methodology on the needs and practices of participation.

Through participatory research, the action proposes to map the needs to participate and practices already in place in the area, and to define, on the basis of research results, the areas and places of social, educational, cultural, religious and policy participation and related means of support.

Action II - Identify the areas already used or that can potentially be used as gathering places and make them available free of charge

The idea is to promote a vision of public space as an open forum for exercising the rights and duties of citizenship, information and political action, characterised by a collective social use that is also a shared and free use, in order to allow the public presence of the various associations and communities, including religious communities. The action is aimed at providing further areas of assembly to encourage active participation, including through a survey of spaces not yet used. Many spaces available to the City can be used as environments of wider participation. Examples for this are the spaces already used by some associations, but only during certain hours or days, to be shared, or assets confiscated from the Mafia made available for public use by the City.

Action III - Create an array of services for the families of children who attend daycare centres or schools in the Bologna area.

The action seeks to extend and disseminate good practices already tested in some educational and scholastic settings in the Bologna area, like those promoted by the RiESco Centre and specifically by CDLEI (Documentation Centre Laboratory for an Intercultural Education) of the City of Bologna, and to facilitate opportunities for training or

informal assembly of families. These activities seek to involve foreign parents, especially mothers, who generally have more issues related to social isolation, difficulties of communication and relations with services, as well as lack of access to opportunities for socialisation and exchange in the local area and therefore little experience with social participation.

Such action will materialise through the activation in every neighbourhood of training opportunities and activities involving dialogue and exchange, designed to meet the everyday needs of language communication, understanding of the education and school system, guidance with regard to cultural, training and social opportunities in the local area. These actions, to be implemented in partnership with Neighbourhood Libraries, will also be carried out in other languages, not only for the purposes of translation but with a view to safeguard the language of origin and its culture, as well as dialogue and mutual understanding of educational styles.

Action IV - Promote access of the foreigners to the tools of participation and active citizenship of the City of Bologna

The action seeks to reduce the gap of participation that exists between Italian citizens and foreign nationals in the social and cultural sphere, supporting the substantive participation of the latter. The idea is to experiment with forms of participation that acknowledge the differences and reward diversity, by applying the concept of "affirmative action". There are two areas of focus: first, a timely and targeted communication to community associations or associations of citizens of foreign origin - through the M. Zonarelli Intercultural Centre - regarding opportunities for participation and funding during bids, notices or other means of participation, both through the use of foreign languages and with assistance and training; second, the inclusion of an incentive system in the bids, notices and more generally in the tools of participation, indicating award criteria for applications or projects that promote the active participation of the foreign population.

OBJECTIVE 2 - PROMOTE THE RIGHT OF PARTICIPATION IN THE CITY'S ADMINISTRATIVE LIFE AND THE RIGHT TO VOTE AT A LOCAL LEVEL OF FOREIGN NATIONALS.

Action 0 - Meetings for coordination and discussion between the offices of New Rights and Citizenship, Active Citizenship and Civic Imagination/Urban Centre

As envisaged by article 3 of the municipal bylaws, the provisions of the chapter “Public participation and right to information” shall also apply to resident citizens who are at least 16 years of age and to foreigners and stateless persons resident in the municipality or that perform their primary activity of work and study there. To promote the effective participation of foreign nationals in the local area, opportunities for coordination and dialogue among offices dedicated to participation, rights and neighbourhoods should be ensured, especially during the reform of the neighbourhoods.

Action I - Analysis of the experiences of Italian local authorities that over the past 20 years have extended the right to vote to foreign nationals, and promote coordinated action on a national level

Starting from the analysis of proposed amendments to the municipal bylaws extending the right to vote in local elections to foreign nationals, it is proposed to establish an Advisory Board of experts involving representatives of ANCI and other stakeholders (e.g., local authorities, Union of Italian Provinces, associations) to define a proposal for the amendment of the bylaws to allow foreign nationals to vote in local elections. This proposal would then be submitted for the approval of the competent bodies of local authorities through a coordinated action so that all proceed in the same brief period of time and with the same criteria on a national level, essentially launching a sort of “Bylaws-day” complete with communication campaign.

The main innovation in the proposed action is coordination of the initiative at a national level, both with regard to the content of the proposal and concerning the timing of its realisation. In recent years, many local authorities - inde-

pendently, at different times and in different ways - have approved similar statutory changes, which did not have the desired outcomes. Coordinated action on a national level might have a greater chance to achieve the desired result.

Action II - Discussion and exchange with other European cities and/or another EU country that has extended the right to vote to foreign nationals

In some European countries the right to vote in local elections is also extended to those who are residents but have not acquired national citizenship. The action seeks to encourage discussion and dialogue with local authorities who have experience with these practices, for example at a two-day seminar. The discussion will have as its starting point the results achieved during the first action, and as its main target audience municipal councillors and members of the Italian and European parliaments, in order to urge the government to implement the Strasbourg Convention of 1992 or the parliament to take legislative action.

Action III - Process of communication and proposals for action with public decision makers

This action seeks to communicate in various forms (digital, face to face, bilateral meetings, etc.) the results achieved in the first two actions of this objective, including through additional information provided or developed by the City of Bologna. The forms of communication will be determined starting from the results of the first two actions.

HAMBURG

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Human Rights, Migration and Development:
Local Action Plan
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LOCAL ACTION PLAN

1 INTRODUCTION

The Free and Hanseatic City of Hamburg, the whole title of the City, is at the same time a City and a State as part of the Federal Republic of Hamburg. As State Hamburg has the responsibility to develop a Sustainability Strategy and a Policy Document to develop and implement regional policies on Human Rights, Migration and Development.

Next to the State of Hamburg different, mainly locally based Non-Governmental Organizations (NGO) are active and working, alone and in cooperation with the City of Hamburg.

Therefore the description of the Local Action Plan as part of the AMITIE-Code-Project has to consider different already existing approaches and political movements: the “Hamburg Concept of Integration” and the “Sustainability Concept”. At both cases next to the different departments of the City of Hamburg (eg. Senates Chancellery, Authority of Labor, Social Affairs, Families and Integration, Authority of Education and Training, Authority of Environment and Energy) various NGO (Association of the Welfare Organizations, Rat für Nachhaltige Entwicklungspolitik –RANEP-, Council for Sustainable Development Policy, Hamburger Ratschlag – Hamburg Advisory Board, Eine-Welt-Netzwerk Hamburg EWNW - One-World-Network Hamburg, Integrationsbeirat – Council for Integration) participated at the development of this two concepts.

The Volkshochschule Hamburg and the Lawaetz Foundation participated as experts and members of the “Hamburger Ratschlag / Hamburg Advisory Board” at the development of the new “Sustainability Concept”, decided by the Hamburg Senate, government of the City and State of Hamburg on July 04th 2017.

Hamburg can't act alone – the strategies and objectives of the federal Government have to be considered. An intensive exchange of the intentions and approaches happens.

2 HAMBURG CONCEPT OF INTEGRATION

The integration of migrants became more and more important for Hamburg through the past decades. The establishment of a special department for coordinating the integration of migrants (and refugees) at the Authority of Labor, Social Affairs, Families and Integration can be regarded as indicator.

This department is leading the fluent development and implementation of the “Hamburg Concept of Integration” with the title “Participation, Intercultural Openness and Social Cohesion”, in close cooperation with other departments, the public job-center and various Non-Governmental Organizations (NGO).

Central strategies of the concept are intercultural openness and the reduction of structural discrimination. Integration is to be understood as a chance-based and measurable participation of people with a background of migration in the central areas of social life. For many of the objectives set, especially in the area of intercultural openness, the majority society is regarded as responsible.

The concept assumes that many access barriers are essentially due to the social situation and affect people with and without a background of migration in the same way. Nevertheless, there are still migration-specific participation obstacles, such as inadequate language skills, legal access limits, cultural and understanding barriers, as well as discrimination and prejudice that must be reduced. The special situations and concerns of women and girls shall be taken into consideration, for a gender-equality shall be advertised.

Two elements characterize this concept to a great extent: the involvement of relevant experts in its emergence as well as the approach of making the integration process transparent and measurable on the basis of specific goals as well as valid and comprehensible indicators and data, and of continuously reviewing the goal fulfillment.

All the objectives set out below have been developed on the basis of a comprehensive participatory process: In an event organized in April 2012, the NGO and non-public experts formulated their views. As the most urgent tasks

they identified the intercultural openness up in the fields of education, work / education, hamburger administration and health as well as the reduction of discrimination, including anti-discrimination consultation. The main part of the concept is divided into seven thematic areas, which, as the Hamburg Senate believes, should focus on integration efforts. The thematic aspects of this concept are:

1. Naturalization and political participation,
2. Education from the outset: early childhood promotion, language promotion and education in schools, language promotion for adults, higher education, further education, political education,
3. Training and labor market,
4. Strengthening cohesion: media, child and youth work, elderly work, sports, culture, citizenship and neighborhood, participation in integrated urban development,
5. Health, rehabilitation, care and protection,
6. Housing market,
7. Intercultural opening up and reduction of discrimination

A number of important aspects are dealt with as cross-sections in the concept or as part of the implementation, where relevant. In detail, these are

- Integration offers for refugees with a long-term perspective,
- Considering equality policy aspects,

- fostering of integration at district level,
- Respecting the areas identified in the integrated urban development framework program,
- Intercultural openness of social institutions: associations and associations, migrant organizations, housing associations, foundations, cultural institutions, chambers, etc.

2.1 NGO – WELFARE ORGANIZATIONS

In order to participate in the updating of the Hamburg integration concept, the association of the Welfare Organizations (Arbeitsgemeinschaft der Freien Wohlfahrtspflege, AGFW), organized in November 2016 a workshop for representatives of associations, institutions, authorities, districts and other stakeholders.

For preparing the workshop the associations made extensive proposals for supplementing and changing selected chapters of the action concept integration. These proposals and positions have been presented and discussed in the course of a broader public.

Associations of the welfare are providers of numerous services and offers and can derive a wide range of conceptual recommendations from their practical experience.

From this experience, the Welfare bodies understand integration as a process which is in need of control but is not fully controllable. Successful integration can therefore not be represented solely by means of quantitative measurement variables, as the integration concept suggests. Qualitative surveys are also necessary to understand and promote integration processes and to check the effectiveness of the measures taken.

Representatives of the welfare associations have formulated basic remarks on the revision of the integration concept:

- The measurability of integration is very complex and methodically more complex than the concept of action. As a dynamic and, above all, qualitative process, integration is more than a technical administrative task, which could be measured and controlled purely quantitatively. Not least, qualitative indicators that capture the experiences and the sense of belonging of migrants are also important.
- Integration policy at Hamburg must comply with federal legislation. It has to be said that these frameworks have worsened massively.
- In 2015 and 2016 a lot of money has been spent on projects of refugee work. At the future will be to invest sustainably in structures and regulatory systems. Necessary are including regulatory systems, structures having the competence, the resources and the flexibility to deal with various different target groups. Quite simply, Hamburg is growing significantly faster and distinctly more diverse than once thought.

3 SUSTAINABILITY-STRATEGY

Another relevant activity of Hamburg was until the beginning of July the elaboration of a regional Sustainability-Strategy, influenced by the Agenda 2030 and the objective to implement the Sustainable Development Goals (SDGs) for Hamburg.

On July 04th 2017 the Hamburg Senate, the government of the City and State of Hamburg decided on the new “Sustainability Concept”.

Hamburg states already to be committed to many aspects of sustainability. Under the auspices of the “Authority for Environment and Energy” (Behörde für Umwelt und Energie) an intergovernmental working group “SDGs for Hamburg” has made an initial inventory of the activities already under way. As result the government of the City holds for Hamburg: “the SDGs fit into many areas of Hamburg’s policy”.

Five workshops in November and December 2016 were hold with selected actors. Together with representatives of the civil society different thematic topics were discussed. The invitation circle included the Future Council, the One World Initiatives, the Chamber of Commerce, the Chamber of Crafts, the Churches, social institutions, environmental associations, educational institutions and trade unions as well as the specialist authorities, depending on the topic.

In order to meet the abundance of topics and to make these visible the work group has identified Hamburg’s main themes, which are to be dealt with. These are grouped into four clusters:

- Environment and City: mobility and housing as topics of the growing city
- Social Participation and Cohesion: Refugees & Demographic Change as themes
- Sustainable economic and financial policy: supply chains, patterns of consumption and behavior
- Education and science: Along the life stages: early education, general education, vocational training, universities

Next to ecological themes the urban development, transport, poverty and the integration of migrants and refugees are important topics of the new Sustainability Concept.

International relationships and equality are cross-cutting themes, which are considered in all areas.

3.1 NGO

Next to the City of Hamburg different NGO were enhancing the development of the Sustainability Strategy:

Rat für Nachhaltige Entwicklungspolitik (RANEP) – Council for Sustainable Development Policy.

The members of the Hamburg Council for Sustainable Development Policy were nominated by the First mayor. The regional Secretary of State (Staatsrat) responsible for development policy gave the Council three advising-instructions- with various concrete questions, eg.:

- Which of the goals of sustainable development from the “Agenda 2030” of the United Nations should be the Senate in its development cooperation and North-South Urban Partnerships?
- How can political decisions and administrative practices in Hamburg contribute to the causes of escape?
- How can the international cooperation-policy of Hamburg contribute on the sustainable improvement of the living conditions in refugee camps in the Crisis regions?
- How can the issue of “causes of flight and development” be even more effectively integrated in education and public relations at Hamburg?

RANEP is proposing an action program on sustainable development giving the various departments of the public administration the possibility and ability to follow or initiate concrete steps. This could use and widen the regional potential of sustainability, in relationship to Smart City-efforts, Mobility and Energy, Global Learning, Good health and disease control as well as prevention of school drop-out and maritime-protection.

Relating to the topics of escape and migration the council recommends to support more resources for combatting causes such as hunger and underdevelopment through its development cooperation. The Hamburg Senate should increase its role as a model in the education of all refugees, regardless of their expectancy of stay. An appropriate budget should be provided for this.

Other proposals are to point out that qualification measures are offered in all federal states for all refugees, irrespective of their lead perspective, and to start a legislation initiative for a German immigration law.

Last not least: Hamburg should contribute to the improvement of the situation in the international refugee camps through the establishment of partnerships to bring in the expertise in education and training. Experiences from the universities such as the HafenCity University could be obtained. The focus is on improving the situation on the ground.

“Hamburg Counsel” (Hamburger Ratschlag)

RANEP is acting with support by the City of Hamburg. As real NGO the members of the “Hamburg Counsel” (Hamburger Ratschlag) have to be seen. The “Hamburg Counsel” has developed an extensive list of demands for sustainable development and implementation of the UN agenda 2030. The undersigned organizations recommend the Hamburg Parliament to adapt the Hamburg Constitution to the UN Agenda 2030. The preamble should include the obligation to an economically, socially and environmentally sustainable development. The following requirements have been decided by the signatories on April 07th 2017 and published in a common paper.

1. Environment, Climate and Energy (SDG 13, 15): Hamburg elaborates a climate plan for serious implementation of the Paris climate agreement, a regular monitoring will be introduced.
2. Education for Sustainable Development (ESD) and Global Learning (SDG 4): Civil society will be involved in realizing the objective 4 of the SDG, particularly in the implementation of the UNESCO World Program of Action 2015-2019.
3. Sustainable Urban Development (SDG 11): Hamburg has continuously a stock of at least 150,000 adequate housing with long-term / permanent social bonds (cost rent). 5,000 apartments for emergency cases with official occupancy rights are held available annually. Hamburg decides within the metropolitan area with the surrounding communities “on equal terms” to have specific, gender-sensitive and integrated development-plans for housing, commercial areas, green belts / habitat associations, energy and transport infrastructure binding - and implements these together with the regional partners.

4. Stop inequality, reduce poverty, promote gender equality (SDG 10, 5, 1): Hamburg halves poverty to overcome inequality. A poverty and wealth report for Hamburg should be implemented as a basis, which takes the gender perspective into account.

Hamburg applies the implementation of all sustainability goals and gender mainstreaming. This is especially true in the areas of urban development and infrastructure. Gender mainstreaming is taken into account in the planning, implementation and evaluation of political action.

Gender Budgeting shapes the Hamburg budget from 2019/20 so that the equality policy commitment of the Senate is transparent and can be verified in all parts of the Agenda 2030. For this purpose, appropriate indicators to be developed.

At each legislative period, the Hamburg Senate creates a women report that reports on all aspects of life of women and girls in Hamburg. Hamburg agrees to violent city and promotes sustainable preventative measures to combat violence against women and girls.

4. PARTICIPATION AS A KEY BUILDING BLOCK

Participation is a central component of the SDG process as the actualization of the “Hamburg Concept of Integration”. That is why bodies of the civil society were already involved at the beginning of the processes.

In five workshops in November and December 2016, representatives of public authorities, together with civil society actors, developed and discussed the implementation of the SDG at Hamburg. One-world initiatives, the Chamber of Commerce, the Chamber of Crafts, the (Protestant) Church, social institutions, environmental associations, companies, education companies and trade unions took part.

A similar governance model we can see at running the “Hamburg Concept of Integration” – since several years the so-called Integrationsbeirat (Advisory Board for Integration) is guiding the Hamburg Integration Policy. While there were nearly no legal rights at the beginning the board actually discusses critical aspects, like the fate of asylum-seekers with the order to leave Germany. Responsible Civil Servants have to answer questions board-members. The members of the board are deciding on recommendations, the public administration has to report afterwards on the impact. For a rejection reasons have to be given.

5. AMITIE-CODE

This different activities have an impact on the AMITIE-activities at Hamburg, a city with 1.8 mio inhabitants and a well-structured and effective public administration, including departments of further training and life-long-learning.

The Lawaetz Foundation was founded in 1986 by the City of Hamburg. The Lawaetz Foundation works still in close cooperation with Hamburg and other public authorities – at Germany and other European Cities and Regions.

The social integration of refugees and migrants becomes more and more important as field of activities for the Lawaetz Foundation.

The local Sustainability Strategy of the AMITIE-Code-Project has different approaches:

5.1 CIVIL SERVANTS TRAINING

- Further utilization of the concept of the Civil Servants Training – in close cooperation with the “Eine-Welt-Netzwerk Hamburg” (One-World-Network Hamburg) and other NGO, for example migrant-communities.

- Disseminating the approach and experiences to other public training-provider at Hamburg and other German Cities, eg the Adult Learning Center (Volkshochschule Hamburg), the Center of Trainings for Social Worker of the Department of Social Affairs and Center of Further Education of the City of Hamburg, with all the Civil Servants as target-group.

An effective training will equip the participating civil servants with helpful skills and competences on migration, human rights and development that can influence the way they carry out their daily duties. The actual needs of the participants will be considered, next to the more political contents the way of cooperating with migrants and reflecting their personal and individual problems (the way of working) will be topic of the trainings.

Third parties' (eg foundations) financial support to multiply the actual concepts of the training will be applied.

The first training was successful: 14 persons registered, up to twelve persons took place. The training was very practically structured, skills the participants need at their daily work were discussed and trained. The discussion of intercultural skills and competences were one main topic.

At Germany a close cooperation between public authorities and private service-providers is very widespread. Therefore it seems useful to include employees of private bodies working on a contractual basis for the City of Hamburg at the next training.

5.2 TEACHERS TRAINING

Target group are schools and teachers of secondary/high schools, as multipliers of positive experiences and practices supporting cooperation between local communities from different countries.

The main objectives of the teachers' training course were to enhance the level of information on development and

development cooperation policies and its links with human rights and migration; to promote the comprehension of development implications of various contemporary phenomena (migration, climate change, food security, etc., etc.).

The sustainability is mainly achieved by distribution of the manual to important multipliers, including the State Institute of Teachers' Education, and other important bodies. At the same time, the Hamburger Volkshochschule will check whether parts of this training can be included in our open programme, targeting the general public. The teachers of Hamburger Volkshochschule who are working in the field of Migration, Development and Human Rights will be handed a manual and invited to the final event.

5.2. 10 RECOMMENDATIONS

From the Training for Teachers and the Training for Civil Servants, there are certain recommendations to be drawn that can and will be addressed to the relevant bodies (Integrationsbeirat, Hamburger Ratschlag, Department of Social Affairs, Department of Education, State Chancellery).

1. Training for Civil Servants and Teachers is necessary and should be included in the offers to employees on a regular basis. The education of teachers, Social Workers and other educational personal should include units regarding migration, human rights, sustainability and development. A good example is already made by the University of Applied Sciences, Department of Social Sciences.
2. The City of Hamburg needs to show its efforts regarding integration and sustainability to a wider population. The website www.hamburg.de is a very good start.
3. The City of Hamburg should consider to make a statement by joining ECCAR of "Arrival Cities". A good start has been made via associating Hamburg to ECCAR, but full membership could be the next step.

4. Constant monitoring of integration efforts should be done and reported, positive effects should be marketed.
5. The City of Hamburg should join in efforts of showing good examples of integration. Therefore, AE organisations and welfare associations can be approached to support.
6. The City of Hamburg should subscribe to policies of sustainability and fair trade. A first step has been made by making the public spending “green”, but this could be supported by policies including suppliers and the provision of services.
7. The City of Hamburg should consider taking up new twinning activities with cities in Africa, and making the existing twinning activities, such as to the City of Daressalam, more fruitful towards the goals of SDG
8. The Integrationsbeirat should be heard not only on State level, but also on the level of districts. A reporting system established can help in this regard. The Departments of Social Management are best addressed to implement activities.
9. The SDG reporting for Hamburg (not only Germany) should be clearly stated and kept up.
10. The NGOs should become more involved in all policy fields, not only integration and environment, because all political decisions have consequences for these issues. A very good start could be made by inviting NGOs to the State Parliament on a regular basis and discuss current issues. The same goes for State Departments and State Companies: regular meetings with their constituency, including migrants, should be the rule. Open hours at the Town Hall, citizens’ hour and such are good measures.



LOURES

Local Action Plan

LOCAL ACTION PLAN

INTRODUCTION

The role of local authorities in Global Citizenship Education along with their awareness-raising activities has been increasingly recognized. As political actors, these entities must possess full capacities to develop specific skills in crucial areas related to Development. This is the case of Education and Migration, and as their actions must lead and contribute to changes in policies and alterations in citizen's attitudes, which can positively influence national policies.

This is precisely the scope of AMITIE CODE, a Global Citizenship Education project, in the field of non-formal education, funded by the European Commission, involving 14 partners from six EU Member States.

AMITIE CODE aims to take the Migration-Development axis of awareness-raising to practice, drawing on a human rights approach.

Within the scope of the project, was carried out the training "Migrations, Human Rights and Development - Strategies for Inclusion and Social Justice", aimed at civil servants and being attended by 21 participants, mostly workers from the Municipality of Loures (Health Center Grouping, the Schools Group of Apelação, the Department of Education division of School Social Action, the services of Social Security, of CLAI, of the Equality and Citizenship Unit, the Integrated Service and Social Network, the Social Intervention Team, the Libraries Division and the Culture Division and the Office of Presidency Support) but also from the Municipality of Ourém. The training led to the production of the present document.

As a result of a participatory process, this document is intended to be applied over a three-year horizon 2017-2020 and is structured in three areas: non-discrimination, training and awareness raising as well as services and social structures. Within each of these areas there are concrete objectives, where and for which a set of actions is presented.

While designed to have an impact that benefits the entire resident and working population, it is particularly aimed at improving the living conditions of new citizens of migrant communities which tend to have a great deal of difficulty in accessing services and , in a more general way, to see their fundamental rights fulfilled.

The aforementioned objectives define precisely what we intend to achieve with this document, being the integration of migrants into Portuguese society the basis of all the work developed in the training and its formalization.

The specific objectives presented are in line with the most discussed areas in the training, such as difficulties on the part of the various institutions in the interinstitutional articulation and difficulties of communication, frequently registered between technicians and migrants, being this a strong obstacle to integration. The creation of structures of communication is therefore a primary goal and should be included in this statement.

It is also important to emphasize the importance of intercultural and religious sharing among migrants, the local community and the various migrant communities as a facilitator of integration. The involvement of institutions is once again central. Thus there is a need to develop guidelines and conditions to support the implementation of measures that encourage such sharing.

Within this emerging challenge, there is a need for a strategic document that allows all entities to be involved, so that they can work together to build a just and inclusive society for all.

In conclusion, the document "Municipal Plan for the Integration of Immigrants" in the Municipality of Loures, with a term of three years and which is in force until December 2017, aims at a better integration of immigrants, allowing the articulation of efforts between the municipality and local and national institutions in building inclusive communities. As the 2014-2017 Plan approaches its end; it is strongly recommended continuing the work that was began on migrants' inclusion. It is considered that the measures presented in this exhibition constitute a key contribution to the genesis of the subsequent Integration Plan outlined by the Municipality of Loures. It is therefore important to mention that it is intended the integration of the measures referred in this document in the aforementioned Immigrant

Integration Plan which is in evaluation process of its first generation and being drawn up a new Plan for the period of 2018 to 2020.

OBJECTIVES

The purpose of the course undertook was to understand the main differences separating local communities from migrant communities and to identify ways of blurring them, improving local conditions for migration, cooperation and human rights, with effective policies, avoiding falling into purely administrative and simplistic assumptions. Therefore is paramount to reinforce the level of mutual knowledge, cooperation and consistency of the policies and initiatives of the Local Authorities.

It stayed clear, during this period of reflection that involved different local entities represented in the working group, the assumed need to actively engage the migrants in the whole process of intervention and change.

Full incorporation of Development and Human Rights is seen as crucial in effectively addressing the challenges posed by migration and in particular the widespread inequality of capabilities and opportunities.

In addition to the necessary incorporation of the principles set forth in the official declarations and documents, it is essential to be aware of the full impact of migrations in Development and Human Rights as a whole.

The need to address these issues in a coordinated and integrated way places people and the community at the center of any action or interaction, despite being national citizens or migrants.

Therefore is necessary to advocate an effective change in the way migrations, Development and Human Rights are reflected and acted upon.

GENERAL OBJECTIVE

The overall objective of this paper is to facilitate the process of including migrants in local communities through a joint close work with each of them.

SPECIFIC OBJECTIVES

The specific objectives of the current document are:

- To design communication structures that facilitate inter-institutional dialogue among all actors involved in the process of integration of migrants;
- To create conditions for intercultural and inter-religious sharing among migrants, local entities and the community;
- To empower and raise awareness among immigrant communities and the local population to the challenges of migration and subsequent integration challenges.

ADVANTAGES

The advantages of a document of this nature rely on drawing the attention of entities, with direct intervention skills in the inclusion of migrants, to improve the workflows that will bring immediate benefits to the respective recipients, their communities and the country in which they are integrated, based on the universal principles of tolerance and respect for human dignity. The integration needs are implicit in the defence of Human Rights, as embodied in the Universal Declaration of Human Rights, from which the need for economic, social and demographic benefits of the local and immigrant population arises. Efforts to combat poverty, trafficking of human beings and smuggling must

therefore be stepped up since these are the most recurrent means of dealing with the existence and persistence of restrictive migration policies.

PRINCIPLES

The entire document is based on the Human Rights enshrined in the Universal Declaration of Human Rights, promoting a holistic and humanistic approach to dealing with issues related to migration and Development. This statement is therefore based on the fundamental principles of non-discrimination, respect for diversity and human dignity, which necessarily entails religious freedom, access to education and the right to work.

RESPONSIBILITIES

The document appeals to a wide range of public and private entities, both national and local, with different missions and objectives, to work jointly and act in a responsible, concerted and inclusive way, filling any existing gaps or failures in integration processes of all communities, namely:

- Local Authorities;
- Health Centres;
- High Commissariat for Migrations (ACM);
- Institute of Employment and Professional Training;
- Social Security Institute;

- Ministry of Internal Administration;
- Public Security Police (PSP);
- National Republican Guard (GNR);
- Foreigners and Borders Service (SEF);
- Ministry of Culture;
- Ministry of Education;
- Immigrant Associations;
- Trade Unions and Employer Associations;
- Portuguese Refugee Council (CPR);
- Other NGOs;
- Embassies and Consulates;
- Churches and Religious Institutions;

NON-DISCRIMINATION

The principle of Non-Discrimination is intended to ensure that all individuals, on an equitable and fair basis, have access to the opportunities available in a society. Essentially, it requires that individuals in similar situations receive alike treatment and are not treated less favourably simply because of certain physical characteristics or ideological choices.

It is intended, with the above mentioned initiatives, to bridge the existing differences in society, regarding access to services, structures and opportunities, particularly in relation to migrant communities. The objective is to create conditions that allow for better welfare in the general population, focusing on aspects related to proximity and accessibility to services.

How citizens interact with civil servants can have a decisive impact on their well-being. The relationship between migrant communities and public entities is sometimes contaminated by discriminatory attitudes as well as linguistic factors that make it difficult to perceive and understand issues that are important for the community life of migrants. Ignorance of the “other” is a multiplier agent of stereotypes and prejudices which, in turn, can give rise to discriminatory attitudes that are in line with racist and xenophobic feelings and actions. Good communication is one of the most essential and pressing aspects in order to address this type of attitudes, in order to facilitate the understanding of important issues by migrants and the local population, as well as to soften communication between the migrant community and public entities. Equally important is the sharing of information about each and every community, so as to enable a better understanding and understanding of the “other.”

Action I - Creation of a mediator / facilitators exchange to accompany the migrant community to services

Linguistic and cultural difficulties are impediments to the integration and inclusion of the immigrant community within the local population. It is imperative to facilitate communication between public services and the migrant community.

The exchange will count with the contribution of Immigrant Organizations as well as with the support of the Municipality of Loures, which will function as a complement to the mediation service already implemented by this entity.

Action II - Use of ICT and the digital universe as a way of accessing information / communication platforms

The aim is to increase access to information, communication and knowledge by migrant communities through computers and internet connection, whose service is public, namely in libraries and in leisure and socialization spaces. This will allow a strengthening of the already available offer of free connection made by public entities.

Action III - Access to bio-bibliography of international authors

By providing locals and migrant communities the possibility to obtain information and knowledge the aim is to broaden horizons, giving them the opportunity to learn about writers and international works from the countries in question, broadening the knowledge spectrum in relation to the rest of the world. The follow-up sessions will be coordinated by the Network of School Libraries.

Action IV - Accessibility of migrants to primary and differential health care

The aim is to raise awareness of the Ministry of Health in order to promote, within the competent entities, the access of migrants to primary and differentiated health care. These actions purport to prevent, promote and optimize the sanitary conditions of local populations and, in particular, migrant communities', which will allow better and more efficient epidemiological surveillance and better control of infectious diseases. This encompasses an early intervention in terms of psychosocial vulnerability. The concession should cover all migrants who are in Portuguese territory, in the same terms as the general population, regardless of the period of time and specific situations, making them accessible to urgent and vital consultations, examinations, treatments, transmissible diseases, maternal and child health care, reproductive health as well as vaccination in accordance with the current Immunization Program, being

as well extended to minors residing in Portugal under the terms defined in Decree-Law no. 67/2004 of March 25 and to citizens in social exclusion or economic deficiency situation as evidenced by Social Services. (Rectification of Informative Circular No. 12 / DQS / DMD of 05/07/09, Directorate General for Health).

Action V - Translation and dissemination of information leaflets of the Ministry of Health in several languages

The multilingual brochures will be available at the Loures-Odivelas Health Centres Group (ACES VII) allowing migrants, who do not speak Portuguese, to understand the information provided. The available versions will correspond to the languages identified as most relevant in relation to the number of speakers of such languages that are users of the Health Centres and Hospitals.

Action VI - Awareness-raising for the creation of procedures that allow health professionals to perform certain medical acts, referral to hospital specialties and complementary diagnostic tests to migrants in an irregular situation, with no cost.

In order to provide universal health care to migrants who, because of their status and condition, may be afraid or unable to use such services, it's intended to raise awareness for the provision of health care services which include citizens who can prove that, although they are not in a regular situation in the country, await the analysis and evaluation of their process by the entities in charge and are in an economic deprivation situation, thus not being required to pay moderating fees. These citizens must also be evaluated by Social Security and Social Services to prove their economic inadequacy until it can be verified by the Tax Authority through tax declaration.

TRAINING AND AWARENESS

Empowerment is a form of training that aims to direct the person into a process of education, retraining and behav-

our change. Through training, the individual acquires characteristics of proactivity, knowledge about specific needs, search for solutions and alternatives and even be prepared to train others. It is therefore important that the public services have at their disposal qualified technicians who allow a better humanized environment and, consequently, a reduction of costs as well as the streamlining of processes. Services with trained staff are more efficient and closer to users, benefiting the local population and the immigrant communities who when receiving information in a more efficient, simple and human way, integrate more quickly and effectively in the host community.

Awareness of the local population in relation to immigrants and migrations is intended to create a predisposition for a change in attitudes. The intention is the production and internalization of renewed knowledge that allows creating habits of reflection and critical thinking, making citizens more open to the experience and issues of intercultural societies.

OBJECTIVE: AWARENESS RAISING AND CAPACITY BUILDING OF THE LOCAL POPULATION ON ISSUES RELATED TO MIGRATION, INTERCULTURAL EXPERIENCES ALONG WITH THE COMMITMENT TO TRANSFORMING ACTION, BASED ON JUSTICE, EQUITY AND SOLIDARITY, IN ORDER TO DESIGN AND IMPLEMENT STRATEGIES THAT PROMOTE INCLUSION

Action I - Creation and dissemination of the "Calendar for Integration"

This calendar will include activities to be developed in a concerted and defined periodicity, aiming to inform the local population about the different cultures of immigrants in the community. This should take place in public places of easy access like libraries, museums, houses of culture, galleries, gardens and municipal parks, among others.

Action II - Promotion of intercultural moments

The intercultural moments are inserted in different fields, including for example music and gastronomy, promoting the sharing of culinary and cultural customs and traditions, aiming to combat the disinformation of the local popula-

tion on the idiosyncrasies of different peoples and their traditions.

Action III - Information, awareness and ongoing training on Migrations to public service professionals

These actions are specially referred to health and social technicians, the teaching staff and educational action team of the schools, as well as all public service professionals. It is intended that they acquire knowledge about migrations and the various issues related to interculturalism, viewing to reduce the stigma of migration. It is expected an improvement in customer service thanks to this action.

In the field of Education, it is intended to train and raise awareness among faculty and school staff to deal with migrant families and migration issues. Through training actions, the participants acquire inter-cultural and inter-religious skills that allow them to deal more effectively with situations related to migrant students or families, enabling them to act as multipliers of good practices and knowledge about migration in the educational context.

Action IV - Promotion of school clubs about intercultural issues

The creation of school clubs that raise awareness and promote work on intercultural issues enables students to acquire knowledge that allows them to create habits of reflection and critical thinking, making them more receptive to the experience and issues of multicultural societies.

Action V - Awareness actions / workshops for parents, guardians and students

The creation of these awareness-raising activities in schools aims to raise awareness among parents, guardians and students regarding issues related to migration and the sustainability of an intercultural society based on values of sociability.

OBJECTIVE: EMPOWER THE MIGRANT POPULATION THROUGH THE ACQUISITION OF SKILLS THAT ALLOW BETTER INSERTION IN THE LABOUR MARKET AND INCLUSION IN THE LOCAL COMMUNITY

Action VI - Carrying out vocational training courses for migrants

The aim is to empower migrants in order to acquire specific skills for integration into the labour market.

Action VII - Creation and dissemination of Portuguese language courses for the migrant population

Courses focusing on norms and uses of the Portuguese language for speakers of other languages will be widely disseminated, particularly within the migrant population, and will be made available at all levels. If it is necessary, it's possible to undertake these courses in more places in addition to those already existing.

SOCIAL SERVICES AND STRUCTURES

Effective inclusion of migrant communities in the host society depends to a large extent on fruitful action by public services and social structures. Efficient communication and articulation between them will benefit the local user, especially the immigrants who lack the means and instruments of support to carry out the procedures required to qualify for citizenship status. Cooperation and the creation of synergies between entities increase opportunities for prosperity among the local population, in particular immigrant communities.

Action I - Information on employment exchange

In order to make the local employment exchanges known to the migrant community, it is intended that an easy access

platform is available, integrating the entities that are looking for employees as well as job opportunities.

Action II - Disclosure of the “Loures Investe”

This municipal agency is the only interlocutor between the investor and the Town Hall. It integrates cabinets that are able to accompany the migrant throughout the process of creating a company, providing information and support.

Action III - Strengthening the dissemination of job offers among migrant communities

OBJECTIVE: TO IMPROVE INTRA-MUNICIPAL ARTICULATION AND COMMUNICATION

Action I - Articulation between integrated services (Loures Municipal Council and Social Security) and the Employment Centre for follow-up of proximity in job search and insertion

Action II - Inter-entity dissemination of training actions

Better communication between services is desirable so that they are all aware of the initiatives and structures available in order to streamline processes. The aim is to promote a simplified and rapid communication of existing training actions in the teaching of Portuguese to non-speakers, as well as other training offered to migrants.

Action III - Optimization of the articulation between services

This coordination aims to foster external as well as internal responses within the Social Service and the Citizen’s Office, with the collaboration of the Loures Municipal Council, the High Commission for Migration and Social Security.



RIGA

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Guidelines and Recommendations for Local Authorities
Working with Newcomers (Immigrants) ¹⁰

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INTRODUCTION

Although on the background of other EU Member States the number of migrants in Latvia is quite small, migration processes affect Latvia increasingly more: inhabitants of this country move for permanent residence to other countries, and people from other countries choose Latvia as their place of residence. Each year the number of immigrants (newcomers) from the European Union and other (third) countries grows. Students, employees, investors, family members of nationals of the Republic of Latvia and of foreigners, as well as refugees, persons with alternative status, stateless persons, etc. are among the newcomers. The majority of newcomers live in Riga, and the municipality of Riga is more frequently faced with the need to resolve various issues pertaining to social and economic inclusion of newcomers. In this context, improving knowledge and skills needed to work with newcomers, including refugees and persons with an alternative status, becomes relevant for social workers and other civil servants.

The aim of this document is to provide recommendations for local authorities in planning local policy for integration and inclusion of immigrants and to help civil servants, in particular – social workers, as well as other professionals in working with newcomers (persons with residence permits, refugees and persons with an alternative status). The Guidelines were elaborated on the basis of proposals made by social workers of Riga municipality during training seminars “Migration, Human Rights and Development”, held in the framework of project “AMITIE CODE” in May and October of 2016, as well as knowledge and experience of experts involved in the project.

¹⁰ These Guidelines were developed in the framework of international project *AMITIE CODE - Capitalizing On DEvelopment*. The project is co-financed by the European Commission as part of programme “Non-State Actors and Local Authorities - Raising Public Awareness of Development Issues and Promoting Development Education in the European Union”. In Latvia the project is implemented by the Department of Education, Culture and Sports of the Riga City Council and the Latvian Centre for Human Rights. The part of co-financing by the Latvian Centre for Human Rights, covering its participation in developing the Guidelines, is financed by the Society Integration Foundation from the State budget resources in the framework of “Programme for Co-financing NGOs”.

The Guidelines comprise description of the situation – categories of newcomers, their needs and rights; challenges in working with newcomers, possible solutions and recommendations for municipality and civil servants; forms of involvement of various institutions and organisations/ kinds of assistance in working with newcomers, including contact information on where to turn to in various situations .¹¹

DESCRIPTION OF THE SITUATION

Groups of newcomers/ immigrants

Part of migrants stay in Latvia for a short period, arriving without a visa or on the grounds of a visa. If a citizen of another state resides in the country for more than 90 days within half a year, the Office of Citizenship and Migration Affairs (hereinafter – OCMA) adopts a decision on issuing a temporary residence permit or a permanent residence permit. Citizens of the European Union, the European Economic Area (EU/EEA) or the Swiss Confederation are issued a registration certificate or a permanent residence permit, depending upon the length of their stay in Latvia. Foreigners with a residence permit, registration certificate or permanent residence certificate are considered as being inhabitants of Latvia and information about them is included in the Population Register of the Republic of Latvia.

Pursuant to the data provided by OCMA, on 1 January 2017, 52,189 persons with permanent residence permits and 38,193 persons with temporary residence permits lived in Latvia, they had entered the country due to various reasons – employment, family reunion, studies, or other reasons. The majority of newcomers are **third country nationals or persons, who are not citizens of EU/EEA or the Swiss Confederation**; however, the number of citizens of the European Union is also growing.

¹¹ All information provided herein was valid for 1 June 2016. It is recommended to check the updates of the normative regulation mentioned in the document.

Who are newcomers /immigrants in Latvia?

Persons with a permanent residence permit – children and spouses of citizens and non-citizens of the Republic of Latvia and of foreigners, persons, who come to Latvia for family reunification, foreign citizens residing permanently in Latvia, EU permanent residents, refugees, etc. As of 1 January 2017, 47,703 third country nationals resided permanently in Latvia (mainly – citizens of Russia, Belarus, and Ukraine), and – 4,486 citizens of EU/EEA and the Swiss Confederation, from 99 countries in total.

Persons with a temporary residence permit – persons, who entered Latvia for purposes of employment and studies, investors, family members of citizens and non-citizens of the Republic of Latvia, persons with an alternative status, stateless persons, etc. As of 1 January 2017, 26,262 third country citizens (mainly from Russia, Belarus and Ukraine) and 11,931 citizens of EU/EEA and the Swiss Confederation resided in Latvia with a temporary residence permit.

Source: OCMA, <http://www.pmlp.gov.lv/lv/sakums/statistika/uzturesanas-atlaujas.html>.

Due to aggravation of military conflicts and deterioration of human rights situation in countries of the Middle East and Africa, in recent years the number of people looking for asylum in the EU has increased. According to OCMA data, since 1998, when asylum procedure started operating in Latvia, more than 2,000 persons have requested asylum; refuge status has been granted in total to 118 persons, but the alternative status – to 255. At the beginning of 2017 95 refugees and 213 persons with alternative status were included in the Latvian Population Register; the status of a refugee or alternative status has been granted to persons from Iraq, Syria, Afghanistan, Eritrea, Kazakhstan, Russia, Iran, Uzbekistan, and other countries.

In the framework of the EU Relocation Programme, Latvia must receive 531 asylum seekers from Greece and Italy, as well as 50 persons from Turkey in the framework of Resettlement Programme in the period from 2016 to 2017. Until the middle of 2017 more than 300 persons have been received in Latvia – nationals of Syria, Iraq, and Eritrea.

Refugee – a person, to whom the status of a refugee has been granted in the procedure defined in the Asylum Law and pursuant to the Geneva Convention of 1951. The refugee status is granted to persons, who validly fear persecution due to their race, religion, ethnicity, and affiliation with a particular social group, or their political views.

Person with an alternative status – a person, who cannot be recognised as a refugee pursuant to the Geneva Convention of 1951, but according to international treaties, the EU law, they need protection, if a person in its country of citizenship is under the threat of capital or corporal punishment, torture, inhuman or degrading treatment or punishment; also if the person is under severe and individual threats to his or her life or health due to extensive violence or armed conflicts.

Asylum seeker – a third country national or a stateless person, who has expressed the wish to acquire the status of a refugee or the alternative status in the procedure established in the Asylum Law. A person is granted the status of an asylum seeker until OCMA adopts a decision on granting or not granting the status of a refugee or alternative status.

Source: Asylum Law <https://likumi.lv/ta/id/278986-patveruma-likums>

180 stateless persons live in Latvia – persons, who in accordance with the Convention on Statelessness of 1954 do not have citizenship of any state, for example, because they did not replace the passport of the USSR in due time or due to other reasons, when no other state has granted citizenship to them and they do not meet the criteria for obtaining the status of a non-citizen of Latvia.

1.1. THE RIGHTS AND NEEDS OF NEWCOMERS

In working with newcomers, differences in the scope of rights of various categories of newcomers must be taken into consideration. For example, the rights of EU/EEA citizens to education, employment, social guarantees and health

care are mainly similar to those of RL citizens. Whereas third country nationals with a temporary residence permit have a significantly smaller range of services paid for by the state compared to foreigners with a permanent residence permit, as well as refugees and persons with alternative status. Asylum seekers are a special category, providing for their rights and needs is first of all the competence of state institutions (OCMA, the State Border Guard, etc.), whereas local governments are responsible only for performance of some functions (for example, appointing guardians to minors). However, all newcomers, like any person, needs to process documents, satisfy basic needs (water, food, etc.), have housing, health care, education and employment, etc. possibilities, therefore local authorities' need to prepare for contacts with various representatives of newcomers, who request information and/ or assistance increases.

PROCESSING DOCUMENTS

Residence permits, which give the right to legally reside in Latvia and to receive various services, is issued to foreigners by OCMA.

A third country national may apply for a **permanent residence** permit or the status of a long-term EU resident in Latvia, if he/she has continuously (with exceptions provided for in the Immigration Law) in Latvia for five years with a temporary residence permit, as well as in other cases (for example, a minor child of or a child in the custody of a citizen or a non-citizen of Latvia or of a foreigner, who has received a permanent residence permit, as well as other family members in accordance with conditions set in law). **The term of a temporary residence permit** depends upon the purpose of entry.¹²

Asylum seekers have a **personal document of an asylum seeker**, issued by the State Border Guard (hereinafter –

SBG), which gives the right to reside in Latvia until the moment, when the final decision on granting a refugee or alternative status has been adopted. The decision on granting a refugee or alternative status is adopted by the Asylum Affairs Division of OCMA, but in an appeal case – the District Administrative Court (final instance). In the appeal stage asylum seekers, upon their application to OCMA or SBG, have access to state guaranteed legal assistance, which is provided by the Legal Aid Administration.

More information about asylum seekers' rights may be found in the brochure published by the Latvian Centre for Human Rights (hereinafter LCHR) "Everyone has the right to seek asylum" (In Russian, English and other languages): <http://cilvektiesibas.org.lv/en/publications/information-leaflet-for-asylum-seekers-you-could-b-388/> or on site www.beglis.lv / www.refugees.lv

Refugees are issued a **permanent residence permit and a travel document**, which simultaneously is also a personal identity document.

Persons with alternative status are issued a **temporary residence permit for one year**, with the right to request extension. If a person with this status does not have a valid personal identification and travel document and if it is impossible to receive it, a person is issued a travel document.

Stateless persons have **the right to apply for a temporary residence permit for up to five years**, as well as to receive a travel document for two years.

The persons, who have been granted a refugee or alternative status, upon receiving a travel document and a residence permit for the first time, are released from paying the state fee.

More about processing documents may be found from OCMA (<http://www.pmlp.gov.lv/lv/> - section "Services")

¹² See in more details: <http://www.pmlp.gov.lv/lv/sakums/pakalpojumi/iecelosana-lv/uzturesanas-atlaujas/uzturesanas-termins.html>.

HOUSING AND ACCOMMODATION

Foreigners **with a permanent residence permit (including refugees) or who have been granted the status of a long-term resident of the EU in Latvia, as well as citizens of EU/EEA and the Swiss Confederation, as well as their family members** have the right to receive social services and social assistance, including in issues of housing, in the same scope as the citizens and non-citizens of Latvia (*see Section 3 of the Social Services and Social Assistance Law*).

Regulatory enactments do not provide for state or local authority assistance in matters of housing to **foreigners with a temporary residence permit**.

Asylum seekers have the right to reside in the Centre for Asylum Seekers in Mucinieki (hereinafter – ASC), abiding by the internal regulations of the Centre, as well as in other places within the territory of Latvia. A part of asylum seekers is at the Accommodation Centre for Detained Foreigners of SBG, when their documents are being verified or if there is a possibility of fleeing.

A person, who has been granted a refugee or alternative status, must leave ASC. In such a case social workers and social mentors help to find housing, as well as to solve other everyday issues. Pursuant to the action plan approved by the Government, for relocation and receiving in Latvia persons in need of international protection, since April 2016 services of social workers and social mentors are available for individual work with asylum seekers and persons with a refugee or alternative status. From 1 December 2016 until 31 May 2018 these services are provided by association “Shelter “Safe House”” in the framework of procurement by the Society Integration Foundation.

In difference to refugees, possibilities of **persons with an alternative status** to receive social assistance are more limited: they have the right to services of shelter and night shelter, as well as a housing allowance, which may be granted by the social services of a local authority in the procedure and in the amount that has been set for inhabitants of the particular local authority (see other rights of these person in Section “Social Support”).

EDUCATION

Regulatory enactments of the Republic of Latvia guarantee the right to basic and secondary education free of charge **to all children, irrespectively of their status** (*Article 112 of the Satversme [Constitution], Section 11 of the Protection of the Rights of the Child Law, Section 3 of the Education Law, Section 41 of the General Education Law*). Pursuant to Cabinet Regulation No. 591, a child’s personal identity code and documents certifying his or her previous education is not a pre-condition for enrolling a child into institutions of general education.¹³

Minor asylum seekers, refugees and persons with an alternative status are ensured the possibility to acquire education in the official language of the state at a state or local authority institution of education.

For minor **asylum seekers**, depending upon his/ her place of accommodation, the institution of education is determined by the Ministry of Education and Science (hereinafter – MES), on the basis of information submitted to it by OCMA or SBG, upon a request by the minor’s parents or representative. Minor asylum seekers are ensured educational possibilities within three months, and they have the right to complete general education that they have started acquiring after they have reached the age of 18. MES provides financial support to institutions of education, which enrol minor asylum seekers (but not refugees, who have acquired this status, or persons with an alternative status) and elaborates individual plans for their education.

Pursuant to the Education Law, a foreigner or a stateless person pays for acquiring programmes of higher education in accordance with conditions set by the respective institution of education.

¹³ Cabinet of Ministers Regulation of 13 October 2015 No. 591 “Procedures for Enrolling Students in and Discharging from General Educational Institutions and Special Pre-school Educational Groups, and also for Moving Them up into the Next Grade”.

ACQUISITION OF THE LATVIAN LANGUAGE

Knowledge of Latvian is one of the primary needs for inclusion of newcomers in labour market and society. Latvian language proficiency at A2 level is also a pre-condition for acquiring permanent residence permit and the status of a long-term resident of the EU. Newcomers have the option to learn the Latvian language by their own means or by using e-materials and resources of the Latvian Language Agency (hereinafter – LLA) (www.valoda.lv).

Every year the Department of Education, Culture and Sports of the Riga City Council supports organisation of free-of-charge Latvian language courses **for inhabitants, who have declared their official place of residence in Riga**.

More about courses of the official language from the homepage of the Department www.iksd.riga.lv (section “Project Competitions”)

Latvian language courses to **asylum seekers** at ASC are ensured by LLA.

Refugees and persons with an alternative status may learn the Latvian language by registering at the State Employment Agency (hereinafter – SEA) (see Section “Employment”). *Find more about possibilities to learn the Latvian language from the homepage of association “Shelter “Safe House””* (<http://www.integration.lv/lv/macies-latviesu-valodu>)

EMPLOYMENT

Citizens of the EU/EEA and the Swiss Confederation, as well as persons with a permanent residence permit or long-term residents of the EU have unlimited access to Latvia’s labour market. Likewise, **a number of other categories of foreigners** has the right to work with any employer without any restrictions, for example, spouses and minor children of citizens and non-citizens of Latvia and of foreigners, who have received a permanent residence

permit, as well as investors, persons with an alternative status and their family members, stateless persons, etc.

A part of foreigners receives a temporary residence permit for employment purposes upon invitation of a particular employer, it is also granted to individual merchants, self-employed persons, members of boards and councils, etc. Employment possibilities of these foreigners are linked to the purpose of their residence. Full-time foreign students also have the right to work, with certain limitations (20 hours per week).

Find more about employment of third country nationals from the homepage administered by association “Shelter “Safe House””: <http://www.integration.lv/lv/darbs>

An asylum seeker has the right to start working only if he, within six months after submitting an application, has not received a decision by OCMA on granting a refugee or an alternative status and this has not happened due to his fault (Para 23 of Section 9 95) of the Immigration Law). Usually OCMA adopts the respective decision within a shorter period of time, and asylum seekers do not work.

A number (but not all) categories of newcomers have the possibility to receive support in case of unemployment, by using services of the SEA. Among them are persons with a permanent residence permit, spouses of citizens, non-citizens of the Republic of Latvia and of persons with permanent residence permit, who have a temporary residence permit, citizens of the EU/EEA and the Swiss Confederation and their family members, who legally reside in the Republic of Latvia, persons, who have been granted an alternative status and their family members, who have a temporary residence permits, refugees and their family members, who have permanent residence permit, etc. (*Section 2 of the Support for Unemployed Persons and Persons Seeking Employment Law*).

Since the beginning of 2016 SEA, in the framework of a project, provides support to refugees and persons with an alternative status, by profiling them to identify their possibilities to integrate in the Latvian labour market and SEA services suitable to them by offering Latvian language learning course without an intermediary language, as well as

other support measures.¹⁴ Assistance to refugees and persons with an alternative status in solving employment-related issues is provided also by social workers and social mentors in the framework of procurement by association “Shelter “Safe House””, by developing and implementing individual socio-economic integration plans.

HEALTH CARE

Similarly to citizens and non-citizens of the Republic of Latvia, also **citizens of the EU/EEA and the Swiss Confederation, who reside in Latvia as employed or self-employed persons, as well as their family members, foreigners, who have a permanent residence permit, refugees and persons, who have been granted an alternative status**, may receive medical treatment services that are paid for by the state (*Section 17, the Medical Treatment Law*).

In the majority of cases health care services, paid for by the State, including emergency medical care, is not accessible to **persons with a temporary residence permit** (but is provided to persons with an alternative status).

Find more about accessibility of health care from the homepage administered by association “Shelter “Safe House”” (<http://www.integration.lv/lv/sociala-aizsardziba>).

ASYLUM SEEKERS

Emergency medical assistance, obstetric assistance, dental assistance in acute cases, primary health care, psychiatric assistance and medical assistance to minors, as well services envisaged in cases provided for by the Epidemiological Safety Law and medications required for treating tuberculosis are provided to **asylum seekers** and are paid for from

the state budget (*Cabinet Regulation No. 1529 “Procedure for Financing and Organisation of Health Care”*). Initial examination of asylum seekers is performed in ASC or in the accommodation centre for detained foreigners, if the asylum seeker has been detained.

The Asylum Law and international standards provide that upon receiving **asylum seekers**, the needs of particularly vulnerable persons must be assessed and taken into consideration. Minors, disabled persons, retirement age persons, pregnant women, single parents with a minor child, victims of human trafficking, persons, who due to their health status require special care, persons with mental health disorders, persons, who have suffered from torture, rape or other kind of severe psychological, physical or sexual violence, etc. belong to these groups.

SOCIAL SUPPORT

The circle of persons, including categories of newcomers, who are entitled to state allowances, social services and social assistance, is defined by a number of laws: the Support for Unemployed Persons and Persons Seeking Employment Law (Section 2), Law on State Social Allowances (Section 4), the Social Services and Social Assistance Law (Section 3).

Find more about accessibility of social security system to third country nationals from the homepage administered by association “Shelter “Safe House””: <http://www.integration.lv/lv/sociala-aizsardziba>

Refugees have the same rights to state allowances, social services and social assistance as citizens and non-citizens of the Republic of Latvia.

Persons with an alternative status have the right to receive an allowance for ensuring the guaranteed minimum income level, services of a shelter and night shelter, as well as information and advice form social services. Children, who have received an alternative status, have the right to receive social care and social rehabilitation services. Mu-

¹⁴ See in greater detail homepage of SEA: <http://www.nva.gov.lv/index.php?cid=433&mid=551>.

municipal social services have the right to grant a housing allowance to a person, who has been granted an alternative status, in the procedure and in the amount that has been set for inhabitants of the respective local authority (*the Social Services and Social Assistance Law, Section 13 (1)*).

Refugees and persons with an alternative status after they have obtained the status receive state allowance (adults – EUR 139 per month; each successive member of the family – EUR 97; minors – EUR 97).

If a **refugee or a person with an alternative status** has insufficient means for existence, he has the right to a single financial support and allowance for covering residence costs. **Single allowance** is paid by OCMA, upon receipt of respective application. An individual may apply in person for receiving this allowance within a month from the date, when the decision on a person's status is adopted.

A refugee is entitled to allowance for covering residence costs for 10 months within the period of 12 months from the day, when the refugee status was granted. A person with an alternative status has the right to receive the allowance for seven months within the period of 12 months from the day when the status was granted. If a refugee or a person with an alternative status works, the allowance is paid no longer than for three months after the person has acquired the status of an employee or a self-employed person. To receive the allowance, a refugee or a person with an alternative status must be employed or registered with SEA as an unemployed person or a person seeking employment and must fulfil respective obligations (with some exceptions), among them – participate in programmes for official language acquisition. (*Information about support to refugees and person with an alternative status see Section 53 of the Asylum Law*)

Asylum seekers, who are not detained and who have no access to financial resources, receive EUR 3.00 per day from the state budget resources. Asylum seekers do not receive social support from a local authority, except unaccompanied minors (see below).

UNACCOMPANIED MINORS

In recent years unaccompanied minors arrive in Latvia every year – some of them are asylum seekers, but others are in the process of expulsion. An unaccompanied minor is a third country national or a stateless persons, who is below the age of 18 and has arrived or stayed in Latvia unaccompanied by a person, who is responsible for him (a father, a mother, a guardian) until the moment, when the responsible person resumes fulfilling duties with respect to him (*Article 1, part 7 of the Asylum Law*).

In personal and financial relations an unaccompanied minor is represented by the orphans' court or a guardian appointed by it, or the head of a childcare facility. A minor unaccompanied asylum seeker, in accordance with a decision by an orphan's court, can be accommodated at ACAS, in a foster family or a childcare facility, assessing the best interests of a child. Expenses of a local authority related to placing a child in a foster family or in a childcare facility are covered from the state budget resources (*see parts 6–11 of Section 9 of the Asylum Law*).

More information about the role of orphans' court and local authorities in receiving minors and other information can be found in informative report by the Ministry of Environmental Protection and Regional Development "On the Impact of Measures for Social-economic Inclusion of Refugees and Persons with an Alternative Status upon Municipal Budgets": <http://tap.mk.gov.lv/lv/mk/tap/?pid=40393118&mode=mk&date=2016-09-20>.

INFORMATION ABOUT THE STATE

Upon arriving in Latvia, newcomers need information both about Latvia and about their obligations and rights. Third country nationals, including refugees, persons with an alternative status and asylum seekers, who are legally residing on the territory of Latvia may turn to the Information Centre for Immigrants that was established in 2016. Functioning of the Centre is ensured by the association "Shelter "Safe House"" as part of a project. The Information Centre for Immigrants is available in Riga and four regions of Latvia, it functions as a one-stop-shop, providing information

and support to clients, for example, on issues of employment, education, housing, etc., to service providers and inhabitants of Latvia, as well as providing interpretation services in languages that are less frequently found in Latvia – Arabic, Kurdish, Farsi, Dari, Tigrinya, Uzbek, Pashto, etc.

Find more information on the site of the Information Centre for Immigrants: www.integration.lv

SEA also has implemented informative measures for refugees and persons with an alternative status on labour market in Latvia, for example, by publishing a brochure “First Steps towards a Job”.¹⁵ Diverse information on daily life is provided also by associations “TREPES” and “Gribu palīdzēt bēgļiem”, the activities of which are mainly based upon the work of volunteers. Associations also implement various projects for integrating immigrants.

CHALLENGES IN WORKING WITH NEW ARRIVALS AND POSSIBLE SOLUTIONS

1.2. COMMUNICATION

In working with newcomers we encounter cultural, religious and linguistic diversity. Many newcomers in Latvia speak English or Russian. **Language barrier** is particularly relevant in contacts with speakers of languages that are rare in Latvia (Arabic, Farsi, Dari, Pashto, etc.). Quality of translations and accessibility of interpreters may also be a problem.

Recommendations and proposals for overcoming the language barrier

To municipality:

- to facilitate and support employees in learning various foreign languages, also such that are less frequently encountered in Latvia, but are widespread globally (for example, Arabic, French);

- to ensure that institutions of local authorities have employees that are proficient in several foreign languages;
- to assess ensuring accessibility of interpreters to employees of local authorities in the long-term.

To civil servants:

- in case, if it is impossible to provide interpretation, ask the client, whether he/ she has other family members or acquaintances that could help to communicate. However, you should be very careful, if the issues to be discussed are of personal nature, for example, linked to domestic violence or the like;
- check, whether you and the client have understood each other (for example, by asking repeatedly, what the client has understood);
- if the client speaks one of the languages that are rare in Latvia, you can seek assistance from association “Shelter “Safe House””, which in the framework of project “Information Centre for Immigrants” assists to ensure communication of third country nationals, including refugees and persons with an alternative status, with various institutions (*more information from the homepage of association: <http://www.patverums-dm.lv/lv/tulkosanas-pakalpojumi>*); <http://www.integration.lv/lv/informacija-pakalpojumu-sniedzjiem>.

Successful and effective communication may be hindered by **stereotypes** (general, simplified opinions (positive or negative) about a certain social group and its members, for example, “*migrants are uneducated*”, “*migrants do not want to work*”, “*refugees will be unable to integrate in Latvia because of cultural differences*”) and **prejudices**¹⁶ (objectively unfounded stereotypes about a certain group of people or social phenomena with a strict and inexorable attitude; for example, “*Muslims are dangerous*”, “*Arabic men are aggressive*”, “*refugees threaten our freedom*”). **Fear from contacts** with representatives of other cultures and religions predominantly arises from lack of experience in such contacts and lack of knowledge about diversity of cultures and religions. Research reveals that intolerance and

¹⁶ See more about stereotypes and prejudices: Latvijas Cilvēktiesību centrs. Mediji un daudzveidība, 2011, <http://cilvektiesibas.org.lv/lv/publications/mediji-un-daudzveidiba-materials-zurnalistiem-un-z/>

¹⁵ <http://www.nva.gov.lv/index.php?cid=433&mid=551>

high social distance is most prevalent *vis-à-vis* visually different persons, whose ethnic or religious affiliation differs from the majority of population, in particular, black persons, Roma, Jews ,and Muslims.¹⁷

Recommendations and proposals for overcoming stereotypes and prejudices

To municipality:

- to support employees of a local authority in improving, expanding and developing their intercultural communication skills, by offering and supporting opportunities to attend relevant training courses, events of intercultural dialogue (conferences, seminars, events with participation of newcomers, etc.).

To civil servants:

- to remember that migrants and their groups are very diverse and that each case should be dealt with individually;
- to become better acquainted with countries that have other cultures, religions, clients' countries of origin, including dealing with human rights issues in different countries (for example, using data base <http://www.refworld.org/> in English, as well as by seeking advice of non-governmental organisations (hereinafter – NGO);
- to improve intercultural communication skills, ensuring equal treatment of representatives of various cultures and religious and treating without prejudice certain differences, for example, by encouraging a Muslim woman to sit down and talk about her problems, if necessary, in the absence of her husband; by asking a client, whether he/she has no objections against a particular interpreter, and whether they might have any proposals (for example, the factor of gender, religion or dialect may restrict a client's openness); avoiding a prolonged eye-contact with a Muslim client;

¹⁷ Eurobarometer: Discrimination in EU In 2015:<http://ec.europa.eu/commfrontoffice/publicopinion/index.cfm/Survey/getSurveyDetail/search/discrimination/surveyKy/2077> Eurobarometer: Discrimination in EU In 2015:<http://ec.europa.eu/commfrontoffice/publicopinion/index.cfm/Survey/getSurveyDetail/search/discrimination/surveyKy/2077> ; SKDS, Social Integration in Riga, 2014:http://www.iksd.riga.lv/upload_file/Sports_pievienotie/0_2014/09_2014/Atskaite_Riga_IKSD_052014.pdf.

- to understand that not every Muslim man will be able to greet a woman with a handshake, etc.
- to form better awareness of the situation of a client, who is a refugee or a person with an alternative status, to seek advice from a responsible employee of association “Shelter “Safe House””.

It must be kept in mind that newcomers come to environment that is unknown to them and in the majority of cases do not have good knowledge of Latvia's law, rules, their rights and obligations. Although migrants have been provided various information, we cannot expect everyone to have exactly the same perception and attitude as we have, understanding of laws and regulations and high level of education. Upon moving to a foreign country, migrants have to overcome **culture shock** and adapt to a new environment. It must be taken into consideration that newcomers may have different social, economic, and political views, perception and understanding of what is “good and evil”, “much and little”, etc.¹⁸

Recommendations for promoting effective communication and adapting of newcomers:

To municipality:

- to promote long-term cooperation between local authority institutions and local communities of newcomers, including religious ones, and organisations supporting them (for example, associations of volunteers), who might provide assistance to employees of a local authority in getting to know various cultures and religions, but to newcomers – in helping in their contacts with a local authority;
- to promote sharing of experience with civil servants from other countries in their work with newcomers.

¹⁸ From training materials of expert Samarie Wijekoon Löfvendahl “Interview Techniques” (2007), materials of LCHR.

To civil servants:

- check the legal status of the client (a residence permit, a refugee or an alternative status, etc.), and for how long the client has been residing in Latvia;
- if necessary, inform the client about possibilities to obtain information and advice from state institutions and NGO (see Section 3);
- show interest in the client's expectations and perceptions regarding solution to his problems;
- explain to the client the existing order in Latvia, expressing interest or understanding of the order in the client's country of origin, which will facilitate the client's adaptation;
- if necessary, explain repeatedly to the client his rights, obligations and possibilities;
- to word questions clearly;
- if necessary, ask additional questions.

Perception of information and communication may be affected also by **post-traumatic stress syndrome**, which is predominantly typical of asylum seekers, refugees, and persons with an alternative status. Many of them have suffered from violence, torture, or have witnessed it. Women are at high risk of suffering from domestic violence, and in such a case assistance of a psychologist or a lawyer may be required. A social worker is one of the few people that this person meets in Latvia to discuss and solve his problems. Therefore it is important to create a feeling for the client that you want to help him/ her. Post-traumatic stress syndrome may be characterised by emotional stress, anxiety, crying, cutting oneself off, fear, panic attacks, memory disruptions, difficulties to concentrate, sorrow, depression, low self-esteem, insomnia, eating disorders, focusing upon past events, and inability to plan the future. It is easy to misunderstand persons with these symptoms and judge about their unwillingness to co-operate and provide true information.¹⁹

¹⁹ NSW Refugee Health Service, STARTTS, Working with Refugees. A Guide for Social Workers, Sydney, Australia, 2014, https://www.sswslhd.nsw.gov.au/refugee/pdf/NSW_REFUGEE_STARTTS.pdf.

Recommendations and proposals for reducing the impact of post-traumatic stress symptom upon communication

To municipality:

- to facilitate development of local authority employee's skills to work with clients who have post-traumatic stress syndrome, by supporting their participation in training, seminars and other events on this topic;
- to promote and consolidate cooperation and sharing of experience between employees of local authority institutions and various organisations that provide support to people with psychological and mental disorders, for example, crisis and consultations centre "Skalbes", resource centre for women "Marta", resource centres for people with mental disabilities "ZELDA", etc.
- to prepare guidelines for employees on how to recognise post-traumatic stress syndrome and on working with clients ,who have psychological problems.

To civil servants:

- to develop skills to recognise post-traumatic stress syndrome;
- to maintain enabling, positive attitude and climate, preferably, in confidential atmosphere;
- to listen to the client attentively and actively, expressing interest and encouraging to speak;
- to speak unhurriedly, to clarify issues in conversation;
- to avoid a conversation that might create associations with an interrogation;
- avoid asking questions that pertain to traumatic experience, if it is not directly linked to provision of services;
- if necessary, to inform the person about accessible services of psychologists and lawyers, offered by association "Shelter "Safe House", crisis and consultation centre "Skalbes", resource centre for women "Marta", etc.;
- if a person has mental health disorders, assistance can be sought from the resource centre for people with mental disabilities "ZELDA", which provides free-of-charge legal advice to inhabitants on these issues.

1.3. DOCUMENTS

Due to different reasons newcomers sometimes are not sufficiently informed about the procedure of processing various documents (residence permits, opening of bank accounts, acquiring education, documents linked to family reunification, etc.) or they need additional explanations and practical assistance. Processing of documents may be hindered by other factors: lack of financing to pay the state fee for issuing or extending residence permit; lack of resources for translation; sickness, a situation, in which the employer does not arrange necessary documents for extending a temporary residence permit of a foreigner, who has arrived in Latvia for the purpose of employment, etc. The issue of legalising his status is of particular importance to a foreigner. OCMA or SBG may issue a removal order or a decision on coercive expulsion to persons, who have not processed or extended their residence permits in due time, reside in the country illegally.

Likewise, successful resolution of a client's issues may be hindered by documents in foreign languages, as well as absence of some documents (including, for example, documents that certify education, qualification, status of health), which is most often encountered by asylum seekers, refugees, and persons with an alternative status. Quite frequently these persons leave their countries without their documents or lose them on their way. Not all newcomers know, what documents are needed to resolve their situation in a local authority.

Recommendations and proposals to facilitate newcomers' access to various documents

To municipality:

- to strengthen cooperation between employees of a local authority and state and local authority institutions, which are responsible for processing and issuing documents (OCMA, SEA, institutions of education, health care facilities, etc.), as well as NGO that work with newcomers (association "Shelter "Safe House"", the LCHR, etc.)

To civil servants:

- to provide assistance to refugees and persons with an alternative status in document related matters in co-operation with the social mentor;
- recommend to clients turning to association "Shelter "Safe House"" or OCMA for advice on matters related to receipt of residence permits and processing of other personal identity documents;
- if possible, inform the client or the social mentor about necessary documents and ask to bring them along;
- to ask the client, if it is possible to ask relatives or friends to send the necessary documents from abroad;
- if a foreigner for justified reasons has not received residence permit in due time or has not legalised his status otherwise, recommend to him/ her to settle this matter as soon as possible, by turning to OCMA, if necessary, involving a lawyer or an advocate, or LCHR;
- if the foreigner has no legal grounds for residing in Latvia and he wants to return to his country voluntarily, inform him about the possibility to turn for support to the International Organisation for Migration (IOM).

1.4. ACCESS TO HOUSING

Recently, in particular in connection with the EU programme for refugee relocation, the issue of a problematic situation that refugees and persons with an alternative status face in the field of housing has gained relevance. In difference to economic migrants, who purposefully plan their move to a foreign country and resources necessary for it, asylum seekers leave their country forced by circumstances, in the majority of cases they become fully dependant upon assistance provided by the hosting state (state allowances and assistance provided by a local authority) until they adapt to new circumstances and are able to earn subsistence themselves.

Research²⁰ and practice show that the amount of state allowance (EUR 139, see Section 1) is not sufficient to pay down payment for renting an apartment, especially the first rent payment, and to provide for basic needs, including food. Sometimes fellow men and volunteers help these people to cover basic expenses. Moreover, refugees and persons with alternative status need practical assistance in looking for an apartment, drawing up a contract on renting, in negotiating with the owner, etc.

According to information at the disposal of LCHR and association “Shelter “Safe House””, newcomers, including refugees and persons, who have been granted an alternative status, are hindered in finding housing by stereotypes and prejudices prevailing in society, which lead to discrimination – unfoundedly differential treatment. Discrimination is manifested also in situations, when the landlord refuses to rent an apartment upon finding out that the tenant is a foreigner, a refugee, a person with a dark skin colour, a Muslim, etc. Regulatory enactments of the Republic of Latvia²¹ prohibit discrimination with respect to publicly accessible goods and services, including provision with housing, on the grounds of race, ethnicity, and other grounds.

Recommendations and proposals to facilitate newcomers' access to housing

To municipality:

- to assess possibility to offer to refugees or persons, who have obtained an alternative status, temporary housing (half-way homes) shortly after leaving ASC and before finding appropriate housing;
- to promote anti-discrimination measures and measures for decreasing prejudices, initiatives and public awareness campaigns.

²⁰ UNHCR study “Integration of Refugees in Latvia: Participation and Empowerment”, October 2014 – January 2015, http://www.emn.lv/wp-content/uploads/UNHCR_Integration-of-refugees-in-Latvia.pdf.

²¹ Law on Prohibition to Discriminate Natural Persons - Economic Operators, Consumer Rights Protection Law. More information about discrimination in various fields can be found on the homepage of LCHR: <http://cilvektiesibas.org.lv/lv/database/>.

To civil servants:

- to help refugees and persons with an alternative status in finding appropriate housing, by offering cheaper alternatives, cooperating with social mentors; to assess possibilities to grant housing allowance to refugees and persons with an alternative status during their first stage of living in Latvia, on the basis of binding regulations of local governments;
- if newcomers have encountered discrimination in the field of housing, to inform them about the possibility to submit a complaint and seek legal assistance, by turning to the Ombudsman's Office or to LCHR (on the homepage of LCHR on-line complaint form is available <http://cilvektiesibas.org.lv/lv/database/report-discrimination/>).

1.5. ACCESS TO EDUCATION

Often finding schools for minors cause various issues and uncertainty. Although cultural diversity in Latvia's schools is increasing,²² complications may arise, if schools have no experience in receiving foreigners, in particular, if a child speaks one of the languages that are rare in Latvia or if the child has a very different level of knowledge. A number of schools have already gained this experience,²³ and schools themselves adjust learning to students' needs. Schools may face uncertainty also in connection with ensuring acquisition of general education to a child, who is in the process of return or who lacks necessary documents. However, also in this case a child's rights to basic and secondary

²² According to MES data, at the beginning of school year 2016/2017, 518 third country nationals from the US, Azerbaijan, Belarus, Chile, China, Georgia, Indonesia, Iraq, Israel, New Zealand, Kazakhstan, Moldova, Russia, Syria, Taiwan, Thailand, Turkey, Ukraine, Uzbekistan attended Latvia's schools of general education.

²³ For example, Riga Secondary School No. 15, Riga Ukrainian Secondary School, Natalija Ddraudzina's Secondary School, Riga Rainis Evening Secondary School No. 8, Basic School of Zaķumuiža, etc. See also research: Izglītības attīstības centrs, Rīgas domes izglītības, kultūras un sporta departaments, Situācijas izpēte par jauniebraucēju un reemigrantu bērnu iekļaušanos Rīgas vispārīgizglītojošajās skolās, 2014.gads, http://www.iksd.riga.lv/upload_file/IKSD_pievienotie/0_2014/2014_05/Situācijas%20izpēte%20jauniebr_Rīgas%20sk_2014.pdf.

education free-of-charge must be ensured.

In working with children of asylum seekers, refugees and persons with an alternative status, it must be also taken into consideration that parents' emotional support to children or fulfilment of parental duties may be restricted due to adaptation or traumatic experience, as well as due to involvement in solving various everyday life issues.²⁴ Involvement of children's parents and representatives in children's education may be limited also due to language barrier.

Recommendations and proposals for promoting a child's right to access to education

To municipality:

- to promote the skills local authority school administrations and teachers in working with newcomers (organisation of educational process, intercultural communication, knowledge of foreign languages) with help of training courses, seminars, and methodological materials.

To civil servants:

- it is possible to receive advice on experience of schools in receiving newcomers from the Department of Education, Culture and Sports of the Riga City Council, as well as from NGOs (the Education Development Centre, the Latvian Language Agency);
- if complications arise, for example, if a child is not enrolled in school because of his status or lack of documents, turn to the Department of Education, Culture and Sports of the Riga City Council, the Ombudsman's Office, or

²⁴ Queensland Program of Assistance to Survivors of Torture and Trauma, Students from refugee and displaced backgrounds – a handbook for schools, 2007, <http://qpastt.org.au/tbcwp1/wp-content/uploads/2014/05/handbook-2007-updated-2014.pdf>.

NGO (for example, LCHR);

- on issues of child education cooperate closely with parents/ guardians of children, social mentors and institutions of education.

1.6. EMPLOYMENT

Research and practical experience show that many newcomers belonging to various ethnicities face serious problems in finding jobs and in inclusion into Latvia's society because of insufficient Latvian language skills, qualification that does not comply with requirements of the Latvian labour market, an also because of stereotypes and prejudices prevailing in society.

The data of survey **of third country nationals** with temporary residence permit, conducted by the Baltic Institute of Social Sciences,²⁵ show that 40% of newcomers work (most often as employees; they are also self-employed or owners/co-owners of companies); approximately half of them work in another profession, 23% – in their own profession (in the field of trade, catering or tourism; education and health; field of transport, logistics and communication); 2/3 receive a salary that is below the national average. 90% of those who do not work, want to work. New arrivals mention lack of Latvian language knowledge, difficulties in finding work in their profession, and low salaries as the main reasons of unemployment. Many newcomers are not informed about services in Latvian language training, as well possibilities for looking for work.

Refugees and persons with an alternative status experience particular problems in finding work. Although opportunities to learn the Latvian language are accessible to asylum seekers since their arrival in Latvia, the language proficiency level that they attain in the majority of cases is insufficient, so that in a couple of months time, when they

²⁵ BISS, Trešo valstu pilsoņu portrets Latvijā, 2015, http://www.sif.gov.lv/images/files/SIF/tres-valst-pils-port/Gramata_pilsonu_290615_web.pdf.

are granted a refugee or alternative status they would be able to start working or acquire a vocation. The situation is made more complicated by a number of other factors: qualifications/ diplomas obtained abroad are not recognised in Latvia (the current procedures for recognising diplomas and professional qualifications are not always accessible to these persons due to lack of documents and finances; however, other methods for assessing skills, for example, verifying skills in practice, are not used), lack of social networks (relatives, acquaintances), acute need to solve issues linked to housing, family, children, providing for basic needs, employers' unwillingness to employ foreigners, cultural differences (for example, many female refugees have low level of education and they lack work experience, which is linked to religious or cultural traditions), etc.

Recommendations and proposals for facilitating employment of newcomers

To municipality:

- in cooperation with SEA, employers, entrepreneurs and NGOs to support measures that facilitate employment and professional training of newcomers, including Latvian language training; development of cooperation with employers, creating internship places and jobs.

To civil servants:

- to help newcomers to contact SEA or refer to it;
- to deal with employment issues of refugees and persons with an alternative status in cooperation with social mentors and SEA, informing clients about the brochure published by SEA "First Steps towards a Job";
- in some cases to inform newcomers about their possibility to turn to association "Shelter "Safe House"" to receive information and advice on employment issues;
- in cases of discrimination to inform clients about the possibility to submit a complaint to the State Labour Inspectorate, the Ombudsman's Office, LCHR, also by using on-line form of complaint: <http://cilvektiesibas.org.lv/lv/database/report-discrimination/>).

1.7. HEALTH

New arrivals' access to health care services may be hindered by language barrier, lack of understanding on part of medical personnel about newcomer's rights and needs, as well as lack of finances for treating diseases, in particular, if medications must be bought or examinations and operations are needed. Third country nationals (also children) **with a temporary residence permit** may end up in a particularly complicated situation, because they have no access state guaranteed health care services. Also **refugees and persons with an alternative status** frequently lack resources for purchasing medication and treating chronic diseases. An important factor, which influences accessibility of health care services, is awareness. Research shows that many newcomers are not informed about health care services, as well as social and legal protection.²⁶

Recommendations and proposals for facilitating accessibility of health care services

To municipality:

- to develop dialogue and cooperation with the Ministry of Health and health care institutions to find solutions to newcomers' problems in the field of health care;
- to improve skills of medical workers in working with newcomers, including intercultural communication skills.

To civil servants:

- in adopting a decision on providing social support, to assess, whether a person does not belong to a particularly vulnerable group (see Section 1 "Health Care") and to take his needs into consideration;
- seek advice from the National Health Service on patients' rights, organisation and financing of health care, pro-

²⁶ BISS, Trešo valstu pilsoņu portrets Latvijā, 2015, http://www.sif.gov.lv/images/files/SIF/tres-valst-pils-port/Gramata_pilsonu_290615_web.pdf

viders of health care services, mandatory requirements to medical treatment facilities;

- to inform newcomers about their possibilities to turn to association “Shelter “Safe House”” to receive information, advice and translation services in the field of health care.

1.8. UNACCOMPANIED MINORS

An unaccompanied minor’s representative plays a rather important role, in participating in the initial SBG interview with a minor asylum seeker and in the in-depth interview conducted by OCMA, if necessary, representing the child in the procedure for determining his age, if there are doubts about a person’s age, in participating in looking for the child’s family members and finding out about the child’s possibility to return to his family, in representing the minor in asylum case or detention case, if the minor has been detained, etc.

An orphans’ court plays the leading role in receiving unaccompanied minors, and in practice it most often is a minor’s representative. Until now Ropaži Orphans’ Court has had the most extensive experience in this, because ACAS “Mucinieki” is located in Ropaži district. Until now it has been problematic to appoint guardians, and in practice minor asylum seekers were accommodated in ACAS. In some cases children were placed in a foster family or in a childcare facility.

In practice appointment of guardians is necessary when the child, upon receiving a refugee or alternative status, has to leave ACAS, and also when a guardian must settle all necessary formalities for receiving allowance that the child is entitled to after a status has been granted. The issue of increasing the level of competence and motivation of possible guardians and foster families for working with newcomers is relevant, as well as overcoming language barrier and ensuring communication between various involved parties (minors, orphans’ court, local authority, guardians, etc.).

Find more about situation of unaccompanied minors in article by LCHR and “Civic Alliance – Latvia” “Unaccompanied minors in Latvia”: http://nvo.lv/site/attachments/28/04/2016/Nepilngadigie_bez_pavadibas_Latvija_1.pdf. Information on human rights standards and recommendations regarding guardianship of children without parental care can be found in handbook by the EU Fundamental Rights Agency (in Latvian): http://fra.europa.eu/sites/default/files/fra_uploads/fra-2014-guardianship_lv.pdf.

Recommendations and proposals for working with unaccompanied minors

To municipality:

- in cooperation with the Ministry of Welfare, the State Inspectorate for Protection of Children’s Rights and NGOs, to increase competence of local authority employees, including those of orphans’ courts, for working with unaccompanied minors, by supporting educational events in this field, including sharing of experience with local authorities of other countries;
- to facilitate involvement of guardians and foster families in receiving unaccompanied minors, by supporting their education for working with newcomers;
- to develop cooperation with newcomers’ organisations and representatives of migrant communities, who would help in working with minors and would be potential guardians.

To civil servants:

- in case of uncertainty regarding services provided by a local authority and the procedure of payment seek advice from the Ministry of Welfare;
- to abide strictly by the principle of confidentiality (non-disclosure of information) about a minor, which is established by the Protection of the Rights of the Child Law and the Asylum Law;
- regarding issues pertaining to exercising the rights of a child, to turn to the State Inspectorate for Protection of Children’s Rights, the Ombudsman Office, LCHR or other organisations for protection of the rights of a child

for advice or assistance;

- if translation services are necessary, to turn to association “Shelter “Safe House””.



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Strategic Document on Human Rights
and Citizenship: Guidelines for an Intercultural
Cohabitation Local Agreement
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INTRODUCTION

The events of Paris in 2005 led to the design of social policies in contexts where the difference is almost synonymous of social exclusion or ‘differential inclusion’. In this sense, access to employment, public health, decent housing or education are essential to prevent social exclusion. Nevertheless, these do not build citizenship by themselves. In fact, these elements allow the subsistence of any human being in the municipalities, but just by themselves and without the necessary requirements they do not guarantee neither integration, inclusion nor coexistence. (Morales, J. M. and Perez, E.; 2017) Instead, a precarious employment may generate conflictive competence relations, access to schooling does not guarantee educational success, the availability of housing does not exempt people from forming ghettos and so forth. Moreover, inclusion may lead to exclusion if treatments in the before mentioned environments are provided in a differentiated manner (Mezzadra and Neilson, 2012) due to gender, racial, ethnic or sexual reasons among other.

The guarantee of just accessing to systems of social care, education, health care or employment does not reinforce having equal opportunities. Inclusive policies and systems must, based on universal access, continue to monitor the levels of care in the various systems and seek success and equality in the whole system leading to promote and consolidate inclusion throughout positive actions if necessary. For example, a family policy must aim to guarantee equal opportunities and, as a result, it will lead to the development of boys and girls from disadvantaged families receiving and reinforcing access to other systems that will seek their insertion under better conditions. For instance, in the OECD, one adult in every three (31%) has followed only elementary or junior high school (according to the Instituto Nacional de Evaluación Educativa, 2014), which demonstrates the failure of part of these policies of educational inclusion.

We need, therefore, a higher level of public policies in the municipal context that consists not only in offering the basic factors or services but also in offering them in a way that allows each person living in the territory — regardless of their passport, phenotypic traits, language, religion, gender, sexual orientation, age or origin— to be and feel an active and fundamental part of local life.

We therefore return to the proposal of the Canadian Network for Community Economic Development, which revolves around work to implement community development plans, understood as initiatives conceived and undertaken by people in a town or neighbourhood (a territory defined by relations of coexistence in a proximity). All of this with the aim of creating new economic opportunities and improving the social, economic and environmental conditions of their communities. And through an inclusive and democratic process following criteria of sustainability. This plan should work on community development from community assets, based on building on community capabilities and resources, not proposals from outside, mobilizing social capital and emphasizing strengths, not community weaknesses. (Moreno, J.; 2017). For this, we consider that there are objectives to reach such as:

- To involve all sectors and resources of the community: providing access to relevant training by seeking community leadership and cooperation.
- To consolidate the assets already owned by the community (collective and personal talent, traditional customs, cultural diversity, knowledge transmission networks, creativity and business spirit, etc.)
- To increase collective initiatives for the benefit of the community: social assets like accommodation; day care; social enterprises including cooperatives, funds for community investment (capital), community empowerment and training, integrated social and economic planning; and investment in human, social, cultural, transformation, natural community and financial capitals.
- To integrate economic and social development via supporting joint initiatives that seek to respond to the interrelated social and economic problems of communities.
- To contribute with innovation and business development by promoting centres for social economy enterprises jointly managed by the municipality; economic and social organizations and community actors. (Moreno, J.; 2017).

Thus, based on the objectives before mentioned, the reality of each territory and the relations of coexistence in the neighbourhood will be what mark the lines of work based on the experience and resources existing in the life of the community, (Moreno, J.; 2017). Following the strategic lines included in this document, it will allow a commitment to coexistence, inclusion, integration and interculturality. Key principles that must be present in any local action plan derived from this commitment, whose objectives is coexistence and integration in cultural diversity. It should contain, structurally, the following sections:

1. **Introduction** (plan derived from the commitment made in this document, consistent with specific local needs, complementary to actions carried out, technically, politically and economically coordinated and with a view to stability over time)
2. **Local context:**
 - a. Characterization of the community
 - b. Key information
 - c. Diagnosis (starting situation to be transformed)
3. **Principles** (contained in this guideline document in relation to the nature of the plan)
4. **Objectives and targets** (in relation to the principles of the plan)
5. **Strategic lines of action** (to achieve the objectives)
6. **Actions / Measures** (convenient and independent of political signs)

7. **Monitoring and evaluation**

8. **Governance of the plan** (people in charge and coordination)

9. **Budget**

10. **Schedule**

11. **Evaluation**

PRESENTATION

The present 'strategic document' is the result of the joint work carried out in the training course: 'SOCIAL INCLUSION OF THE IMMIGRANT COLLECTIVE: HUMAN RIGHTS AND LOCAL PUBLIC SERVICES', Developed in the framework of the European project AMITIE CODE whose approach focuses on the Defense of Human Rights in general, as well as specifically in the defence of the right to non-discrimination to:

- promote an improvement in local policies on migration, cooperation and human rights,
- increase the level of coordination, mutual understanding and coherence between local authorities' policies and initiatives, and
- actively involve migrant communities and the diaspora in integration policies.

We also emphasize, among the fundamental principles contained in the guidelines of AMITIE CODE, and always in line with this document, the principles of individual, collective and institutional responsibility, the importance of the

process of recognition and participation of communities, diversity as an essential value, and respect for different ideas and forms of expression, which we consider essential principles for inclusion in equality.

The work developed and now presented began in the last face-to-face session of the course in which a theoretical and methodological introduction was made around the questions about the planning, elaboration, organization and execution of the Local Action Plans on migratory and community matters.

In view of the diversity of the students (local agents, technical representatives of administrations, policy makers, migration experts, associations technicians, etc.) and the diversity of local work contexts (differentiated sizes, rural/urban, interior/exterior, presence and/or concentration of foreign population, community trajectories and previous experiences of intervention, etc.) it was decided to work in a generic framework previously presented in the index of the previous section, and to develop a political document that affects the nature, principles and objectives that any local action plan should contain also, in consonance with the values and commitments of the AMITIE CODE project, and so, from there, to develop individually that plan adapted to the context and reality of each town.

In this way, the work carried out, has continued online in the phase of reflection and search for municipal plans of coexistence and citizenship to materialise good practices. The conclusion that has been reached in group is to generate a Document of real integration and not of exclusive attention to the foreign immigrant community. In this sense, the discussion and input in a last face-to-face meeting has confirmed the need to develop such 'framework document' beyond the proposal of specific plans, containing a clear index and structure in compulsory sections and aimed at the elaboration of local action plans to be developed in each concrete local context. Thus, we present the strategic lines that are necessarily translatable in principles and orientations. These lines are flexible to the contextual adaptation of the objectives to be achieved in each of the scenarios in which an action plan is intended to be developed according to the municipal needs that, as we have already mentioned, do not always coincide among themselves.

In any case, there are three key issues underpinning this proposal. From them, the local authorities commit themselves to uphold the proposed principles stemming from the framework of the Universal Declaration of Human

Rights and the right to non-discrimination:

1. The action framework is the local/municipal context since it is the interaction stage in which social relationships and encounter between people with diverse nationalities, provenances, languages, cultures, needs and casuistry are developed.
2. The principles, based on coexistence, inclusion and cohesion, affect all areas of local intervention and the entire town resident population either temporarily or permanently. For this reason, we call for the cross-cutting incorporation of the issues related to the integration of the immigrant population into all relevant public policies.
3. The framework actions promoted as Local Plan should foster new processes of cooperation and partnership between Public Administrations and organized civil society in actions aimed at favouring a more inclusive society.

The entities, administrations, associations, companies, agencies and individuals that sign this document acquire a commitment to the present principles, values and guidelines. We will support and ensure its compliance —through action plans that may arise in relation to municipal and community action in migration, cultural diversity, social intervention, education, health, etc.— in the framework of human rights, citizenship and intercultural community development.

The present document has the following structure: the importance of the local framework, review of the regulatory framework, principles of action, and aims and objectives. As discussed above, all of them have been developed in a generic way to serve as a basic guide for the local entities to translate its guidelines into their local plans according to their concrete respective contexts.

THE IMPORTANCE OF THE LOCAL CONTEXT

Up to the current date, the local sphere has a place of little importance in the international political lines, both in

European and Spanish ones, when it is quite clear that it is in the local context where the results are really managed. The municipality is the primary stage of social relations. In the same way, this action commitment from local contexts allows to provide continuity and stability to the principles of coexistence and inclusion beyond the changes of the population and the political signs that guide the local management of public policies.

This way, following the guideline of giving the importance to the local context and promoting coexistence and inclusion principles, we do consider that diversity is both the aim and the strategy (objective and process). Thus, it should not only appear linked to just one term in office, political sign or just one of the municipalities, but it shall be understood as a continuous project, based upon a network and connected (social, political, economic and academic agents and actors). All of it in a more and more internationalised context.

We must emphasize, therefore, the key role of the cities and other regional authorities as first actors at the time of responding to the situations raised by migration and mobility issues. We have some current examples at the international level. These are the ‘Quito Declaration on Sustainable Cities and Human Settlements for All’ (New Urban Agenda) in which commitment number 28 makes a call to local governments to act and establish the necessary frameworks to allow inclusion and respect of human rights for migrants. In this way, the new urban Agenda helps to expand the dimension of analysis of these phenomena and recognizes that the change may come from the local level (and the municipality must thus try it). Likewise, it determines the Right to City as ‘the right of all the inhabitants, from the present and the future to use, occupy and producing fair, inclusive and sustainable, cities defined as common essential goods to have a full and decent life’. The New Urban Agenda was adopted in the United Nations Conference on Housing and Sustainable Urban Development (Habitat III) held in Quito, Ecuador, 20th October 2016. The General Assembly of the United Nations endorsed the New Urban Agenda in its sixty-eighth plenary of its seventieth session, 23rd December 2016.

For its part, United Cities and Local Governments (UCLG) considers the right to the city as one of the greatest challenges and opportunities for social justice and sustainability in the 21st century. Born from aspirations for a dignified life in urban settlements, and the ability of people to know, address and resolve together the problems that arise on

the territory, as well as the human will of justice in urban settlements, it is developed through regulations and policies of local governments.

Likewise, the positive contributions of migration and human mobility is now highlighted in the targets of the Sustainable Development Goals and the role of the cities will be particularly important to successfully ensure the fulfilment of the goal number 11 on cities and sustainable communities: *‘Make cities inclusive, safe, resilient and sustainable’*.

In accordance with this document cross-cutting framework, the effectiveness of the importance of the local context before mentioned will only be possible with the consideration, among others, of the normative field. Therefore, we will then try to outline some key and relevant issues of the regulatory field linked to local and immigration issues.

REVIEW OF THE REGULATORY FRAMEWORK:

First, we aim to recognise that international policy is relevant to the fulfilment of objectives and the adequacy of the principles that we have been exhibiting throughout this document. In fact, we consider the international field as a resource —according to the control of conventionality and constitutionality— to enforce the basic and minimum principles from States. Nevertheless, we do not contemplate the review of the international sphere in this document because we consider that the local context depends excessively on the commitments that the corresponding State (in this case, the Kingdom of Spain) assumes, signs and ratifies.

Following the line before mentioned we consider that, consequently, the structure of present competencies in alien and immigration issues constitutes a challenge among the national, regional and local spheres.

It is of common knowledge that Spain, from the national government, shows the exclusive competency, among others, on issues related to nationality, immigration, emigration, aliens and right of asylum (art. 149.1. 2nd Spanish Constitution). Despite the provisions of art. 148 (Spanish Constitution) which recognises certain competencies to the

autonomous regions. The exclusive competency of the State above mentioned is ratified in art. 2 bis.1 and in art. 68.2 of the Organic Law 4/2000 of aliens. In this last one, it is established that the autonomous regions assuming in their respective Statutes of Autonomy the competencies in migrant matters should do it '[...] in necessary coordination with the State competencies on alien issues, immigration and residence authorisation'.

In the sense expressed and concerning the competencies of the autonomous regions, Andalusia in its 2007 reform included migration-aliens related issues. So, in art. 9 is ensured the entitlement to all persons of rights, at least, recognized in the Universal Declaration of the Human Rights, the Covenant on Civil and Political Rights, as well as the Covenant on Economic, Social and Cultural Rights, and the conventions ratified by Spain. Art. 12, at the same time, refers that the recipients of public policies in Andalusia are those with administrative neighbourhood in Andalusia; art. 31.1.9^o recognizes labour, economic, social and cultural integration of immigrants as the guiding principles of its public policies and guarantee of rights. Article 42 of the Statute of Autonomy establishes, among others, legislative and executive competencies respecting the limitations and prerogatives in accordance with the Constitution. Lastly, more specifically, and always respecting the frame of art. 149.1. 2nd Spanish Constitution, art. 62 establishes the exclusive competences of the Autonomous Region of Andalusia in migratory matters: integration policies and social, economic and cultural participation of immigrants; and executive competence regarding labour authorizations of aliens whose employment relationship is developed in Andalusia.

At a more local level, Law 7/1985, of April 2nd, regulating the bases of the local regime, recognizes and establishes the municipal competencies and rights and duties of the neighbourhood that we believe has been considered in migration matters. In this sense, Law 9/2016 on social services in Andalusia, reformed from the previous Law on social services, has a commitment to the field of diversity management in Andalusia.

In view of the before mentioned policy area, we believe that it is necessary to overcome certain edges and obstacles and thus lay out certain challenges for good local management of immigration and diversity. There are, among others, the reform of art. 5 of our Statute of Autonomy, which recognizes as Andalusian only the Spanish residents living in Andalusia; we also believe that there is a need for real legislation and enforcement actions at the local level that are

not restricted to integration effort reports and / or reports for social roots; autonomous actions that are not restricted to executive actions based on the legislation of the central government and, finally, and in this case in relation to the commitment of Spain to the International Community, the need for signature and ratification of International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families in order to expand the action of local governments in relation to migrant participation in the political, economic, cultural and social life of the contexts in which they live and coexist. The latter considers that it would expand the action of migrant participation and diversity beyond contexts restricted to migrants (e.g.: Autonomous Councils and Municipal Councils), and would be given within the context of the integral action of the context in which they live and coexist. Such was the case of the *Consiglio dei Cittadini Stranieri* in Bologna (Italy), no longer active.

The generic aspect of this document is particularly oriented towards certain principles of action and objectives and targets that are key to the local concretions of diversity management plans. Thus, we will try to expose them in the following lines.

PRINCIPLES OF ACTION

- **Integration:** Always considering the reality in a holistic, comprehensive integration, complete and relational way, from the consensual and transversal implication of all political and social areas to be able to give total responses in local contexts, in a coordinated and co-responsible manner.
- **Interculturality:** There will be work developed inside the community and for it by managing cultural diversity and relations, understanding by culture the way in which human groups organize diversity, intragroup heterogeneity, typical of all human society. Stereotypes will be fought against. Besides, reductionisms and direct and incorrect associations of nationality, origin, phenotypic traits, culture, religion will be avoided.
- **Integration:** Social interrelations between individuals will be valued from equal opportunities and from standard-

ized and inclusive measures and services that will respond to the diverse needs of the population.

- **Facilitation:** From compliance with the regulations and within the framework of legality and local competencies, the most positive interpretation will always prevail and the measures that are most beneficial to the person in each of the intervention areas (safety, health care attention, social care —social roots reports—, participation, etc.)
- **Participation:** The ways of information, communication and participation will be diversified to accommodate all versions of how to proceed and the different ways of being part of the decisions that affect the people living in the municipality. All assuming and putting in value the capacities and potentialities of the professionals, entities and citizens.
- **Cooperation and partnership:** concepts that describe processes of approaching the management of public services to society, with formulas based on participation and transparency. From the proximity, from the local context, giving more value and strength to the initiatives of the neighbourhoods, the cities and, from and within the villages.
- **Training:** A commitment will be made to the training and the qualification of the public function of the different local entities. This will be both with a view to the acquisition of intercultural competences, and in relation to general and specialized training for elected officials and technical personnel whose performance is particularly relevant to the field of migration to respond more effectively to a reality of increasing diversity. There will be training actions for them and spaces for dialogue between different levels of government, favouring exchanges and meetings between municipalities that allow the development of joint experiences and opportunities at the regional, provincial and autonomic levels.
- **Visibility of differences:** it consists on making visible the differences of race, sex, ethnicity, gender, sexual orientation and so on existing in the municipality in both public and private entities. More specifically, this may include participation quotas and inclusion of minorities in public, mixed or private employment, as well as the fight against marginalization, exclusion and difficulties in the mobility of the excluded.

OBJECTIVES AND TARGETS

Needs, as they are changing and not always coincident according to the groups, territories or moments, must be evaluated continuously to allow the adaptation of responses in the planning of public policy measures and the municipal management for its correct coverage. Thus, any local action plan must respond to the needs detected in the analysis of the reality, working the partial policies and the following objectives from the municipality in an integration oriented way:

- To know the reality of the economic vulnerability of the minorities which is present in a municipality and is based on ethnic, gender, sexual, sexual orientation criteria, among others, and act from the framework of propositional actions. To know the reality of the debate and agreements about the establishment of positive actions that would be needed to incorporate from the local government.
- Coordinate policies, measures, actions and budgets of local plans with each other and with other regional and national plans. Establish coordinated mechanisms for financing that will allow the rationality of resources and the stability of proposals.
- Intervene from the normalization in an comprehensive integration and relational way in the different areas and with the different groups, enhancing the participation and interrelation of diverse people in origin, age, nationality, gender, language, etc. in areas of common rights and interests such as employment (inclusion of social clauses in recruitment processes), education (learning communities, municipal councils of education, etc.), training (professional, intercultural, etc.), housing (promotion of renting, prevention of concentration of population, slums and ghettos, etc.), security (information and legal assistance, ethics and professional deontology, facilitating interpretations, etc.), sustainable economic development, health, consumption, social services (informed, accessible, consistent with the needs of the municipality, and standardized, etc.), and any other rights, spaces and/or groups (women, youth) that respond to the needs of the local reality.

We reaffirm, therefore, that the four points developed in this generic document will always be effective from an adequate analysis of the context in which it is proposed to apply them; the analysis of existing local policies aimed at the management of diversity in the context; the design of effective methodologies in its elaboration, execution and evaluation process; the resources destined to the application of them; and the development and follow-up given to it.

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TOULOUSE

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Migration, human rights and development draft
action plan 2017-2020 Working document

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Within the scope of the participatory approach and with support from the AMITIE CODE trainees, you are encouraged to consider the initiatives that could be implemented under your local authority

INTRODUCTION

The action plan aims to improve the situation of migrant populations with a view to guaranteeing them equal access to their rights in accordance with the prerogatives of the normative international and national instruments defined as such by:

- the United Nations Universal Declaration of Human Rights,
- the international pact relating to civil and political rights,
- the European Convention for the Protection of Human Rights and Fundamental Freedoms,
- UNESCO's Universal Declaration on Cultural Diversity,
- directive 2000/43/CE of the Council of 29 June 2000 relating to implementation of the principle for the equal treatment of persons irrespective of racial or ethnic origin,
- French law No. 2008-496 of 27 May 2008 introducing various steps for adaptation to community legislation in the field of the fight against discrimination
- the French law on equality-citizenship of 6 July 2016

and also incentive measures implemented by the municipality through its involvement with various provisions, tools,

plans and signatures to diverse charters such as:

- the 10-point Plan of the European Coalition of Cities against Racism
- the European Charter for Human Rights in the City
- the Diversity Charter
- charters from a larger circle
- the Charter for Equality between Women and Men in the City and its Toulouse Action Plan
- the Plan for Equality and Citizenship
- the National Plan to Fight Racism and Antisemitism 2015-2017

Its main objective is to develop incentive, global and/or corrective measures aiming at migrants and enabling them to attain and develop their full potential and fulfilment as inhabitants of the City of Toulouse.

The migrant is a player in his or her path towards inclusion in the city. The latter must encourage this process and be a stakeholder in accomplishing it with regard to its competences.

The Plan aims at as broad an involvement as possible of all the players, whether they be concerned through their background as immigrants or through their commitment within civil society by an active contribution to the development of the capabilities of players in human rights, migrations and the development involved both in the public and private realms.

The Action Plan must be measurable and must be covered by an evaluation listing achievable and precise actions. Indicators will allow its evaluation to be facilitated.

The Action Plan will focus on municipal missions and competences around six strategic axes:

1. **Protecting and promoting the migrants' rights and duties and education in human rights**
2. **Providing access to services and ensuring equality of opportunity for all**
3. **Participation of civil society**
4. **Cultural diversity as a source of exchange, dialogue and living together**
5. **Fostering tolerance and the fight against discrimination and racism**
6. **Favouring social cohesion and a shared sense of belonging**

1. PROTECTING AND PROMOTING MIGRANTS' RIGHTS AND DUTIES - AND EDUCATION IN HUMAN RIGHTS

All migrants should be in a position to exercise their basic rights.

Local governments must not only protect and promote migrants' rights but also inform immigrant communities correctly as to their rights and responsibilities. Migrants must be supported and encouraged to exercise their rights and duties and become active citizens.

Action 1.: Ensuring migrants' access to their rights by providing hotlines in the City of Toulouse

Action 2: Developing resources and circuits for information on non-discrimination rights accessible to foreigners (translated information brochures, website, newsletter, information over the media, etc.)

Action 3: Formalising education in human rights for young people

Action 4: Setting up a "Citizen of Toulouse" pathway that promotes learning of the values of the Republic

2. PROVIDING ACCESS TO SERVICES AND ENSURING EQUALITY OF OPPORTUNITY FOR ALL

For migrants to enjoy their principal rights, they must have access to social services. Communities of migrants can face obstacles in gaining access to such services due to cultural and linguistic differences, lack of information, financial constraints and discrimination, or the absence of legal status. Even when they are accessible, such services above all reflect the needs of the host population.

Local authorities are essential in providing social services and guaranteeing equality of access and treatment. Inclusive urban governance should strive to overcome inequalities and ensure adequate services for all inhabitants, in housing, education, health, jobs, social protection and leisure.

Action 1.: Ensuring migrants' access to their rights by providing hotlines in the City of Toulouse

Action 2: Training municipal personnel meeting the public in intercultural relations

Action 3: Training and alerting municipal personnel in non-discrimination and human rights

Action 4: Evaluation by satisfaction survey on the action of municipal services

3. PARTICIPATION IN CIVIL SOCIETY

Getting participation in public affairs and political life is essential for cities to better respond to the needs of migrants, who are already French citizens or citizens to be.

To raise awareness as to the acquisition of citizenship, the local authorities are duty bound to involve migrants in participatory processes through the creation of channels allowing their views to be brought in.

Action 1: The City of Toulouse has set up a council of foreign residents called Toulouse Diversités whose objectives are to promote the values of the Republic, civic rights and diversity and fostering the insertion and economic, social and cultural integration of migrant populations.

4. CULTURAL DIVERSITY AS A SOURCE OF EXCHANGE AND DIALOGUE

Local authorities must foster mutual understanding and cultural diversity as a source of innovation and creativity.

By respecting cultural diversity, inclusive policies mean we can go beyond equality to recognise diversity in cultural, economic and social life.

Cities play a key role in ensuring access to local culture, supporting the cultural activities of migrants and cultural expression as tools for dialogue and intercultural exchanges.

Action 1: fostering the understanding of cultural diversity in the city's cultural events, especially those relating to

non-discrimination, the promotion of diversity and intercultural dialogue, and the memory of migrations,

Action 2: Organisation of an annual festival of cultural diversity, on 18th May (Diversity Day) with Toulouse Diversités,

Action 3: Construction of a human rights pathway and the history of migrations in Toulouse

5. FOSTERING TOLERANCE AND THE FIGHT AGAINST DISCRIMINATION AND RACISM

Migrants are often considered with suspicion by other members of society and can find themselves the brunt of populist and xenophobic utterances in politics and the media.

Intolerance, racism and discrimination continue to threaten individual development and coexistence between the various communities.

Local authorities can further tolerance within the community by targeting prejudices and poor knowledge, while also recognising the contribution made by migrants to the cultural and economic development of the host society.

In order to improve the integration of migrants in urban environments, cities can fight against discrimination and racism by undertaking significant actions aiming to prevent discrimination and encourage living together, living with others (Convivencia).

Addressing poor knowledge of cultural values and confronting sensitive issues, negative attitudes towards the host societies and stereotypes regarding migrants, cities can, through their inclusive policies, strengthen living together and mutual understanding.

Action 1: Participatory survey: a participatory survey aiming, with support from legal experts (rights lawyers, om-

budsmen, associations, etc.) to identify discriminating criteria in municipal by-laws with the aim of eliminating such non-legal criteria.

Action 2: Pursue initiatives for training in non-discrimination for the entire municipal workforce

Action 3: Informing and raising the awareness of all Toulouse people on non-discrimination and the fight against racism by disqualifying the stereotypes and prejudices that are the cause of most discriminations.

Action 4: Evaluation of the actions conducted by the city with respect to prevention and the fight against discriminations.

6. FAVOURING SOCIAL COHESION AND A SHARED SENSE OF BELONGING

Challenged by the diversity of multicultural cities and by successive migrations, local authorities play a key role in promoting solidarity and social cohesion.

To take on such social and cultural challenges and reinforce the inclusion of migrants, urban governance must promote shared values while respecting cultural diversity.

Cities rely on a strong feeling of belonging to the city to create harmonious societies.

The role of the local authorities does not just involve complying with the universal principles of human rights. It is also up to them to give expression to this locally through action plans.

Indeed, special attention must be devoted to the most vulnerable groups, giving them the means to accede to their rights and encouraging them to take an active part in public life.

Action 1: Through a strong cultural and intercultural life, by favouring access for the greatest number without distinction, being prepared to listen and encouraging participation and debate in the various consultative bodies without distinction as to origin, sex, sexual orientation, situation of disability, age, religion, political opinion, etc., the city plays a part in ensuring the inclusion of all in mutual understanding and *Convivencia*.

project co-ordinator:



Comune di Bologna

project partners:



Associated partner: Cittalia