Observatorio Español del Racismo

GUIDE
TO BUILD AND APPLY
LOCAL PLANS ON
RAISING AWARENESS

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PRESENTATION

Integration is a double-direction road in which the institutions belonging to the host society and to the people that have come to our country searching for an improvement in their living conditions have to take part.

The closest institution to the new neighbours that have decided to live with us is the local administration and that is why the General Directorate for Immigrants Integration of the State Secretary of Immigration and Emigration, well aware of the role the local administration has in connection with the integration of immigrants, has not stopped providing with support to the actions of these institutions are carrying out for integration.

An example of this support is the *Guide to build and apply local plans on raising awareness* that is now in the hands of the professional teams of the City Councils, the Provincial Governments, and other type of local goverments, etc. as a tool that, without any doubt, will make their work easier when designing programmes allowing that integration stops being an utopia to come closer to reality.

The Guide has been created in the frame of the European programme Progress that promotes national activities of awareness in the field of anti-discrimination. It has been developed and designed by a panel of experts in the field of immigration, and also by some institutions and organizations specialised in the fight against discrimination which is, in the end, the main objective of the creation of this tool.

We hope that this tool we present today, helps establishing the bases of the harmonic living in a society characterised by diversity and which cultural flow has increased with the arrival of new neighbours.

Estrella Rodríguez Pardo
General Director for Immigrants Integration

GENERAL INDEX OF THE GUIDE

INTRODUCTION
TO THE METHODOLOGY GUIDE

1 COMMUNITARIAN PROGRAMME FOR WORK AND SOCIAL SOLIDARITY– PROGRESS

The present the *Guide to build and apply Local Plans on Raising Awareness*, is the Final Product of the **Project ESCI II:** *Local Awareness Plans.*

The Project ESCI II is included in the frame of the **Communitarian Programme for the employment and social solidarity Progress** (2007–2013) of the General Direction of Employment, Social Affaire and Equal Opportunities of the European Commission. The Communitarian programme Progress has six goals:

▶ Improving the knowledge and comprehension of the main situation in the Member States (and in other participating countries) by analysis, assessments and a close tracking of the policies;

▶ Supporting the development of statistical methods and instruments and common markers;

▶ Supporting and controlling the application of the rules and political goals;

▶ Encouraging the creation of nets, mutual learning, determination and spread of good practices and innovation approaches at European level;

▶ Raising awareness in the interested parties and the general public on the policies and the goals of the Community in relation to employment, social protection and integration, working conditions, fight against discrimination and diversity and equality between men and women;

▶ Improving the capacity of the main nets at European level to encourage and support the Communitarian policies.

The project ESCI II is included in one of the five areas of activity of the Communitarian Programme Progress as that of **Non discrimination and diversity,** which main goal is supporting the effective application of the non discrimination principle and to encourage its integration in the Community policies by the following actions:

▶ A higher comprehension of the situation in relation to discrimination, especially by analysis, survey and development of statistics and markers, as well as by the assessment of the impact of the legislation, policies and practices in force;

▶ The support to the application of the European Union (EU) legislation in that relative to non discrimination by an efficient control, training of professionals and the creation of nets between specialised bodies in the field of fight against discrimination;

▶ The reinforcement of the awareness, the spread of information and encouragement of the debate of the main challenges and political aspects relative to discrimination, as well as the integration of non discrimination in the Community's policies;

▶ The development of the capacity of the main nets of the Community (for example, national or non profit organization experts) to look for the communitarian political goals.

2 PRECEDENTS OF THE PROJECT ESCI II: LOCAL AWARENESS PLANS

The Project ESCI II has been developed during 2009 by the **Spanish Observatory on Racism and Xenophobia (Oberaxe),** which depends of the General Direction of Integration of Immigrants of the State Secretary for Immigration and Emigration of the Ministry of Work and Immigration.

It is presented as the continuous work done in the frame of the *Project ESCI I: Citizen Strategies for citizenship and integration* that was developed during 2008. The activities of the Project ESCI I terminated with the convocation of a *Session with experts on Attention Services against discrimination: diagnose and proposals*.

This session had the fundamental goal of making the experts exchange and think on the phenomena and the practices related to the fight against discrimination with the aim of establishing a diagnose and to create recommendations and proposals on the subject. There was a total of 63 people registered coming from 21 towns, and there were represented different bodies and bodies, such as City Councils, social organization, immigrants associations, workers bodies, ombudsmen, Ministries, etc.

Amongst the most important conclusions and recommendations of the Experts Session, they stated the need of continuing with the work of the Project ESCI I in the local approach providing methodological tools to fight prejudices and stereotypes and in the development of the theoretical and conceptual aspects related to equal treatment and non discrimination.

Based on the proposals and recommendations created during the development of ESCI I a second stage of the project was designed, which has been developed during 2009.

3 GOALS OF THE PROJECT ESCI II: LOCAL AWARENESS PLANS

The goals of the project is fostering a public thinking on the profits of diversity and integration promoting the creation, development and launching of *Local Awareness Plans* in the field of equal treatment and non discrimination because of ethnic or racial discrimination.

This goal has been made operative by the following specific goals:

1 Including and involving public and private institutions and local and regional bodies in the development of awareness and promotion of equal treatment and non discrimination actions.

2 Debating and reaching a consensus together with these institutions on the priority subjects and the suitable and acceptable methodologies to develop Local Awareness Plans.

3 Identifying good practices and successful experiences carried out at local level, both in Spain as in other European countries, related with the awareness in equal treatment.

4 Creating and spreading a Methodological Guide to formulate and implement Local Awareness Plan on Equal Treatment and non discrimination because of ethnic or racial causes.

4 WHY CREATING A METHODOLOGICAL TOOL LIKE THIS?

Fighting against any kind of discrimination and, thus, against discrimination because of racial or ethnical original, has become stronger during the last years, becoming an important element in the design of public policies at the different levels of the Spanish Administration. However, there are still little specific actions to raise awareness on equal treatment because of racial or ethnical origin in some public bodies, especially at local level.

For this reason, and considering the information given in the Project ESCI I, **The General Directorate of Inmigrants** has opted to create a methodological tool to serve as support to the local bodies in the development of policies in this field.

Such tool is the *Guide to build and apply Local Plans on raising Awareness* which is now presented and that, from the point of view of implication of the different social actors, wants to serve as orientation and support to the local bodies to define and develop specific actions of awareness in equal treatment and non discrimination because of racial or ethnical origin.

There are at least for reasons that have encouraged the Spanish Observatory on Racism and Xenophobia to design and spread a Methodological Tool with these characteristics:

1 On one side, some of the characteristics of the Spanish society of the 21st C: as we have tried to show in the pages of this Guide, the Spanish society has the characteristics of an important and relevant social, cultural and ethnic diversity which are the fruit of different reasons: presence of internal ethnical minorities such as gypsies, the internal migration movements of the 50's, 60's and 70's or the increase, during the 20th C. of the international migration flows that chose Spain as destination and that meant the arrival of people of different cultural and ethnic origin to our towns and villages.

2 In second place, the guarantee of right to non discrimination in Spain: The principle of equality in treatment and non discrimination is a guarantee that is included in the Spanish Judicial Ruling, especially in the Spanish Constitution it is included not exclusively as a principle but also as a value and a right. Likewise, the European Ruling, the different Autonomy Statutes and other Spanish legislation (ordinary and specific) recognise the compliance with this principle.

3 In third place, the Role of the Local Bodies in the management of cultural diversity: Local Entities have an important role in any action directed to fight the development of racist or xenophobic actions because they are the managers of the Management Policies of diversity that are closer to the citizenship and in the performance of this action they are also an administration of privilege to define policies on equal treatment.

4 Finally; Awareness as a suitable strategy to fight ethnical discrimination and racism: even if it is not the only, awareness offers a series of reasons that makes us consider it as a good strategy to work under equal treatment, as it lets us foster the change of mentality, perception and negative attitudes in the present context of diversity and to prevent discrimination against anyone despite his/her social, cultural or geographical origin.

The goals of this methodological guide move from a general purpose as the following:

Offering a methodological tool that allows directing the municipal actions in the field of equal treatment.

The specific goals are:

a Favouring the compliance of the equality in treatment and non discrimination principle.

b Boosting non discriminatory behaviours amongst the citizens of the Spanish municipalities.

c Contributing to the development of living relations between the different citizens of the Spanish municipalities.

To achieve these goals, the following activities were developed.

5 METHODOLOGY AND ACTIVITIES IN THE FRAME OF THE PROJECT ESCI II

The methodological proposal for the development of the Project ESCI II was mainly based on two fundamental criteria:

1 Developing a **participation methodology,** involving public and private institutions in the process of construction both of the methodological tool and in the most suitable measures and instruments for the promotion of equal treatment and non discrimination.

2 Constituting a **coordination methodology and of construction of nets** between the different levels of public administration involved in the fight against discrimination and in the development of actions of equal opportunities and of treatment.

With this purpose, we have promoted the constitution of two working groups which aims and compositions have been the following:

a **Group of male and female experts.**
  The group of experts of the Project ESCI II has been constituted by 13 institutions and specialists in the different fields included in the Guide.
  The participating institutions have been:

▶ Local government of the province Barcelona.
▶ City Council of Roquetas de Mar in representation of the Spanish Federation of Municipalities and Provinces.
▶ Local Police of the City Council of Fuenlabrada.
▶ City Council of Zaragoza.
▶ City Council of Vigo.
▶ City Council of Illescas.
▶ Fundación Secretariado Gitano.
▶ Association Spanish Catholic Commission of Migration (ACCEM).
▶ CEPAIM. Integral Action with Immigrants.
▶ Association of Moroccan Immigrant Workers in Spain (ATIME).

Likewise, as experts have participated:

▶ Josefina Alventosa, Universidad de Valencia.
▶ Concepción Antón, Universidad de Salamanca.
▶ Carmen Cárdenas, Spanish Red Cross, Central Office.

The criteria of composition of the group of experts were the following:

1 **Diversity** in the composition of the same. The goal is that the group consisted of social actors taking part in the field of awareness.

2 **Increases the experience, personal or institutional, in the field of awareness, equal treatment and non discrimination.**

3 **Accessibility and availability f**or the development of the different stages of the work.

The fundamental goal of the Group was the support in the creation of the methodological tool in all its stages, which includes the different tasks:

▶ Design of the methodological tool.
▶ Definition and creation of the contents that have to be included in the methodological tool.
▶ Inclusion of key concepts for the development of Local Awareness Plans.

With this purpose, several working sub-groups were created and they allowed moving forward in the contents of the different parts of the Methodological Guide and that were sent to the components of the validation group.

b **Validation group.**

The validation group has consisted of the following institutions:

▶ **Local bodies:** City Council of Lleida (Servei de Progra-mes Sectorials y Serveis a las Persones); City Council of Aranjuez (Municipal Centre of Social Services of the Women Council); City Council of Saragossa; City Council of Sabadell (Comisionada Nova Ciudadania); City Council of Madrid (General Direction of Immigra-tion and Cooperation to Development); City Council of Illescas (Coordination of the Local Plan of Social Inte-gration); City Council of Baracaldo (Welcome net of Municipal base of the Basque Government); City Council of Mijas (Social wellbeing); City Council of Totana (Social wellbeing); City Council of Barcelona (Department of Social Action and citizenship and offi-ce to non discrimination); City Council of Bilbao (Immi-gration); City Council of Alcorcón (Are of Prevention, inclusion and the Observatory of Intercultural living); City Council of Fuenlabrada (Local Police); Common-wealth of Islantilla; Inter-municipal commonwealth of the South-east of Gran Canaria; Local Government of Barcelona (Equality and citizenship area); Local Government of Zamora (European Social Fund Pro-gramme).

▶ **Autonomous Communities:** Government of Illes Balears (General Direction of Immigration); Govern-ment of Castilla y León (Migration Affaire Service); Government of Andalucía (General Direction of Coor-dination of Migration Policies of the Employment Ser-vice); Generalitat de Catalunya (Secretary for Immigra-tion, Social Action and Citizenship Department); Autonomous Community of the Region of Murcia (General Direction of Immigration and Volunteering).

▶ **Universities:** Universidad de Valencia; Universidad de Salamanca.

▶ **NGO's:** Cáritas Española; Asociación ACOBE Usera; Movimiento contra la Intolerancia; Red ACOGE; Accem; Asociación ACOBE; Asociación de Chinos en España; Asociación ARI-PERÚ, Cruz Roja Española.

▶ **Trust Unions:** Unión General de Trabajadores (Migra-tions department).

▶ **Companies:** CIDALIA technical consultants on diver-sity; Abierto hasta el Amanecer, Cooperative from Madrid; Contexto, Análisis y Evaluación, S.L.**;** Dina-mia, Consultoría Social S. Cooperativa**;** Cidadania, S. Cooperativa Galega**;** Consultora Social Transforman-do Madrid**;** Atos Consulting

The validation group had the fundamental goal of revie-wing the contents of the Methodological Guide in the terms that were given by the group of experts and the cre-ation of proposals and recommendations of improvement of the different parts of the Methodological Guide.

The methodology of the validation group included two levels of review of the Methodological Tool:

▶ Individual, by each one of the participants of the Vali-dation Group.

▶ Collective, by the participation in groups of work or workshops.

INDIVIDUAL LEVEL: Before the meeting of the Validation Group, the members received via e-mail the Proposal Document of the Methodological Tool, together with a questionnaire in which the different indicators (some general for the entire guide and other specific for the different chapters) assessed the level of efficiency of the Guide as methodological tool for the implementation of the Local Awareness Plans.

COLLECTIVE LEVEL: During the working session each one of the chapters and paragraphs of the proposal document were assessed in group.

For the proposal of composition of the validation group, two essential criteria were taken into account:

a **Representative** of the validation group, related to the following indicators:

▸ Territorial / geographical, this is, promoting its presence in the most representative way possible of the national territory.

▸ Levels of Administration. The criteria is based in the fact that the Guide has been created from the perspective of social dialogue and the co-responsibility of the different social actors, so all of them have to take part in the validation of the same, starting from the different levels of the Administration.

▸ Type of body. Continuing with the previous, the presence of social organizations with a large experience in the field of awareness seemed to be fundamental.

b **Significance.** We wanted that the bodies participating in the group were not only representative but also that they had a high degree of significance based on the following indicators:

▸ Territorial contexts with a high percentage of immigration or specific characteristics of immigration.

▸ Application of the Local Funds of the State Secretary of Immigration and Emigration to awareness actions.

▸ Existence or development of Local Plans of social integration of the immigrant population.

c **Final conference.**

On 19 November the Final Conference of the Project ESCI II, Local Awareness Plans, took place, in which this Methodological Guide to build and apply Local Plans on Raising Awareness was presented.

The Guide is the final result of this methodological process in which people representing more than 60 public institutions and social organizations taking part in the fields of awareness, equal treatment and non discrimination have been involved.

As Methodological Guide, it is expected that it offers a practical perspective on the development of awareness actions in these fields, giving a methodological proposal that could be adapted to the different territorial, social and political contexts of the local bodies of our country.

WHAT IS A PLAN?

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This fist chapter of the Methodological Guide is dedicated to making a review of the concept of planning, to go deeper in the aims and goals of the planning and to briefly analyse the different levels of planning and the different techniques.

It is mainly directed to local bodies (municipalities, commonwealths, regional governments, etc.) although the general planning principles are also useful for social organizations or other bodies and public or private institutions.

▶ **Suggestion:** The chapter offers a general introduction to the contents described with some recommendations for their deep knowledge. Thus, if we take into account that its theoretical and/or practical experience in social planning and strategy is wide, we suggest that you start reading the Guide by this chapter.

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1 WHAT IS PLANNING AND WHAT IT IS USED FOR?

There is a great diversity of definitions and conceptions about what planning is. We are briefly reviewing some of them:

▶ From a strictly linguistic point of view, the **Royal Academy of the Spanish Language** defines planning as:

1. f. Action and effect of making a plan.
2. f. General plan, methodologically organised and frequently of great approach, to achieve a specific purpose, such as the harmonic development of a city, economic development, scientific research, industry working, etc.

▶ **Ezequiel Ander – Egg**, in its edition "Introduction to strategic planning" marks that in the widest of senses possible "planning means deciding in advance what has to be done. It is foreseeing a desirable future and establishing the means to achieve it".

▶ In a similar way, **Francisco Ther Ríos,** marks that "it has been understood as a specific course of action that has to be followed. With this, some orientation principles and the sequence of actions needed to reach the expected are established: we need time, costs and financing. This is, the rationalization of the future based on the current scene. Like this, planning is related to concepts such as efficiency and efficacy; coordination, prevision and control"[1].

▶ On his side, **Marco Marchioni,** other of the theoretical references of social action and planning, states that planning "is, at the same time, a goal of social action, an implicit need, a method and a working instrument".

According to the proposed definitions, we could get some main characteristics of planning:

▶ A method and a working instrument.
▶ A forecast of the desirable future, which in our case, would be in terms of public policies mainly.
▶ Fixing specific goals.
▶ Establishing a certain path that has to be run according to some orientation principles and to the actions needed to achieve the expected.

In this sense, planning is difference from **strategy,** understanding this as the *group of master lines to make decisions that have influence in the long term efficiency of an organization.* Thus, the strategy does not establish the goals, deadlines or the resources necessary for its achievement in such a strict way.

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[1] Francisco Ther Ríos, Review of the concept of social planning in second degree social investigation, published at http://www.ubiobio.cl/cps/ponencia/doc/p12.7.htm

Considering the definitions initially proposed, more focused in the social approach, and relating them to the present object of the Guide, we propose a definition of social planning being it understood as a process of community development that would be related to two aspects:

a in first place, with **the organization of the community,** understanding it as "the goal of providing the community of services in several fields, according to the needs or requests it has required" (Arthur Dunham).

b with the **programmed development of the community,** which is related to the need of organising and preventing all the programmes and actions; although throughout the Guide we will focus in the social approach.

Subsequently, we propose the conception of **strategic planning as a process of communitarian development or communitarian social action** that goes from a dynamic conception of the communitarian development and, thus, that includes the participation and the implication of the community as one of the key aspects.

Social and communitarian participation is understood as a requirement and a need, because if strategic planning is a group of actions organised to providing with a social change, we can state that without social participation and community implication, there will be no change. Thus, in the methodological proposal for the design and creation of Local Awareness Plan we will start in social action in and for the community.

The concept of community appears as one of the key factors in the strategic planning process being this construed as communitarian development. **How do we understand community in this Guide?** Following M. Marchioni, we can state that "an organised community is the first and main of the existing resources that needs social action to be really useful and to be able to work" (page 54).

We understand community in the development of the Guide and in the methodological proposal, as "a group of people that live in the same territory with some links and interests in common" (Angela Zucconi). Thus, it also includes a group of institutions and organization that are included and are part of this territorial group. To the effects of the present methodological Guide, this territorial group will be related to municipalities and local bodies.

We explain a proposal of strategic planning in the social field as result of a work in common, each one with its responsibilities and corresponding decision and operative levels, with three main components:

▶ The Administration, this is, the different public institutions present in the territory of the community.
▶ The Professional and technical personnel, both of the social organizations as of the social corporations and institutions.
▶ The population as a group.

The role of each one of the actors as well as their responsibility and decision levels will be different according to the characteristics of each community and territorial contexts.

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> ▶ In the chapter corresponding to Local Awareness Plan we will propose a working methodology that involves the different actors which flexibility of application will allow adapting it to the different territorial contexts.

The strategic planning process "has to land in the community with a goal at medium term: this goal is the construction of the local or shire plan. We have to create visible instruments that the community can see"[2]. Thus, we understand that the plan is the instrument to see a problem, a demand or a need of the community. Subsequently, **the Plan itself becomes a tool for the communitarian social action.**

> ▶ In the end, we propose the development of a Local Awareness plan in the field of equal treatment and non discrimination as a tool of communitarian development promoting changes (via the participation of the community and its different actors) of the attitudes and social, individual and collective practices (see concept of awareness in the glossary of terms).

Finally, we state that **a Plan is nothing but a working hypothesis at medium term;** this is: it has to be flexible, it has to include from the start the tracking and assessment actions that let us correct and take the suitable actions for the goals and aims foreseen (see chapter on Local Awareness Plans).

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[2] Marco Marchioni, Social planning and organization of the community. Advanced alternatives to the crisis. Editorial Popular, 2007, 7th edition, Madrid.

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2 LEVELS AND TECHNIQUES OF SOCIAL PLANNING

There are different levels of planning according to the width of the field of action as well as of the degree of specification when accomplishing the actions. The Local Awareness Plans on equal treatment and non discrimination are placed, as we have already said in the previous paragraph, in the level of strategic planning. From that level, it will be possible to establish a more specific or operative planning level.

We are going to define 3 levels of strategic planning: strategic, tactical and operative. The main characteristics are:

Type of planning	Term	Purpose	Technique examples
Strategic	Long (4 or 5 years)	General Action Plan	SWOT
Tactical	Medium (1 or 2 years)	Programme	Tree of problems
Operative	Short (less than 1 year)	Project	Logic Frame Approach (EML)

STRATEGIC PLANNING

It is created for long term (four or five years) and from a global perspective. It marks general goals that integrate the definition of strategic actions orientations to achieve the goal foreseen, a system of global provision of resources, tracking and assessment mechanisms, etc. In the end, it is a general plan of action.

Planning at a strategic level will be in a document called Plan in which the general long term goals will be included and that are structured around big areas of action.

The strategic planning methodologies and techniques are different. One of those most used at the level of planning is SWOT analysis technique: Strengths, Weakness, Opportunities and Threats. The working matrix of this methodology is the following:

SWOT	Strengths	Weakness
Analysis Internal	Natural advantages	Little resources and capacities in the territory.
	Higher resources	Resistance to social change in the community
	Opportunities	Threats
External Analysis	New technologies	High risks- Changes in the surroundings
	Strategic position	

The internal and external analysis has the purpose of establishing the strategies and actions that will let us transform at long term (four or five years) the weaknesses (that always make reference to internal factors of the community, like for example, the urban design) in strengths, as well as threats (which are always external to the community) in opportunities for the future.

The SWOT technique is one of those most used in strategic planning. There are others such as techniques that go into future based on the experience accumulated in the past (extrapolation, trends, variation analysis etc.).

TACTICAL PLANNING

It is created for medium term (one or two years) and shows a higher level of specification, because it is focused in specific areas or segments defined in strategic planning. The goals defined for these areas have a more specific character. Tactical planning defines the lines of action that include different activities to achieve its goals, a scheme of organisation of these activities, financing, etc.

Planning in the tactical level will be included in a document named Programme that includes the goals making reference to a specific area of action which is included in the Plan (level of strategic planning). The Programme is structured in different specific actions and for each one of them we create an operative planning named Project.

In the field of tactical planning, there is also a great variety of techniques that could be applied as the net diagram (Gantt's diagram, etc.). One of those most known and used is the Tree of Problems. It is a methodological technique that let us describe the causes and effects of a first and second level in a main problem (derived from strategic planning, for example). This lets us see, more clearly, the possible hypothesis of our action and at the same time it gives the dimensions of the possible success depending on the multiple causes and variables that take part in the chosen problem.

To build the tree of problems we act as follows:

1   Identification of the people beneficiary of the possible project: Defining and describing who will be the direct subjects of the action.

2   Establishing the main problems affecting these people or social groups.

3   Analysis and choosing the main problem of the future action.

4   Analysis and description of the Causes of the main problem.

5   Identification of the main effects of the problem.

6   Presentation of such description and analysis as a tree where:

▶ The log: belongs and is represented by the central problem;
▶ The roots: Belongs to the causes of the problem,
▶ The top: Belongs to the effects and consequences of the problem.

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Now, we present a scheme for the construction of the *Tree of problems:*
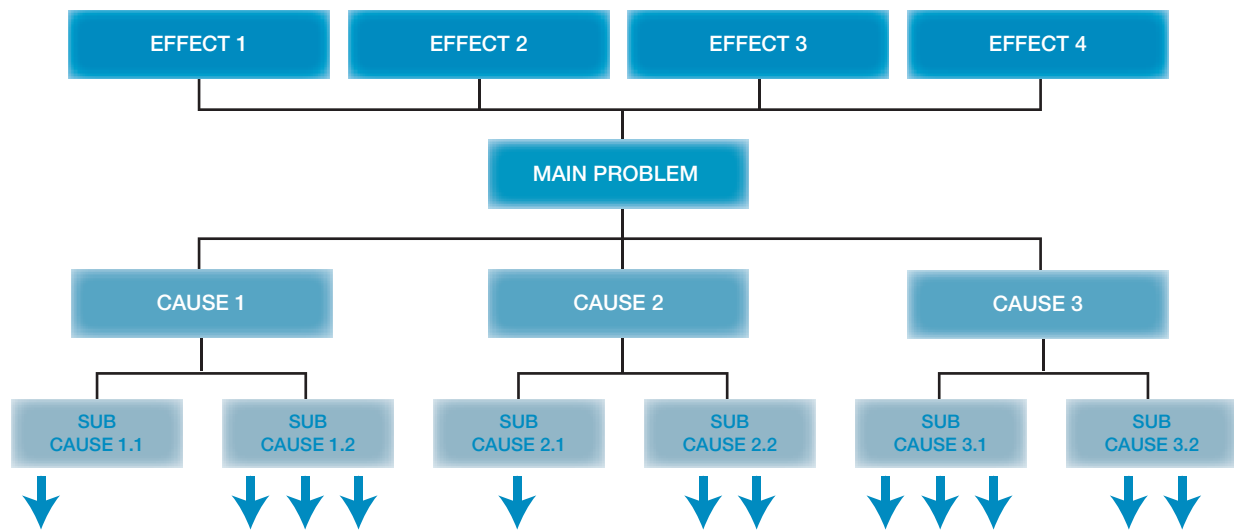
OPERATIVE PLANNING

The operative planning is created at short term (maximum of one year) and identifies a specific action or activity. It includes very specific goals, an organization scheme of the people carrying out the project, the necessary resources and the tracking and assessment mechanisms of the project.

The planning of the operative level will be shown in a document named Project, which is a specific action proposal at short term and that includes a sequence and ordered group of activities related between them.

In the level of operative planning, without any doubt, the best known technique is that of Logical Frame Approach (EML). The EML has been used, mainly, in the planning of International Cooperation projects, even if it can be useful in projects of social action, as it is an analysis tool to plan the management of projects directed by goals.

The EML improves planning because it highlights the links existing between the elements of the project and the external factors. It makes easier the common understanding and a better communication between those making decisions, the people in charge and other parties involved in the project.

In general, it is a summary of the development process in a matrix consisting in the basic elements before mentioned, and such matrix is known as the **Matrix of the project** (MP) [sometime it is known as Planning Matrix].

Matrix of the project is a programme or project of social development, a document that synthesises:

- the **general goal;**
- the **specific goals;**
- the **results expected;**
- the **activities** needed to achieve such results;
- **the resources** needed to develop the activities;
- the external limits of the programme or project;
- **the measurable indicators** and goals to assess the programme or project; and
- **the procedure** to establish the markers.

This is an example of the planning matrix of the EML:

Narrative summary	Markers	Assessment means
General goal The goal that will importantly contribute in the project together with other projects.	**Impacts** (2 or 3 years after the project is done) Markers that measure the impact (or direct effects at long term). The markers of impact are normally standardised and are include as goals that g beyond the reach of a single project.	**Assessment means:** Sources of information and resources (inquiries, surveys, statistics, census, procedures, events, reports and other) for each of the markers that can be used to check the impact of the project in the end.
Specific goals Hypothesis that represents the Direct Effect when it is achieved as a result of the use of the Products of the project. The purpose of the project can be linked to several direct effects (results). It makes reference o changes in the behaviour, performance or attitude of the beneficiaries of the project.	**Results** Markers that measure the direct effects (results) that are expected to be achieved as a result of the project. Generally, these direct effects Directos se logran en las últimas are achieved in the last stages or immediately after the execution of the project.	**Assessment means** Sources of information and resources (inquiries, surveys, statistics, census, procedures, events, reports and other) for each marker that can be used to check in which measure the purpose of the project was achieved.
Components/Products The products to be delivered by the project. The Products (and/or services) that are achieved at the end of the execution of the project. The executing team is directly responsible for the generation of these products.	**Products** Markers that describe the products which have to be generated during the execution of the project. They should state the amount, quality and the deadline foreseen to deliver the goods and services generated. They are considered sometimes as the Terms of References (TOR) of the project.	**Assessment means** Sources of information and resources (inquiries, surveys, statistics, census, procedures, events, reports and other) for each marker, which can be used to check the components produced at the level of component/product of the project.
Activities Group of the main Activities required producing each component (it is suggested to mention 3 or 4 main activities without divisions).	This cell contains the markers for the main activities and the term in which they will be carried out.	**Assessment means** Sources of information and resources (inquiries, surveys, statistics, census, procedures, events, reports and other) for each marker which are followed by the implementation plans of the project, the budget, etc.

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LOCAL BODIES: DIVERSITY, EQUAL TREATMENT AND NON DISCRIMINATION

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2.1 LOCAL BODIES: DIVERSITY, EQUAL TREATMENT AND FIGHT AGAINST DISCRIMINATION

THE PRESENT DIVERSE SOCIETY.
BRIEF HISTORY PERSPECTIVE OF DIVERSITY IN THE SPANISH SOCIETY

Talking about ethnical-cultural diversity in Spain means talking about the historical process of construction of the current Spanish society; a construction that has been defined by people and cities culturally different, resulting from a continuous movement of people that today are part of the citizenship of our cities. It can be said, thus, that along history, the diversity in the towns and villages of Spain has been constant as it is in the history of any town or country.

The History of Spain as a nation is, like that of many others, the history of a group of people and cultures in continuous movement in the borders of the Spanish geography. Here we find one of the main aspects to take into account when talking about the diversity of our country: Spain, as a nation, as people and as cultures is the result of the presence of various Celts, Iberians, Greeks, Roman, Goths, Arabs and Jews settlements . This presence will mark the future of the History of Spain right from its start to the called "Modern Age" (16th to 18th C.).

Between the 12th and 19th C. there are several social systems under development in Spain. At an early stage, they had a strong rural and cultivation strength and, little by little, the perspective changed due to a higher presence and importance of the cities and the urban world. A second important aspect when characterising the social and cultural Spanish diversity, is the co-existence of the rural and urban world. Two different elements which make the difference and that mix because of different and continuous processes of exodus from villages to the city.

Later, from the end of the 18th C to the 20th, several stages of the called "Bourgeois Revolution in Spain" took place. In these stages we have to highlight: The Constitution of Cadiz, the Kingdom of Ferdinand VII, the 1st and 2nd Republic, the Civil War and transition to Democracy which is going to end with the development of the State of Autonomies. This is the third main aspect that is going to mark the diversity in our land: the present Spanish Administrative Division means the existence of seventeen Autonomous Communities and two Autonomous Cities which, sharing common cultural and identity traces, have different and diverse traces, values, habits and organization models. This diversity is shown in the different municipalities as a consequence of the internal migration process that was lived in Spain during the 60's and the 70's and that meant the movement of millions of people from one region to the others, and of the continuous human movement that still takes place today between the different Autonomous Communities.

The fourth defining element of the Spanish internal diversity is the presence of an ethnic and historical minority in our country: the gipsy, which is present in our country for more than six centuries. This is, without any doubt, one of the most important elements that mark the internal ethnical-cultural diversity of our State.

Finally, the arrival of people coming from other latitudes like Europe, Latin America, Africa or Asia build the present Spanish ethnical-cultural diversity.

The historical ethno-cultural diversity in the global era we are living in is increasingly growing and has let the construction of towns and villages in which diversity is one of the defining traces of its development and its historical path.

A SHORT SOCIO-DEMOGRAPHIC APPROACH TO THE "ETHNICAL-CULTURAL DIVERSITY" OF THE SPANISH SOCIETY

As we have seen in the previous paragraph, the Spanish society of the 21st C is diverse, a fruit of the different social and demographic processes; but, which are the specific characteristics of that society, which are the profiles we find behind that society?

In this paragraph we present an analysis of the socio-demographic profile of the foreign population living in Spain and of the gipsy population, two important groups that mark the Spanish ethnical-cultural reality.

THE FOREIGN POPULATION IN SPAIN

The last twenty years have made a difference in the recent history of migrations in Spain. Even if the 80's meant a fast transition of a country sending migrations to one receiving immigrants, the 90's of the 20th Century and the start of the 21st Century consolidate the change, and the international migration flows becomes one of the main characters of the recent demographic evolution[3].

The immigrant population of Spain has multiplied by 70 during the last ten years and between the years 2006 and 2007 nearly two millions of entries of people have been registered representing a 36% of the net migration flow of the European Union.

In 1998 the number of foreign population censed in the Spanish municipalities was of 637,085 people, which meant a 1.6% of the total population. From the 1st January 2009[4], a decade after, this figure reaches a 12% with 5,598,691 people. As of that date there were 53.1% men (2,973,707) and a 46.9% were women (2,624,984).

It is worth mentioning an element that has characterized the Migratory Phenomenon, which is the feminization of the immigrations, especially in migrations coming from Latin America. This is a fundamental element when it comes to characterize the immigrant population living in the Spanish territory: the female face of immigration in Spain is, without any doubt, going to be an important element during the development of policies for the administration of ethnic and cultural diversity.

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[3] RECAÑO, Joaquín y DOMINGO, Andreu (2006): Evolution of the land distribution and geographic mobility of the foreign population in Spain. Included in *Twenty years of immigration in Spain. Judicial and sociologic perspective [1985 – 2004].* Edited by Fundación CIDOB. Barcelona.

[4] Municipal census of inhabitants, 2009, provisional data, National Institute of Statistics (www.ine.es).

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Another important aspect is that represented by the origin of the foreign people that live in the Spanish territory. The provisional information of the municipal census, as of 1 January 2009, state that, in main traces, the distribution of the foreign population in three main areas of origin. According to the census, a 4.05% comes from the European Union (EU 27), a 31.5% from Latin America and a 17.8% from Africa.

In the following table we can see a relation of the main nationalities present in the entire Spanish territory.

Table 1: The 10 most present nationalities, year 2009

Nationality	Total
Romania	796,576 (14.2%)
Morocco	710,401 (12.7%)
Ecuador	413,715 (7.4%)
United Kingdom	374,600 (6.7%)
Colombia	292,971 (5.2%)
Bolivia	227,145 (4.1%)
Germany	190,584 (3.4%)
Italy	174,912 (3.1%)
Bulgaria	164,353 (2.9%)
China	145,425 (2.6%)

Source: INE. Municipal Census of Inhabitants as of 1 January 2009. Provisional data.

It is suitable to highlight an aspect that has characterised the migration phenomenon in our country as it is the womanising of the migration, especially of those migrations coming from Latin America. It is a fundamental aspect when characterising the immigrant population that lives in the Spanish territory: the woman face of immigration in Spain is going to be a key element when developing management policies on ethnical-cultural diversity.

However, if we compare these figures to those of foreign population with a residence authorisation in force we find and important gap: as of 1st January 2009, of a total of 5,598,691 people, only 4,473,499 have a registration certificate or a residence card in force[5]. This difference leads us to a complex subject as that of administrative irregularity of some of the immigrant population living in our country, a situation that especially affects the municipal administration which is the one to assist these people once they are censed, even if the control on residence and entry in the Spanish state belongs to the Central Government.

Other element defining the process of settlement of the foreign population in the territory is its non homogeneous distribution. A good example of this is the fact that four autonomous communities welcome a 67.9% of the group of foreign population registered. These communities are: Catalonia (1,103,790), the Community of Madrid (1,005,381), the Valencian Community (847,339) and Andalusia (623,279).

[5] Permanent Observatory on Immigration (OPI), Ministry of Work and Immigration, January 2009

In that relative to the location, it is an immigration mainly of economic character, very associated to the provincial working markets. In fact, some authors talk about a kind of specialisation by sectors of activity and origin, as well as of a pre-existence in the territory of destination of social nets that act, also, as magnets for new population. Likewise, this link of immigration and working market explains the territorial distribution of immigration in our country as well as the higher geographic mobility of the foreign population in relation to the Spanish.

In this sense, the article by Pumarés[6] is interesting because it tries to establish a typology of the immigration areas in Spain:

a **Frontier areas:** In which there are two different logics: a geopolitical logic: the frontier as limit between two frontiers and another logic of local space: a bridge between two worlds (that live of these flows). Ceuta, Melilla and the Canary Islands are the areas that best show this situation (to include Algeciras and Tarifa).

b **The areas of intensive agriculture work.** During the last 15 years we have lived important changes depending, almost exclusively, of the foreign manpower. The main nationalities are from the north of Africa, Ecuador and the East of Europe. The provinces that are on top because of the concentration in the agricultural sector are Almería, Murcia, Caceres, Huelva, Jaen and Albacete (then we find Lleida or La Rioja). They share problems associated to agricultural season jobs.

c **Tourism areas:** they are characteristic because they are built around a big city. The two main examples would be Madrid and Barcelona, even if Seville, Valencia and other cities would be included in this group

d **Metropolitan areas:** they are characteristic because they are built around a big city. The two main examples would be Madrid and Barcelona, even if Seville, Valencia and other cities would be included in this group.

The intensity with which this phenomenon has taken place, together with the increase of nationalities present and their territorial enlargement has derived in the fact that, sometimes, the arrival of foreign population in the municipalities is seen as a risk or a threat for living and social cohesion of the members.

The report *Evolución del racismo y la xenofobia en España*[7] ("Evolution of racism and xenophobia in Spain) of the year 2008 analyses the perception the Spanish population has of the presence of immigrants. From the year 2000 we see a decrease of the receptiveness towards immigration. The survey includes the results of the barometers of the Centre of Sociological Research (CIS), placing immigration in September 2006 as one of the three main problems existing in Spain. We have to state that this figure matches with a stage where immigration was strongly stigmatised by the media.

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[6] Púmares Fernández, Pablo: "Immigration in Spain, perspectives from the territory". In Aubarrel, Gemma (Coordin.) *Perspectives of immigration in Spain*. Icaria, Barcelona, 2003. Pages. 117-201.

[7] CEA, Mª Ángeles y VALLÈS, Miguel S. (2008): *Evolution of racism and xenophobia in Spain. Report 2008.* MTIN – OBERAXE. Madrid.

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Even if it is true that the arrival of immigrant population contributes to setting a more diverse society, in terms of culture (because there are other ways of diversity such as gender, sexual orientation, religion or beliefs, handicaps, age) there are, in the Spanish case, other population groups "ethnically different" as it is the case of the roma population[8].

THE ROMA POPULATION IN SPAIN

Currently, Spain is one of the four countries of the European Union with a high number of roma population, representing around an 8% of all the European gipsies, which means an important specific weight in the whole European population. But, despite being the most important ethnical minority in Spain and of more than six centuries of history in this country, the roma community is a cultural group that has not have an easy process of social integration: it is still the most rejected group in the Spanish society and one of the most excluded both socially and economically.

There are different considerations about the number of immigrants of the Spanish roma population which is distributed in a range of between 650,000 and 970,000 people (which means between a 1.4% and a 2% of the Spanish total population)[9] half of which are women. Roma population are distributed through the entire geography, although it is in Andalusia where most of them live (close to a 45%). Most of them are in towns and, in these towns, there are normally a great number of families in the socially depressed areas. Although as a group, its member share a lot of identification and common recognition traces, we have to highlight the heterogeneity and diversity existing in the core of this community.

The roma population is very young; children in school age, teenagers and youngster up to 25 years are the groups of age more important in number (40% of the total), which explains the little presence of old and retired people.

The Spanish roma community is currently living a strong change and transformation process in many aspects. It is living deep changes and adaptations in their habits, way of living and family, demographic and social structures. This socio-cultural change that is taking place does not happen in all the groups and roma population at the same time or in the same sense; some roma people is promoting and being included in the largest sectors of the new middle classes in Spain, while other stay in the most marginal and peripheral sector.

[8] GARRETA, Jordi (2003): *The socio-cultural integration of ethnic minorities (gipsies and immigrants).* Editorial Antropos. Rubí.

[9] Data included in: Fundación FOESSA and Cáritas Española (2008) "VI Informe sobre exclusión y desarrollo social en España", FSG (2005) "Población gitana y empleo: un estudio comparado", and FSG and Ministerio de Vivienda (2007) "Mapa sobre vivienda y comunidad gitana en España"; amongst others.

Despite the evident advances that have taken place in the process of social inclusion of the gipsies in the Spanish society, especially during the last decades, it is evident that most of them, mainly women, are still below the average living levels of the Spanish citizenship and that a series of problems do not let them get out of their traditional situation of exclusion and discrimination.

The CIS barometer of November 2005, affirmed information as worrying as "one of four Spanish people would not like that their children had class with roma students", or that "More than a 40% of the Spanish people state that they are very or too bother for having gipsy neighbours ".

The recently published *Informe Juventud en España 2008* (Report on Youth in Spain 2008), edited by the Youth Institute, states that for the Spanish youngsters the roma population is the third most rejected group behind former criminals and drug abusers.

As it is also stated in the Report Discrimination and the Roma Community annually published by the Fundación Secretariado Gitano, the roma population still suffers discriminatory practices in main fields like employment, health, justice, security, media, goods and services, housing or education.

While the fight against racism and discrimination reaches higher importance in the immigration policies, as shown by the launching of measure such as the "Fund of support to the welcoming and integration of immigrants" or the "Strategic Plan of Citizenship and Integration", the roma matter is still seen from the point of view of social inclusion that may encourage the marginalization of the entire community, leaving in a situation of defencelessness to those that are not under risk of exclusion but that still suffer racism and ethnical discrimination.

Working with these different population groups has to be done from the fact that these are groups that under the label of "foreign or immigrant population" or of "roma population" hides an important range of differential characteristics, both inside the group and outside it. Not taking them into account would imply not considering the phenomenon of its complexity. Likewise, we cannot group under the same umbrella phenomena as complex as are nationality (which is the variable that has been used to label the first group of people) and ethnic group (that would correspond to the second category).

However, both population groups are susceptible of suffering discrimination because of racial reasons, understanding this as that distinction associated to aspects like phonotypical traces, language, ethnical or national origin. Also the need of actions to cover the fights against **multiple discrimination** begin to be urgent, a discrimination that is suffered by roma and immigrant people when factors related to their ethnic origin meet factors related to a situation of handicap, gender, foreign, sexual option, etc.

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[10] For more information:
Fundación FOESSA and Cáritas Española (2008) "VI Report on exclusion and social development in Spain". Ministry of Health and Consumption and Fundación Secretariado Gitano (2009) "Towards health equity. Comparative survey on the National Health Inquiries on roma and general population of Spain, 2006" www.gitanos.org
FSG (2005) "Roma population and employment: a compared survey" www.gitanos.org
FSG y Ministry of Housing (2007) "Map on housing and the gipsy community in Spain" www.gitanos.org
CIDE-Instituto de la Mujer-FSG (2006) "Inclusion and tracking of gipsy girls in the ESO" www.gitanos.org

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In this sense, it is important to present the special situation of social exclusion, rejection or discrimination that is suffered by the roma and immigrant population or Roma community, especially coming from Eastern Europe, underlined by their ethnic origin and because of the situation related to the migratory phenomenon.

It is also important to put a stress in the case of immigrant and roma women who suffer that double discrimination for the fact of being women and members of a cultural or ethnic group different to the majority. The perspective of gender is also an aspect that has to be taken into account when putting in practice the Management of the ethnic-cultural diversity.

THE ETHNIC-CULTURAL DIVERSITY IN THE MUNICIPALITY

Spanish municipalities are a product of this history of diversity. The local bodies have to handle and manage diversity to look for a harmonic society of pacific living. From the respect to the democratic values of tolerance and of right to difference and the principles of legality that support our society, the municipalities have to be the guarantors of that society where the values of living and intercultural have to be a common rule.

Municipalities try, with their actions, that the citizens see beyond the stereotypes, with a more tolerant and respectful point of view towards the new social situation of the 21st C. We are facing an important challenge given that the Spanish society, as receiver of these actions, even if it does not have a racist speech, performs negative attitudes towards ethnic-cultural diversity, and sometimes with a clear discriminatory tune.

These attitudes can be seen in different key areas of the Spanish society: school, family, work, neighbours, etc. As Subirats[11] states, everything moves too fast when, for example, schools have a hard job to take just one step.

It is all cause and effect of diversity, of fast time and of the quick identity fragmentation of our societies that the pre-existing diversity (internal migration, gipsy and non gipsy population) and of the arrival of immigration have underlined. That is why managing the collision and meeting of classes that has marked the path of history today means the challenge of working from this conflict to the need of meeting between a different population not only in social class, but also in the identity (origin, culture) which, paradoxically, is a part of the homogeneity of globalization.

This is where the twisted situation in which the local bodies are today in has its origin. It is them who have to manage this reality when, amongst its obligations, it does not include the management of health, social protection or management of work resources before such a diverse social group. And despite this obligation lack of balance, it is finally the municipality the one to act and define the management of cultural diversity in its territory.

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[11] SUBIRATS, Joan (2006): The school "container". El País, 22/12/2006.

As Alain Touraine[12] says we can only live if we combine instrumental social action with the cultural identity, if each one of us is built as an individual and as part of a group: as a member of a community. There are no burdens between the idea of person and the diverse multi-cultural society because we can only live if we combine equality and diversity by means of the association between democracy and diversity. Like this, if we think about society as a meeting of cultures and communities we will stop in the differences, but, if on the contrary, we focus on people and on the living project of people, the possibilities of success in our municipalities will be higher. To give an example: in our school there should no be cultures (as say the local newspapers) there are boys and girls (students).

THE LOCAL MANAGEMENT OF DIVERSITY: THE CHANGES AND NEEDS

After all this contextualization of the diverse society that has been set in the Spanish municipalities there is a key question: How to face the management of diversity from the local bodies to achieve creating a more just, real and pacific living?

The aim of a society shall not be homogeneity in all its shapes and ways of living, but caring and respecting real diversity, with the only limits established by lay and the guarantee of the effective exercise of human rights, both in the public and in the private areas. Diversity in municipalities and in the society has to be handled from the perspective of rights and obligations so it becomes a compromise of the entire citizenship: the right to diversity and difference has to be guaranteed by the public administration but it also has to be a compromise of each one of the persons that are part of that citizenship, fostering mutual respect and avoiding any discrimination action.

The social change, the fruit of diversity inherent to the configuration of the Spanish State, the historical presence of ethnical minorities like the gipsy people, the current migration glows, the increase in the internal mobility between territories linked to the real estate and working markets, the advances in communications, amongst others, have contributed to the configuration of populations that are more and more different and where different problems appear.

These conflicts are sometimes associated to the new use of public areas, to problems of neighbour living (noises, use of the common areas of the neighbourhood and other aspects), because of the concentration of groups in certain neighbourhoods or services (health, education, social services, etc.), incomprehension phenomena, rejection or doubts facing the opening of "ethnic" businesses or cult premises, access to certain working areas (agriculture, restoration or construction sectors) etc. This scenario of social chance is frequently seen by population as a threat to social cohesion.

We also have to underline the possibility that means working in these aspects from the point of view of managing of the ethnic-cultural diversity and especially in public areas and in the use of them, derived from the presence of people with different ethnic or national origin and cultural background, lets us work from the prevention and awareness:

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[12] TOURAINE, Alain (1997): *Can we live together?: Equal and different*. Promoción Popular Cristiana. Madrid.

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becoming meeting and mutual knowledge points, construction of common rules, agreed and shared by all; rules that have to be flexible and that adapt to the reality of the areas and services and to the different uses they may have. These changes are the consequence of a global phenomenon, and it is in municipalities where we see this diversity of people and ways of living.

The city councils, as the closest administration to citizenship and because of their strong knowledge of the local reality, face the challenge of managing, locally, a phenomenon of global reach, sometimes, without the competences or means for the technical and economic resources needed.

Although it is a structured and general process, the ethnical-cultural diversity does not affect all the municipalities in a similar way. In fact, there is a series of conditions that have to be taken into account when analysing the phenomenon and defining the action and awareness policies and actions, like the pre-existence in the territory of other groups of population ethnically different, the percentage of gipsy population, the history of migrations in the territory, the volume of immigrant people, the weight of this group related to the total population, the arrival flow, the origin of the population, the typology of arrival (individual migratory project, family re-grouping,…), the specific socialization of the children of immigrants, born or not in Spain and with psycho-social characteristics that make them socially and culturally different to their immigrant parents and also to the rest of the youth of Spanish origin at the same time it shares with both groups traces in common.

The arrival of immigrant population to the municipalities, added or not to the existence of high degrees of previous ethnical-cultural diversity and, subsequently, to the municipal services, puts more pressure on the resources which are already little. This aspect has favoured, in some cases, the fact that we can see the relation of lacks that the demographic decrease, the population profile of the municipality formerly solved.

The access to goods, rights and services of the population under conditions of equality is sometimes hindered by the discrimination suffered by some groups or people and also because of the lack of knowledge of the ways and protocols of access to the services offered by the different areas of the State Administration. The guarantee of equal treatment in all the approaches of social life is a basic condition to make effective the rights of these people.

Discrimination because of ethnic origin, like because of other reasons, is the damage to the principle of equality of all the citizenship, thus, the exercise of their rights under conditions of formal equality that is proclaimed by laws. The principle of equal treatment and non discrimination has to be present in the daily life and in the public areas, whether they are political, administrative or private and it is one of the fundamental strategic axis of the European Union.

Achieving to make effective that all human beings to become equal in dignity and rights means surpassing the burdens that are created by direct discrimination and, in our society, especially indirect discrimination.

City Councils have become the "managers" of this change and the first guarantors of the fundamental rights of people, so they have to:

- Develop actions to guarantee citizen living, social cohesion and equal opportunities in the groups of population.
- Guarantee the respect of the entire population to rights and obligations.
- Promote the access and normal use by the population of the resources and public services.
- Guarantee the quality and quantity of public services.
- Work in coordination with the bodies of the civil society that work in the field of equal opportunities and that fight against any kind of discrimination.

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2.2 THE ROLE OF THE LOCAL ADMINISTRATION IN THE MANAGEMENT OF DIVERSITY

If we take into account all the previously stated, we can get closer to the role taken by the municipality, in the present moment lived by the Spanish society, and the work that is require to care for diversity. The municipality becomes one of the guarantors of the management of diversity and equal treatment.

Subsequently, the role of the municipalities in the present context **is a key role in the development of social policies of integration ad of management policies of the ethnical-cultural diversity**. There are three factors that help us understand this role, factors that are related between them:

1 **The territory:** is the level of the administration that is close to the citizens and to which they address, first, to solve their immediate problems.

2 **Knowledge of the reality:** is the one that best knows the reality and the needs of the people that live in the territory. Every municipal policy has the goal of improving the life quality of the people of the munici-pality.

3 **Awareness of the need of the citizenship:** it is the most sensitive to the problems of the citizenship in the measure in which the social problems of the citizens become the social problems of the munic-ipality.

RULE AND OBLIGATIONS FRAME OF THE INCLUSION, SOCIAL POLICIES, OF MANAGEMENT OF DIVERSITY AND OF EQUAL TREATMENT

According to the Law 7/1985, of 2 April, **Ruling the Bases of the Local Regime**, the continuity of the social frame-work makes impossible to establish clear burdens to the interest which guardianship is given to the different powers that are part of the institutional group with a complex architecture, where the parties have the feeling of working as a group, but also working together to adapt their obligations to the real interests of the citizenship. Thus, the local auton-omy can not be defined in a single dimension from the simple local or regional point of view, but it requires being placed in the frame of the integral rules of the State.

The **'Strategic Plan for Citizenship and Integration 2007-2010'**, approved in February 2007 was born with the aim of becoming the fostering element of the integration process of immigrants in our society, directed to the action of the public powers and making the society dynamic in that sense.

The Plan is directed to the entire citizenship (immigrant and native population) and is the result of the consensus and of an intense process of thinking and consultation in which have taken part the entire group of administrations, the social organizations of support to immigration, the association of immigrants, the trust unions and labour organizations and the academia world.

Understanding integration as a double-direction process of mutual adaptation that implies lack of discrimination and the development of the sense of belonging to somewhere, the plan is inspired in the principles: **equal rights and obligations** for all the **citizens**; citizenship that implies the recognition of full participation and **interculturality** understood as the interaction mechanism between people of different origin and culture, in the assessment and respect to diversity.

An essential premise in the design of the Plan is its character of frame for the cooperation in the state area and, as such, from the respect to the obligation areas of the different Public Administration and the conviction that integration affects the group of public action and that wants to be a tool able to make policies dynamic, to group initiatives, create associations and to give coherence to the interventions in favour of the integration of immigrants.

The process of mutual adaptation between immigrant and Spanish population and between gipsy and non gipsy population requires a political action both of the General Administration of the State and of the Autonomous Community and of the Local Bodies, but it also affects and requires the action of the entire society, especially of the organised civil society. Administrations and the world of association have complementary roles and that is why it is necessary to make easy the collaboration between all the parties.

Because of this, the Plan includes as essential element the **governance**, understanding it as the incorporation in public management and in the process of decision making of the principles of participation and responsibility, apart of the principles of good government like efficiency and coherence.

The responsibility in the governance obliges to make clear the role of each party in the process of integration and of the formulation and execution of the policies ad the cooperation between the Public Administrations with the organised civil society. Cooperation between Public Administration, given the frame of obligations that has been created welcomed by the Spanish Constitution, is a fundamental factor of this governance.

A FEW STARTING CONSIDERATIONS

The local governments are the key stone to manage diversity, because the cities and town are both the places of development of the daily life, different one form the other (because of regional, ethnic, religious origin etc.), and the receivers of the new populations coming from internal and external migration.

The challenge of the local governments is acquiring, developing and consolidating the capacities and synergies to manager social cohesion in the increasing heterogeneity and to manage the equality of diversity. For this, they require an increasing improvement of the detection systems and diagnose of the needs, of design of policies and means of action, and adapting the services to the flexibility that require needs that change as much as the population. In this sense, it is important to state the need of providing the local administrations with economic and technical resources to be able to carry out these actions.

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It also has the challenge of ruling in an atmosphere that has to build continuously a living, and building it around the parameters that change and counting with the participation of all the citizens, taking into account that the possible "cultural changes", that are included in diversity, are managed so they do not cause conflicts or impossible to handle situations, so it is necessary a certain dose of pedagogy, information, exchange and dialogue.

In this sense, it is important to count with the political compromise and to debate the questions that arise. It will be necessary to have information, analysis and prevention tools and to have the capacity of answer to the questions relative to the process of social change. Before these new and changing situations, public administrations have to carry out different actions (training, act in advance, give suitable solutions, lead, etc.).

Sometimes, it will also be necessary to establish inter-territorial compensation mechanisms that allow the municipalities accumulating some problems or difficulties to assume new situations and to give them the most suitable answer; it is the case, for example, of the creation of ghettos, neighbour conflicts, excessive demand of some public services, etc. The local administrations are those responsible for the quality of life of the people living in their territories, but the complexity of the ethnical-cultural diversity we are living today in towns and villages can only be dealt with a supra-municipal, regional and state vision because most of the actions to guarantee the real management of the ethnical-cultural diversity go beyond the strictly municipal obligations and need the action that compromises the three levels of the Spanish Administration: municipal, regional and state.

The organization dimension also conditions the focus of the solution of the problems and the needs of the citizens. The organization by fields that gives structure to the organization of the services and their specialization leaves aside those actions that are necessary to answer to the demand or problems that has multi-dimensional or transversal characteristics. This is why a suitable management of the ethnic-cultural diversity in the municipality or town will require transversal methodologies to guarantee the efficiency of the services and an appropriate answer of that person.

The management of the ethnical-cultural diversity will affect the entire population, although it will be necessary in some cases to identify segments of the citizenship to adequate the public actions to their characteristics, which shall not be taken as discrimination or segregation, for which it will be necessary to avoid the social stigmas being goals to establish those criteria of segmentation and adaptation of resources preventing both direct and indirect discriminations.

The actions or programmed of the local administrations that are responsible for the management of the ethnical-cultural diversity have to be directed to the entire population of the municipality or the city in order to encourage living in a diverse social surrounding. In a context of high cultural heterogeneity, fruit of the recent migration processes, the structure of the services has to pas through two basic lines of work: the adaptation of the ordinary municipal services and the launching of new bridge services, including in both those support or internal support services to the management of changes. The dominant role tends to the normalization in the access to the services of the entire population, resides nationality, ethnic group, sex, religion, origin, etc.; even if it is necessary, in some case, to design and launch specific services that under this model of normalization shall be of temporal character. It is about finding the balance between the normal attention and specific attention of some specific groups.

The management of policies on ethnical-cultural diversity also include those actions directed to favour living in a diverse social, cultural, and ethnic frame. The cost of the management of ethnical-cultural diversity is high because it implies not only those sectors of the population that are identified as "different", "immigrants" etc. but it also implies that the entire population that lives in the municipality, and from the point of view of the public sector it has three different dimensions:

▶ Development of actions directed to training the society on diversity.

▶ Development of the actions directed to the fact that the public administrations are able to manage diversity without creating discrimination in the performance of their services.

▶ Capacity of the political leaders and of the administrative responsible t direct the different collective symbols to the assessment, consideration, understanding, encouragement and respect of the diversity in a frame of equal rights and social cohesion.

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2.3 MUNICIPAL POLICIES IN THE FIELD OF EQUAL TREATMENT AND FIGHT AGAINST DISCRIMINATION

MAIN CHARACTERISTICS OF THE PUBLIC POLICIES ON EQUAL TREATMENT

Having a theoretical frame on which to work is basic to develop ordered and coherent strategies. So, the model of city being adopted will establish the kind of strategies of attention and awareness of the population to be taken.

During the last years, the local management of ethnical-cultural diversity, especially marked by the arrival of immigrant people and the presence of gipsy population, has been strongly included in the local public agendas. A good example has been the increase of new councils that work on different areas such as "new citizenship", "civil rights", "equality", "living", etc. and that start at the recognition of the complex reality and citizenship that is worker, sexual, immigrant, etc.[13].

Currently, this current has gain strength and it divides the work with the immigrant or gipsy population of that most assisting and sector vision of the population and that sees the user as a patient. The new councils of Social Services, living, etc. adopt a different vision and place the population as active part of the change, so working with the will that population adopts an active and compromised position towards it surrounding so it can have a normal role in the municipality as any other citizen with rights and obligations[14].

These strategies are closely linked to the creation and/or consolidation of transversal councils that go beyond a broken/segmented vision of reality and consider that the population globally. It is an organization option directed to introduce goals shared by the entire organization that go beyond those assigned to each division or sector body[15].

However, absolute normalization is not possible while there are situation of lack of equality (irregular administrative situation, lack of knowledge of the language, social discrimination,…) that make necessary compensation actions. Also, there are needs that are detected and that are not attended because of their specificity and difficult to be assumed by the traditional administrative structure. Thus, a lot of municipalities have chosen to create bridge resources with transitory character, with the objective of levelling the entire citizenship and to avoid, thus, that the difference is translated into situations of lack of equality[16].

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[13] SOLÀ, Roser (2007): *The management of immigration in the local field.* Fundació Jaume Bofill. Colección Finestra oberta, 27. Barcelona.

[14] LLORENS, Teresa (2008): *Political innovation for a new social reality.* Diputación de Barcelona. Migrainfo, 27. Barcelona.

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THE ACTION PLANS

When assuming an efficient management on diversity that allows the implementation of actions and measures leading to a real equal treatment, we find two levels of action clearly marked and relative to the social action in general:

1 That of direct action on the facts.

2 That of action for prevention.

The two fields of action are closely linked and require actions that let us put a stress in the entire action. This is why when defining and developing the public policies they are included in a shared frame and they have to design a common strategy, instead of different and separated action, a common action strategy that allows this double action.

The Local Action Plans model is a good strategy for the development of public policies of equal treatment, because they let creating that common frame that is going to guide the different actions.

The definition of those action strategies (local plans) let us, on one side, create the speech about the new reality, make a more rational use of the resources when ordering the action and coordination the different agents involved, and so, situations of duplicity or lack of attention and adopting a global perspective of the phenomenon.

The design of local plans has to go with the **diagnose surveys** on the population and social reality of the municipality, which requires a periodical action because the population flows are constant and changing.

This diagnose, on its side, has to analyse the impact of the population in the municipal resources and services, detecting the rise of new demands or need with the purpose of adapting, in each moment, the municipal structure to the new population reality.

The size of the municipality, as well as the socio-demographic composition of the same, the "migratory and population mix", the presence of different ethnical minorities (gipsy population and others) are the aspects that will condition the actions to be taken.

Actions that necessarily require political leadership and also a firm government compromise that avoids the subject becoming political using immigration or the gipsy matter as a weapon. Of course, any plan can not take place without the necessary schedule of the actions, a budget and some suitable financing sources that guarantee its implementation.

The actions have to go with **continuous training** of the technical al elected staff and not only of that directly involved with working with the immigrant and gipsy population; also the attention personnel, with the goal of guaranteeing to the population an integral and quality treatment that goes beyond prejudices and stereotypes.

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On the other side, these plans have to count with the close collaboration of the social bodies present in the municipality and take advantage of their actions and working experience in awareness in the field of fight against discrimination.

Finally, the plans and programmes have to include awareness actions both technical, internal of the municipal structure as of the citizen, working in the population.

The speed and intensity with which this phenomenon has taken place has come with an important change of the urban landscape, so we have to think about strategies directed to working with the native population helping it understand the change and getting it closer to the new social reality, favouring the knowledge of the welcoming society as well as of the new citizens living in it.

The awareness actions require a strong dose of pedagogy, encouraging the mutual knowledge. We cannot forget that integration is a double-direction process that requires of the active and decided participation of the population, both of the immigrants and of the natives.

The local governments as well as the close administration have a lot to say, because managing cultural diversity requires integral actions that involve all the agents that work in the territory promoting positive and respectful attitudes for difference, always from equal treatment and opportunities.

Because of these reasons this Guide presents awareness, as defined here, as a strategy and an action that can cover the complex and thrilling world of social and ethnical-cultural diversity in our municipalities and to be an important element in the development of public policies of management of the diversity from the local bodies.

AWARENESS RAISING AS STRATEGY IN THE MUNICIPAL POLICIES OF EQUAL TREATMENT

Once we have the context of diversity as one of the characteristics of the Spanish society and municipalities, presenting the role of the local bodies in the management of the said and in the development of public policies of equal treatment and non discrimination, the present paragraph has the purpose of specifying the role of awareness as a suitable action strategy for the local bodies in its actions on the subject.

It is, thus, presenting, as an argument, the characteristics of awareness as a strategy that let us guide, on a solid base, the decision and action of the political decision makers and technicians of the local bodies in the construction of actions of awareness.

The development of the present paragraph is present from a triple point of view:

a First, we offer a **presentation of the actions and strategies in which the local bodies can sit or base their actions of equal treatment and non discrimination**. Amongst them we find awareness as another strategy.

b Second, recognising that awareness is another strategy or practice that can be carried out in an equal treatment policy, **we underline the different reasons why it is consider that the development of awareness actions included in wider policies and plans**, as a suitable model for the municipalities and local bodies.

c Third, from this guide we suggest the **inclusion of awareness as a strategy in Local Awareness Plans on equal treatment** or as a specific line in the Diversity Management Plans.

A) ACTIONS AND STRATEGIES FOR EQUAL TREATMENT IN THE LOCAL FIELD

There is no doubt that the performance of actions related to social and cultural integration of the immigrants and the ethnical minorities at local level has received a considerable push during the last years. The following factors have contributed in different measure as we have explained in the paragraphs 2.1 and 2.2:

▶ The assessment of an existent social, cultural and ethnical diversity in the Spanish territory.

▶ The existence of an ethnical historical minority in Spain such as the gipsies, with differentiated cultural and identity traces on the entire society.

▶ The significant increase of the immigrant population in Spain.

▶ The bonus and stimulus that meant the Fund of Support to Hosting and Integration of the immigrants as well as the educational reinforcement of the same, of the State Secretary on Immigration and Emigration, as well as the development of the Strategic Plan on Citizenship and Integration.

▶ A higher presence of a population of foreign origin that has meant, at the same time, a stronger social debate on the need of developing public policies both of control of the entries and, thus of the frontiers, as in the field of integration.

▶ The European guidelines on anti-discrimination[17].

In this sense, during the last decade there has been a significant increase of the Local Integration Plans, Intercultural Living or Civil Citizenship. The number of local bodies that have developed this strategy of action has increased each day during the last years.

Of course, **it is still necessary that these plans include in a clearer way actions relative to equal treatment a non discrimination,** even if se see a certain growing trend in this sense.

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[17] See Annex on Legal frame (page 191) the European rule in fight against discrimination.

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Amongst others, the most important actions the local bodies are developing and/or they have to develop include the following[18]:

▶ Specific research on the subject and compilation of data on discrimination and equal treatment.

▶ Permanent observatories.

▶ Including equal treatment as a transversal axis in all the fields of action.

▶ Specific and continuous coordination with other bodies and social agents involved, from the point of view of shared co-responsibility between the Public Administration and the Civil Society.

▶ Training of the local technicians in aspects related to diversity and equal treatment (legislation, services, etc.) and in intercultural matters.

▶ Training of key agents: journalists, police forces, lawyers and other professionals.

▶ Creation of services to fight against discrimination in any field that include attention and information, judicial defence and psycho-social support to the victims.

▶ Launching of actions of equal opportunities in employment and support to diversity in the working marking via the different employment services of the municipalities.

▶ Development of actions that allow access in equal conditions to the different areas of the public life: education and health, services to citizenship, by information and counselling.

▶ Promotion of the ethnical-cultural diversity and interculturality, in an equal way, in the municipal field: cultural programmes and public areas.

▶ Development of large actions of prevention and awareness: specific campaigns by fields, generic awareness actions and awareness actions on the importance of the fight against discrimination

Even if awareness is one of the strategies that is found in almost all these actions developed, it is necessary to underline that it is just another one amongst the strategies and actions that the local bodies may take, but without any doubt, it is one of the most accepted both by the technician and politicians and by a civil society via the social organizations.

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[18] To create this paragraph we have taken into account the different actions and measures implemented by some local integration and/or living plans, as well as the Decalogue on Action of the European Coalition of Cities Against Racism (ECCAR) (www.unesco.org)

Facing such a diverse society as ours in terms of cultural and ethnical origin, awareness is a tool that let us aware the entire population in the need of creating a common and shared space for living, where stereotypes, prejudices and discriminatory action will not have room.

However, this fact has not meant that Local Awareness Plans have been launched but that in most of the cases, it appears as a strategic line in the Local Integration Plans with transversal character

B) ARGUMENTS FOR THE DEVELOPMENT OF AWARENESS RAISING ACTIONS

When defining awareness as an optimal strategy in the fight against discrimination and for equal treatment, it is necessary to depart from the fact that we are talking about **a strategy to be applied during the action process,** not of the development of specific and isolated awareness actions.

This process shall let that awareness serves to encourage the change in mentality, perception and attitudes in the context of diversity in which we are living and avoiding and hindering discriminatory actions towards anyone no matter his/her social, cultural or geographical origin. This is the challenge of awareness, to put a stress and adjust this change in behaviour to achieve an effective social integration of all the members of our society.

There are several reasons that let us understand the role of awareness as a suitable strategy for the development of public policies on integration and equal treatment in general and, especially, of policies of integration and equal treatment with ethnical minorities or immigrants.

Now the reasons and arguments that in this work are considered that explain the importance of Awareness as a strategy for equal treatment in the municipal approach are explained::

> ▶ The local bodies are those closer to the citizens, and this means a double advantage:
>> ▶ It is the local bodies who know better the perception, the social speech of the citizens in relation to equal treatment and non discrimination.
>> ▶ Because of being close, they can be more effective when giving messages, create meeting and exchange points that allow moving forward towards equal treatment.

> ▶ It is in the local frame where the concept of citizenship has its more evident practice, and:
>> ▶ Citizenship is not possible if there is unequal treatment.
>> ▶ The concept of citizenship is one of the main strong ideas from which to cover equal or unequal treatment.

> ▶ It is not possible to have an integral action on equal treatment if awareness processes to bring closer the different social groups to the importance such equality becomes a reality are not developed.

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▶ Awareness is one of the best strategies to get to those that do not see themselves as susceptible of being treated in an unequal way: this is, normally the so called "general population" thinks and feels that unequal treatment is something that is never going to affect them.

▶ Carrying out a public policy of social integration, the development of different integration measures, equal treatment and non discrimination has to live the promotion of a change in the attitudes, and gradually eliminate the stereotypes that hinder that the actions taken are fulfilled with a progressive cultural change.

▶ Thus, is awareness is seen as something isolated and independent of the action work, the main consequence is that we would wear the synergies that would be profitable for both lines an we lose the chance for awareness and action to gain mutual reinforcement.

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▶ **For example,** *in a specific area it is more probable to introduce measures to promote contracting immigrant people if in that area there has been a previous development of processes of awareness at medium and long term to access to the working marking under equal conditions*

▶ It makes easier the suitable incorporation of new citizens to the different fields of society, eliminating the possible bad practices when treating the diversity they represent.

▶ **To give an example**: *We should be aware that diversity opens a new opportunity of mutual cultural enrichment, the value of differences or, on the contrary, the conflict and the fight because of cultural reasons and mutual lack of knowledge. We, the citizens, immigrants and native, have to make a decision.*

▶ The development of awareness strategies helps us avoid that, before the access to resources, there are prejudices enlarged that could derived in discriminatory behaviours.

▶ They are a transversal strategy and avoid policies that are exclusive at long term (learning of the mistakes made): spatial segregation encourage by the social hosing policy in practice, concentration of immigrant population in some education centres, etc. It is about making a process by which decision making, ruling, programmes and services development has as transversal axis the ethnical-cultural diversity and to avoid conflicts in its application.

▶ It provides a social/communitarian/group atmosphere that supports positive attitudes and behaviours and that permanently promotes stimuli to keep on including such positive behaviour, because as strategy, it wants to promote changes in attitudes and ways of thinking, break with the existing stereotypes, involving the different social agents and creating the acquisition of more equal values amongst the citizenship.

▶ Awareness is a strategy that allows coordinated work and connected to different actors: administration, organised civil society and citizenship, allowing thus the social co-responsibility in the implementation of public policies in this subject.

▶ As communication is one of the tools for awareness we have a tool that helps us with social change as it allows the generation of areas of dialogue, exchange, meeting point and debate areas

C) THE LOCAL PLANS ON RAISING AWARENESS

Throughout the two previous paragraphs we have presented awareness as a suitable strategy for the development of policies and actions to create and guarantee equal treatment in the Spanish citizenship, of all the people living in the streets, neighbourhoods, villages and cities of the Spanish territory. Now, we have to establish the way they have to act and organise all the actions that imply awareness.

As we have said before, awareness can be presented as punctual and isolated action or as a group of actions with a common and shared frame. It is this second choice the one that we propose as suitable in this Methodological Guide so awareness lets us reach the goals proposed. Like this, it is suitable to develop and execute Local Plans that whether of wide character including an awareness line or if they are specifically Local Awareness Plan, let us develop at all level a group of awareness lines, actions and programmes.

In the second part of the Guide we present a methodological proposal for the development of Local Awareness Plans that can be developed in a frame that could be defined as "autonomic", understanding it as the existence of a Local Awareness Plan that had to have the frame of a group of local actions.

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3.1 INTRODUCTION

This third chapter of the Methodological Guide is directed to go beeper in the operative and practical perspective, in the most relevant factors for the design and creation of a Local Awareness Plan in the field of equal treatment and non discrimination.

The goal of this chapter is offering both different working methodologies that allow the participative construction of Local Awareness Plans, as useful and practical working tools that provide their application in the different territorial contexts that build the local bodies in Spain.

Evidently, this context is as wide and diverse and offers so many heterogeneity elements (there are more than 8,000 Spanish municipalities), that the **methodological proposals and the working tools are offered from a dynamic and flexible perspective** that allows their adaptation to different territorial, social and political characteristics. Thus, we have to think of it as a departure point and the methodological steps from which to direct the social action.

The contents of the chapter are the following:

a First, given that we start from planning as a process of communitarian development in which the participation of the community is an essential element (see chapter 2), we will start this chapter with **a review of the participation methodologies** for the creation and development of the Plan.

b Second, we will propose some **ruling principles for a Local Awareness Plans.** Including the idea presented in chapter 2 about the Plan as viewing tool, this has to present a series of principles that allow that the community identifies the social and political values that are under search.

c Third, we will go deeper in **different stages of design and creation** of a Local Awareness Plan, developed with the objective of offering a practical and useful perspective for all those institutions and organization developing awareness actions in the local field.

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3.2 METHODOLOGICAL PROPOSAL TO CREATE A LOCAL PLANS ON RAISING AWARENESS

The present paragraph of the Guide presents a methodological proposal for the design and creation of a Local Plans on Raising Awareness. It has been decided that the methodological proposal becomes part of an independent paragraph to highlight the importance of having a global, organised and systematic point of view during the entire design, creation and execution of the Local Awareness Plan.

This means that the methodological election that is made has to involve all the stages of work of the Plan and not only some of them. For example, it is very common that during the stages of diagnose or design of purposes and goals there is a come collaborative and open attitude of the social agents, not only with the purpose of contributing to the creation of the public policies but also with the aim that their contribution socially legitimates the actions designed. It is also frequent that the channels of participation and contribution of the social agents are different in other stages of the project, especially in the execution of the actions foreseen and in the tracking and assessment of the same.

> The goal of the present paragraph is calling attention on the importance of the application of a methodology of action in all the stages of the Local Plans on Raising Awareness and not only in some of them.

3.2.1 SOME DEPARTURE CONSIDERATIONS

Which methodology of action is the most suitable for my territorial and social context? Which are the elements that would let us select a methodology of action for each one of the territorial and social contexts in which we work?

With the purpose of directing decision making, we propose the consideration that, at least, the following elements to select the most suitable methodology for our context:

▶ First, the analysis of the social actors involved.

▶ Second, the characteristics of the community, this is, the local context in which to act.

Social actors involved	Characteristics of the social context
State Administration (State; Autonomous Communities and Local Administration)	▸ territorial organization ▸ territorial and geographic characteristics
Social organizations and institutions	▸ degree of complexity of the social tissue; ▸ fundamental characteristics; ▸ social relations between agents; ▸ participation experience.
Population	▸ population dimension ▸ organization characteristics

A) THE SOCIAL ACTORS INVOLVED

Three fundamental actors are considered: Administration, social organizations and institutions and population.

▸ The **Administration**: It is necessary to take into account the presence in the community of the different Public Administration and what each one of them can provide from the point of view of dialogue, institutional coordination and transversal character of the actions proposed.

Without any doubt, this is one of the most complex aspect because it has influence in a wide range of factors that make this perspective difficult, such as the political factors (for example, the different political parties in the different levels of the public institutions), bureaucracy factors, related with the communication and transfer of information between the different levels of the administration), etc.

However, from the civil and legitimate democracy point of view it is necessary to put a stress in the necessary dialogue and institutional coordination as mean to improve the efficiency of the public policies.

The Spanish Public Administration is structured under three territorial levels (General State Administration, Autonomous Communities and Local Administration).

The territorial local bodies[19] are the following: the municipality, the province; the island, in the Balearic and Canary Islands. They have, also, the consideration of local bodies:

▸ the entities of the territorial approach below the municipal, created and approved by the Autonomous Communities, according to article 45 of the Law 7/1985, of the 2 April, Ruling the Basis of the Local Regime.
▸ The shires and other bodies that group several municipalities.
▸ The Metropolitan areas.
▸ The Commonwealth of Municipalities.

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[19] Law 7/1985, of 2 April, Ruling the Basis of the Local Regime.

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> ▶ Thus, in the diagnose process we recommend to identify which public administrations are present in each territorial context and which are their obligations and actions in the field of equal treatment and non discrimination.

There is no doubt that the **local body (whichever its nature is: municipality, commonwealth, shire, etc.) constitute the most important institutional dimension,** given that we are proposing an action at local level and without its presence and active participation and sometimes even of political and of social leadership, it is not possible to develop a Local Awareness Plan.

On the other side, the Local Administrations have a high degree of organization complexity and of the organization of the obligations and the services to the community. **The coordination and transversal character is not only an external requirement (between different levels of the Administration) but also towards the inside of the Local Administration itself.**

> ▶ In this sense, we recommend to identify from the start of the planning process all those departments or areas which presence and participation is going to be relevant from the perspective of awareness in equal treatment and non discrimination. For example, the citizen safety department or that of urbanism, as we will see in the paragraph of areas of action.

▶ **The social organizations and institutions** present in the community, this is, that called civil society. To the effect of the present methodological proposal, we are going to take the civil society as the diversity of people that act in a collective way to promote decisions in the public field via different social organizations and institutions.

Without any doubt, the social organizations and institutions will be of high heterogeneity (social associations and organizations, trust unions, churches and religious institutions, etc.).

It is important not to be restrictive and to consider the organizations or institutions of a clear social character. On the other side, equal treatment and non discriminations are aspects that have to involve the entire community and, thus, of the organised community. In this sense, we have to take into account the business tissue, which could be involved by the development of actions within the Corporate Social Responsibility (see Glossary of Terms) and the Media, specially those of local character (radio stations, press, local TV shows, etc) that have an important role as multipliers of the actions we want to develop.

In any case, it is necessary to identify which of those are acting or have an interest in acting in the field of equal treatment and non discrimination.

> We can state that without the articulation of the participation mechanisms of the civil society, the efficiency of the public policies could be lower.

▶ **The population** as a whole. Given the process of professionalism of the social organizations and of the so called "Third Sector" in the Spanish society as in the low degrees of association participation in Spain, we find it suitable to implement measures promoting the direct presence and participation of the population in the design and creation of the public policies.

There are possibilities, both methodological and technical, that allow the incorporation of the population in the process of design and creation of public policies. About this fact, we have to underline that some of the opportunities there are worries both from those in charge of the public institution as in the technicians and professionals of the social organizations to include measures promoting the participation of the population.

Without any doubt, a process to plan the public policies can be made without the collaboration of the population, but its presence will contribute to the development of the process.

The role of each one of the actors defined as well as their levels of responsibility and decision will be different depending on the characteristics of the different communities and territorial contexts. But, as shown in the following graphic, without the active presence and participation of all and each of the actors defined the efficiency of the process with decrease little by little:

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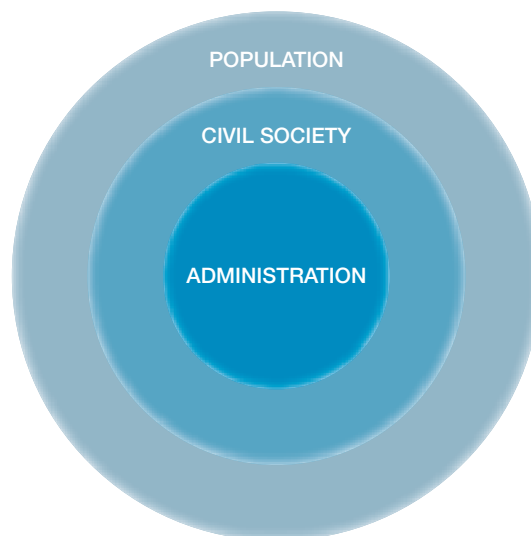
B) THE CHARACTERISTICS OF THE COMMUNITY

We have to take into account different questions such as:

a **The peculiarities of the local body** where the Awareness Plan is going to take place, for example, the **population dimension** of the local body and its **territorial organization, as well as the territorial and geographical peculiarities.** The methodology substantially varies from a small town to a town with size and dimensions have taken it to a progressive complexity in its territorial organization. It is also related to the mobility and communication capacity in the territory, with the demographic concentration in some areas, etc.

b) The **characteristics of the civil society or the social tissue** in that same local entity, this is, the **degree or level of complexity of the social tissue,** understanding this as all those social agents (associations, unions, churches, groups involved in the different denominations, etc.) that are involved in the development of awareness actions at local level.

Some markers to take into account will be the **dimension of the social tissue** in the local body (the number of association, unions, local development agencies, etc. that are active and involved in our territorial context of activities of awareness in equal treatment and non discrimination); which are **the fundamental characteristics of the social tissue,** (its situation of higher or lower power when starting or planning the development of a Local Awareness Plan); the **knowledge of the social relations** existing between the different actors and **the participation experience** both of the responsible of launching the Local Awareness Plan as of the members of the social tissue.

To make a summary, in the following graphic we have tried to show different possibilities that could be seen in the reality of the different local bodies of our territory. As it can be seen, choosing the methodology will not be the same for the social body A (with a low population and territorial dimension and a low complexity of the social tissue) and for the social body B (with opposite characteristics) or C (a local body with a low population and territorial dimension but with a high degree of complexity in the composition of its social tissue).

SOCIAL ENTITY
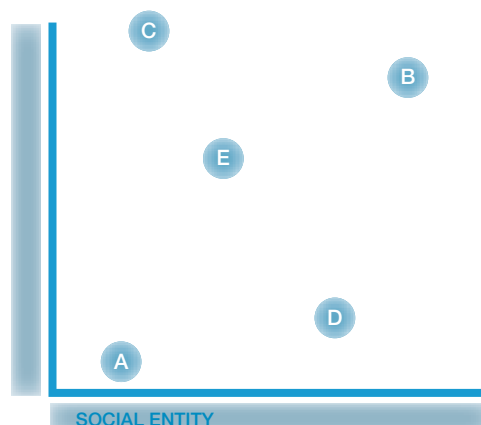
> We want to state that any methodological election is good or bad, better or worst than another. Depending on the knowledge of the fundamental characteristics of the social and territorial context where the Local Awareness Plan is going to be developed (of which we have given a small orientation in the Guide) we will be able to choose the most suitable working methodology with higher possibilities of success.

However, given that in the present methodological proposal we have a participative perspective in the design of public policies, we offer some guidelines and approaches to promote the creation of a Local Awareness Plan in equal treatment and non discrimination.

3.2.2 PARTICIPATIVE METHODOLOGIES

Participative methodologies are those grouping approaches based on the participation of the population and used for the diagnosis, execution, tracking and assessment of social action programmes.

In these methodologies, the main character is the population and the external providers that give methodological tools. It is the population the one that states, debates and analyses the information, which is fundamentally qualitative and not so much quantitative. For this reason, one of the innovations of these methodologies has been the provision of different visual techniques (diagrams, draws, different materials) that the population knows and understands easily, in contrast with the conventional survey methods, such as official statistics, structured inquiries, etc.

The temporal dimension of the participation processes is one of the fundamental characteristics, which should be underlined and we have to take into account at least two elements of its core:

▶ We have not found a participative approach of public policies or of communitarian action to be longer than others. It is true that its need a higher investment of time in some stages of development, such as design and planning, but the total period of development will not be longer. In fact, what has been proved is that the lack of a participation point of view may mean important delays and problems of execution in the programmes of communitarian action.

▶ The existence of tight schedules or unsuitable deadlines in the participation approaches may hinder the long term progress.

Now we offer a comparative table with the general characteristics of the most important participative methodologies used in social action processes and in the development processes:

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Characteristics of the participative approaches

	Investigation-Participative action	Rural participative diagnose	Participation tracking and assessment	Poverty participative analysis
When was it?	1970	End 1980	1990	1990
Where?	Universities	NGOs (and universities)	NGOs	World Bank
Main users	NGOs, universities	NGOs international agencies	NGOs international agencies	World Bank
Goal	Education, empowerment	Empowerment	Impact survey	Assessment of poverty
Directed to	Local development project	Local development project	Local development project	Poverty policies
Main actors	Local population	Local population	Local population	Combination of external and local
Results	Programmes, projects	Sustainable and institutional local action	Assessment of the project's process	Assessment of poverty
Main innovation	Combination of analysis, education, empowerment, participation and action	Behaviour	Contribution of the local population to establish success markers	National scale and combination of conventional methods
Key resource previously ignored	Local capacities and knowledge	Local population capacities	Perceptions of the local population on the impact	Local knowledge to improve national measures against poverty

Source: Dictionary of Communitarian Action and Cooperation with Development, Hegoa

We will focus on the Participative Investigation Action (IAP) and in social consultation. Both participative approaches are specially suitable and relevant in a process of social action and could direct the development of design and creation of a Local Awareness Plan.

A) THE PARTICIPATIVE- INVESTIGATION-ACTION

The Participative Investigation Action (IAP) is a collective investigation and learning method based on the critical analysis with the active participation of the groups involved that is directed to stimulate the changing practice and the social change.

The IAP method combines two processes: that of knowing and of action involving in both the population which reality is being treated. Like other participative approaches, **the IAP provides the communities with a method to analyse and understand better the reality of the population (its problems, need, capacities and resources) and lets them plan actions and measures to transform and improve it.** It is a process that combines theory and praxis and that allows the learning, having a critical awareness of the population on its reality, its power, the reinforcement and enlargement of its social nets, its collective movement and its transformation action.

In each project of the IAP, its three components are combined in variable proportions.

a *Investigation* consists on a reflection, systematic, controlled and critical process that has the goal of studying some aspects of reality with a clear practical purpose.

b *Action* is not only the ultimate purpose of the research, it also represents a source of knowledge. At the same time making the survey is a way of action.

c *Participation* means that in the process not only professional researchers are involved, the community to which the project is directed is also involved and they are not considered as simple research objects, they are active parts that contribute to knowing and transforming their reality.

The goal of the IAP is changing the reality and facing the problems of a population group from its resources and participation so it is especially suitable for the development of a strategic planning.

In the IAP there are **four stages** that are lived, although the difference between them is not always made:

a The participant observation, in which the researcher is involved in the reality to be studied, interacting with the actors and taking part in the processes.

b The participative research, in which the research is designed and the methods are chosen, based on the collective work, the use of elements of the popular culture and historical recovery. The researcher presents the group the different methods available to get the information, explaining the logic, efficiency and limitations, for the person to make the decision and choose depending on the human and material resources available. To collect the information techniques such as the observation of the field, the research in files and libraries, the history of life, the interviews etc. are used. Information is collected, then analysed by the community and the researcher becomes a simple provider.

c The participative action involves, first, transferring the information collected to the rest of the community or other organizations, by meetings, theatre shows or other techniques and, also, normally, carrying out actions to change reality.

d Assessment, whether by the orthodox systems in social sciences or simple considering the effectiveness of the action related to the changes achieved, for example in relation to the development of new attitudes, or the re-definition of the values and goals of the group.

B) SOCIAL LISTENING

The approach of social listening has the essential goal of promoting a process of social dialogue and citizen dynamics creating a model of communitarian participation that allows the inclusion of all the stages of the strategic planning of the social actors involved in the fields of action, in this case awareness in equal treatment and non discrimination.

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From this consultation and dynamics process we try to build the conditions that will allow establishing channels of participation, communication and coordination between the social actors present in a given territory. Subsequently, the techniques used or the stages of the methodological process will change depending on the characteristics of the territorial and social contexts.

The approach of social listening encourages the involvement of the citizenship in the design and development of public policies and creates a participation model based on the governance instruments that, in summary, will be directed to:

▸ The **construction of community** between the different social and institutional actors involved in the process.

▸ In the design of **new models of management of local and transition public policies** of the migration fact, equal treatment and non discrimination.

▸ A **participative planning** of the public policies.

▸ The **empowerment** of the different social actors involved and mainly of the population.

This methodology is especially suitable for the development of strategic planning because it is based on techniques such as the Construction of the Collective Thinking or SWOT (combination of these techniques) that let us integrate the opinions of the different social actors and their transformation in medium term strategic goals.

For this, the approach of social listening presents at least **two general stages:**

a A first thinking stage that consist in creating trust in the participative, legitimacy and mutual recognition process of the social actors implied in the process and which final goal is the formulation of the demands of the community and of the social actors in a specific action field like such of equal treatment and non discrimination.

b A second resolution of stage or of design of specific goals and actions.

▸ By the approach of social listening a municipality can collect the opinion and the requests of the associations, social entities, administrations, etc. on the existence of prejudices towards different members of the community, on the existing or latent conflicts from the point of view of the relations between the members of the community of different racial or ethnical origin.

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3.3 THE RULING PRINCIPLES OF A RAISING AWARENESS LOCAL PLAN

The methodological proposal of the present Guides starts on the definition of awareness **as a planned action strategy.** Thus, in relation to the strategy, it has to be guided by the assumption of a series of basic principles to create awareness measures, actions, programmes or plans.

To the effects of the guide, we propose making a difference between two kinds of ruling principles in the process of creation of a Raising Awareness Local Plan:

a Those that have to deal with the assumption of the **fundamentals and the values and attitudes** which want to be given via the Plan to the citizenship.

b Those principles that have a **methodological character** and that will have influence in the definition of the techniques for the development of the different stages of the Plan.

A) PROPOSAL OF FUNDAMENTAL PRINCIPLES

The creation of different plans of action in very different areas such as youth, women, equality, etc. include in their strategic frame the definition of values and principles that guide the action proposal.

During the last years, as stated in the chapter "the diverse society", the development of Plans related to social and cultural integration of immigrants and of the ethnical minorities at local level has received a considerable push. From the state level, via the Strategic Plan for Citizenship and Integration (2007–2010) to the Autonomous Communities to the local level that has been promoted, amongst other reasons, by the Support Fund on Reception and Integration of Immigrants as well as the education reinforcement of the same, of the State Secretary on Immigration and Emigration.

> **Methodological recommendation.** From the point of view of **coordination and institutional convergence**, for the development of Local Awareness Plan it will be suitable to review at least the principles included to the state and autonomous community plans of reference in relation to the starting proposes.

For the creation of this proposal we have taken into account the Strategic Plan for Citizenship and Integration (PECI)[20] and the Immigration Plans of the different Autonomous Communities. Once these plans were consulted, the principles have been adapted with the goal of being directed to the design and creation of Local Awareness Plans:

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[20] Strategic Plan for Citizenship and Integration (2007-2010), Madrid. Ministry of Work and Immigration.

1 **Principle of equality.** It mainly makes reference, in this context, to two factors:

▶ Equal treatment and non discrimination because of racial or ethnical origin, nationality, sex, handicap, age, sexual option or any other reason.

▶ Equal opportunities as guarantee of an inclusive society.

Subsequently, the equality principle is closely linked to the constructions of a society under cohesion that develops a shared idea of society and that is able to solve its conflicts under a ruled and pacific way which will foster living in this social field of reference.

2 **Principle of citizenship.** The goal stated in the principle of equality, this is, achieving a society under cohesion which living is pacific, is not possible if it is not framed in a context of recognition and of equal rights, duties and obligations that implies citizenship.

The advance in the rights and obligations of citizenship has the essential goal of promoting the sense of belonging of all the people that live in a territorial and social context.

3 **Principle of participation.** Even if the principle of participation is closely linked to the development of the citizenship, understanding this as the availability of paths of participation in the management of the public affairs and in the creation of social areas, to the effects of the present methodological proposal, we have made a difference because of the importance that has been given to participation and co-responsibility in methodology.

4 **Principle of interculturality.** Following the PECI, "the cultural diversity is one of the assets and of the richness inherent to the Spanish and European plural life". We start, thus, from the recognition of social and cultural plural life in the composition of the contemporaneous societies in which we try to foster a positive interaction between all of its members.

Thus, the principle of interculturality starts on the recognition of diversity and plurality and tries to develop communication, dialogue and inter-relation between people and groups that live in a same territorial and social area.

B) PROPOSAL OF METHODOLOGICAL PRINCIPLES

Together with the fundamental principles that are related to the values and attitudes that want to be encouraged with the creation and development of a Local Awareness Plan, other principles which nature is not related to values but to the application of the methodological principles can be included.

You will find below some methodological principles that could direct the creation of the Local Awareness Plan:

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1 **Knowing the reality on which we want to act.** Any proposal of actions shall start if we do not have a large knowledge of the social situation on which we want to act and that allows analysing and understanding the nature of such situation, the social actors involved and the definition of alternatives of action on this action.

2 **Awareness as a process of long term change.** The present Guide departs from the definition of awareness as the action strategy planned at long term because the attitudes, values, feelings, etc. are not simple factors to be modified immediately.

3 **Actions covering the situation on which to act integrally.** The integral character of the actions is one of the key elements when starting the creation of a Local Awareness Plan. Social facts have multiple dimensions and that it is necessary to act on the different dimensions of the same if we want to modify and have influence in the social change and in the transformation of social attitudes and values.

4 **Transversal character of the actions.** The principle of integration is closely linked to that of transversal character: recognising the multiple dimension character of the social facts and wanting to act with integration, means dialogue, coordination and collaboration between the different areas of the local body and between the different social actors to act as efficiently as possible.

Of course it is possible to act without the principle of integral and transversal character but this would clearly reduce our capacity of social change and we have to be well aware of this. Although it will not be like this always, there is no doubt that most of the time the time and efforts involved in encouraging the coordination and collaboration (between the different local areas, with other administrations, with the social tissue of our territorial context) will have a multiplier character on the goals planned.

5 **Included in the local field.** It is advisable to take into account the framework of competences of the local body as well as of resources and political compromises with the goal of not carrying out actions or goals that are out of our field of control. For example, designing an excellent activity which performance is linked to an external financial support or to the political of administrative decision of other institutions.

6 **It has to include gender, social orientation and other perspectives.** At last, the inclusion of the principle of social and cultural pluralism via interculturality has to make as aware of the incorporation of the gender, sexual option, etc. perspective in the design and creation of a Local Awareness Plan.

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3.4 THE STAGES TO CREATE A PLAN

The comprehension of awareness as a planned action strategy implies the development of a series of stages that let us project and plan the actions. In this paragraph of the Guide we try to offer methodological orientations that allow that the municipal administration begin designing an Awareness Plan in the frame of equal treatment and non discrimination.

The following lines are not going to offer a model of the plan and are not going to state which are the specific actions or services that such plan has to implement, it is going to be a guide for the entire process of design, development and assessment of the Plan, giving suggestions that are going to be useful for the Municipal Administration in this task in a triple way:

1 Allowing placing the great lines of Action of an Awareness Plan.

2 Helping in the thinking of which contents have to be included in a plan with these characteristics.

3 Encouraging the social co-responsibility of all the social agents of the municipality and of the society in general.

The working proposal that is developed in the Guide can be summarised in the following schemes:
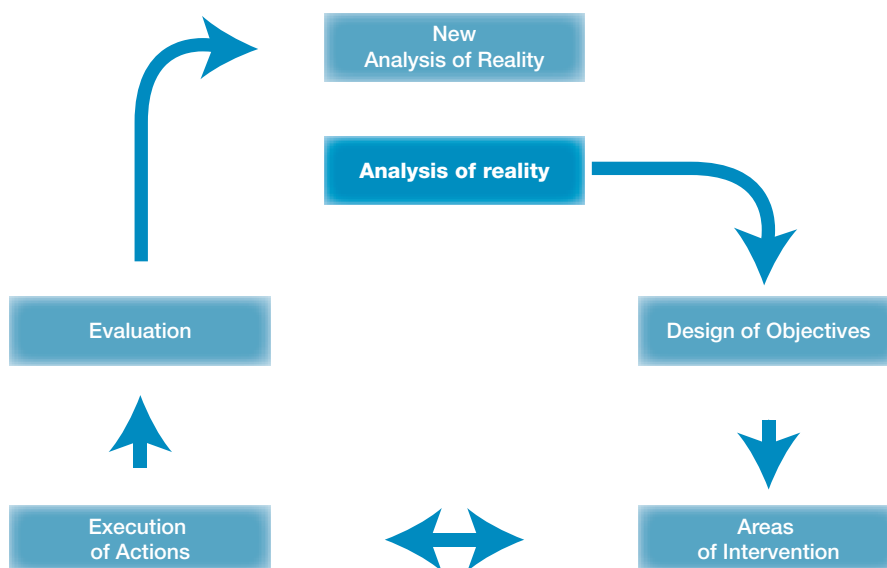
Or, for example, the one that is developed by International Cooperation:

The cycle of planning of Spanish cooperation
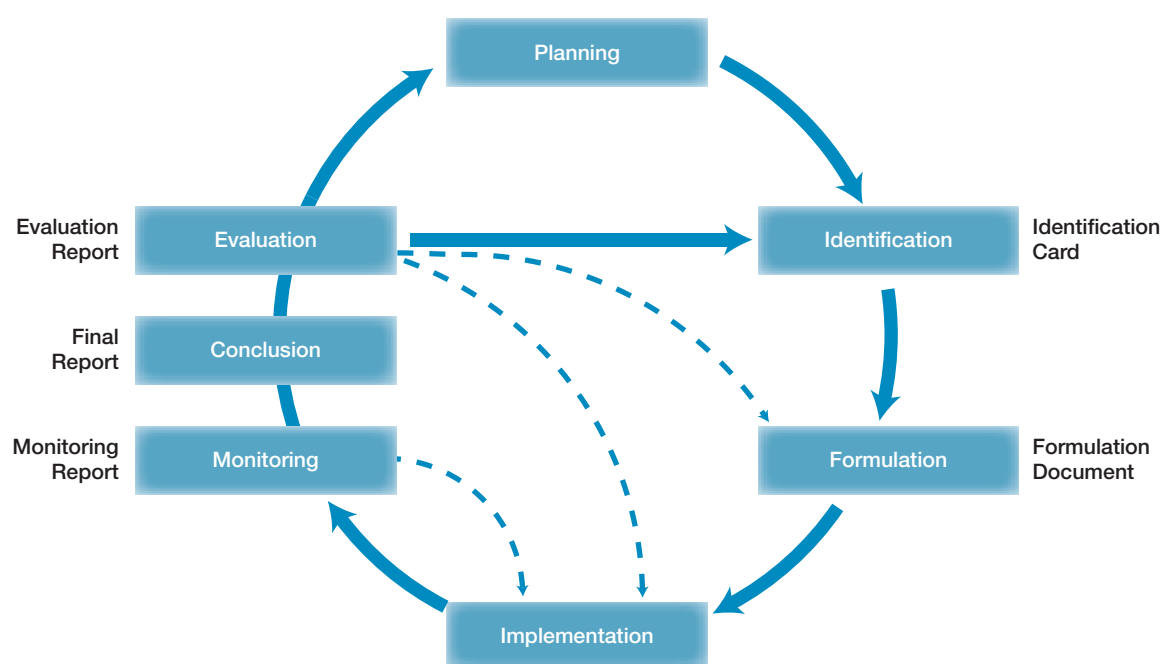
Source: Key concepts of tracking and assessment of programmes and projects. PREVAL / FIDA

3.4.1 THE DIAGNOSE OF THE SITUATION

Which is the general and specific information that would be necessary to create a Local Awareness Plan on equal treatment and non discrimination? How could we access to it?

> ▶ A suitable diagnose significantly increases the efficiency of the actions to be developed and, subsequently, it increases the possibilities of success in our goals and aims.

> ▶ With the concept suitable we want to highlight the idea that it is not necessary to carry out actions to know the reality that go beyond our scope and the human capacities and resources available. Depending on the characteristics of the local body, it is mainly having a range of useful, accurate and significant information.

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Now, we include the main characteristic of both levels of diagnose:

Kind of diagnose	Essential elements	Examples
General diagnose		
	Territorial analysis	Geographic aspects (location, climate, altitude, transport system, etc.) and urban (areas and zones of the territory).
	Population analysis	Socio-demographic data (distribution by age, sex, nationality, district, neighbourhoods, mobility of the population, vegetative growth, etc.).
	Resources	People are the main resource always.
	Demands	Participative analysis of the demands of the community.
Specific diagnose		
	Analysis of practices and social speeches	Predominant perceptions, prejudices and stereotypes in the society.
	Knowing the discriminatory actions and attitudes	Detected living problems, specific problems of women and other minority groups, knowing the situations of multiple discrimination, etc.
	Knowledge of the awareness actions on equal treatment and non discrimination that are being developed.	Analysis of local experiences on the subject, independently of the fostering administration or body.

A lot of diagnose processes mainly cover two factors: the territory of action and population. However, the resources or the demands of the community are not included and we recommend in this methodological proposal to include them in the planning of public policy actions.

> It is appropriate to underline that the most important resource of all the community is people: the capacities of the population living in the territory. From a participative approach it is necessary to give value to the capacities of the population to face their needs and social demands and thus, to give power and create a community via the process of strategic planning. The process of design and creation of a plan has to be considered as an action.

As an orientation, the following chart includes a series of techniques for the development of the diagnosis. We divide the techniques in quantitative and qualitative methods, depending on the different matters to be explored. The list of questions and techniques is simply a proposal: this is, it is not exhaustive and it does not need to be applied in all the contexts. About the application of the techniques, it would also be suitable to state that it is not the creation of a scientific survey; this is, the application of the analysis techniques is flexible whenever it offers accurate and useful information for our goals.

Work proposal	Techniques proposed
What is the population in my action context? Which is the distribution by ages, sex, etc.? Which are the characteristics of the roma and immigrant population of my context? Which is the distribution of the ethnical minorities in the neighbourhoods or districts of the population? In which economic sectors are the minorities in our population working? What is the distribution of the minorities in the school centres of the population?	These questions can be covered from different techniques of quantitative analysis that can be of two kinds: Secondary sources. In this case we will use the analysis of data of public and private institutions. Amongst the most important, the National Institute of Statistics or the Departments of Statistics of the local bodies. Primary sources. They are normally ore expensive but they provide more specific information of the situation on which we are going to act. It is mainly carrying out inquiries or of more specific techniques directed to very specific groups such us the Delphi method.
Which are the main perceptions on diversity and migration in my social context? Which are the main arguments towards immigrants? Have immigrant people or the gipsies living in the town felt directly or indirectly discriminated? Which are the main needs and demands of the population in relation to equal treatment and non discrimination?	Qualitative techniques provide us with information that can not be treated in statistics because of the nature of the variables and of the questions made. They are especially suitable when we are trying to analyse the social speech on any particular field and to explore the assessment and perception of the social construction. They have different nature although we can highlight the following: ▸ Deep interviews. ▸ Debate groups. ▸ Participants' observation.

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3.4.2 THE GOALS AND STRATEGIES

The second part in the design of a Local Awareness Plan is the definition of the goals and the strategies used to achieve it. Which are the general characteristics of the goals in the design of a Plan?

a First, they have to be **coherent;** this is, they have to be related to the diagnosis and the entire planning to develop the Plan.

b **Realistic,** this is, that they are fitted to the resources and capacities we have.

c They have to be **countable,** whether quantitative or qualitative, because we will be able to track and assess the actions and the achievement or miss in relation to the goals initially foreseen.

d At last, they have to be scheduled; this is, each goal has to have a **tempo** that will let us plan and, especially, adapt our planning in time.

In this stage we have to:

1 **Establish the priorities,** from the data provided by the diagnosis of the situation we will have to establish the speeches, the practices or the most important areas.

2 We will have to **define the addressee:** target group (all the citizenship) and objective groups (employees of different areas, commerce, businesses, general citizens, media, premises, municipal police forces, political groups, etc.).

3 From the methodological point of view, if the option chosen for the development of a Local Awareness Plan is that of **co-responsibility,** the level of participation of the different actors involved in the design and definition of action goals and strategies has too be kept.

We can define a short **typology of the goals** a local body can use in the creation of a Local Awareness Plan:

a First, the **goals to act on the social speech:** stereotypes, prejudices, negative vision of people or groups, of the citizenship in general and of the groups in particular.

b Second, **objectives that want to act on non discrimination,** and on the reduction of discriminatory practices: more awareness towards increasing equality, reducing the discriminatory treatment in living and access and use of the services and resources both public and private.

c And last, **goals aimed at promoting citizen participation** to achieve higher co-responsibility and inter-relation between the groups and people, so it has to be participation with diversity: forums, tables, groups, public areas, neighbour meetings, parents meetings, etc. to live diversity and not in groups that meet to talk about their needs.

From these three main groups of general goal, each local body will have to define more specific goals according to the diagnosis made and the limits of the priorities.

▶ For example, a municipality can focus its actions in the local employment plan and in the premature compulsory education drop out in immigrant people living in the municipality.

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3.5 AREAS OF ACTION

3.5.1. INTRODUCTION

The purpose of the present paragraph of the Methodological Guide is presenting the master lines of an Awareness Plan in the field of fight against discrimination, to serve as guide to the local bodies in the design and planning of their actions. However, the aim of the same is not to be constituted as a text of reference, closed, static, like in a departure point, but a draft of ideas from which to cover some goals and open to future amendments, changes and suggestions, something essential if we take into account the mutable and changing character of the societies and the people in them.

For each one of the Areas of Action proposed in the paragraph we present:

▶ A short justification introduction of the need of acting in that specific area;

▶ A proposal of lines of action;

▶ A group of actions as an example (including the necessary resources for their implementation).

On the other side, although we are going to suggest some specific areas, each local body will have to value which are the areas that need priority, as well as considering the possibility of including others that have not been included here like Citizen Security, Urbanism, Youth, Women and others.

To create this paragraph, we have identified the following areas of action:

▶ Socio- labour area: Employment and Working training.
▶ Housing and lodgement area.
▶ Juridical attention area.
▶ Socio-education area.
▶ Culture, participation and free time area.

Likewise we propose an action in Communication and social awareness with a series of actions that can be developed in a transversal way or from a specific area.

As ruling criteria for them we have used:

▶ Possibility of application by the local bodies of an action in each one of the areas, depending on their obligations and their experience.

▶ Pedagogic character in the action planned for each area: as basic principle of awareness, any action planned has to have a clearly pedagogic character that allows each one of the action to

comply with the goals of the direct action but also of prevention and/or learning in the group of citizens.

▶ The transversal character so each one of the areas can not be understood as an individual area, separated from the rest because of its header and contents, because most of the actions would work in different fields. If not, the goals will only be achieved in part.

▶ A double perspective: two main kind of actions depending of the actors addressees and the degree of "control" the city council has on them have been included: on one side the public services that are a direct responsibility of the city council and on the other, the citizens in general of the social groups (health and education professionals, media, social agents, etc.).

3.5.2 AREAS OF ACTION AND ACTION PROPOSAL

1 Socio-labour: Employment and training.
Job placement is a basic aspect for the integration of people. We can affirm that it is a key element that will condition the level of integration. We should be aware to the presence of different negative factors that can give room to unequal situation and discrimination to immigrants and ethnical minorities like for example, gipsies, which is especially worrying in women. Thus, the activities directed to make easy the access to the labour world and to improve the conditions of the same for immigrants and gipsies are also directed to achieve a higher integration of both groups in the society.

So, the following proposals of lines of action are presented this way:

▶ Encouragement of access under conditions of equality of the different cultural groups (immigrants, ethnical minorities, etc.) in the different municipal services.

▶ Promotion of access to the labour world under equal conditions of immigrants and gipsies, and especially in the case of women that because of their gender suffer a double discrimination.

▶ Training and awareness of the municipal employees (political and technical responsible) of cultural diversity and management of that cultural diversity.

Group of actions[21].

▶ Review of the municipal ruling in that relative to hiring and application of the principles of equal treatment and non discrimination.

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[21] To launch all these actions, the Body has its own resources that will let it carrying them out: judicial services, employment services, etc.

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▶ To include in the different Public Tender and Exams clauses that encourage hiring a percentage of immigrant and gipsy people for the provision of the service on tender.

▶ Training activities that optimize professional qualifications of the gipsy and immigrant population, that identify their capacities and make their job placement easier.

▶ Training actions for immigrant and gipsy women to improve their possibilities of access to the labour world under equal opportunities.

▶ Creation of counselling and information services for businessmen whose goal is awareness to foster hiring gipsy and immigrant people.

2 Housing and lodgement.
The access to a decent house, under equal conditions, is a right of all the people, and it have been proved that in most cases the minimum conditions of living cause important situations of social exclusion. For this reason, it is a priority to have actions directed to guarantee the access of everyone to a decent house under equal conditions.

The lines of action suggested are:

▶ Awareness of the owners and of the citizenship in general to guarantee non discrimination in the rental of houses to gipsy and immigrant people.

Group of actions:

▶ Intermediation services between owners and tenants.

▶ Information service on the access to houses for gipsy and immigrant people. This service can be provided from the social services or specific services if there are, services of judicial assistance to Citizenship, Immigration Office, Service of Intercultural mediation or others.

▶ Awareness campaigns directed to the general public to encourage tolerance and equal treatment in the access to houses.

3 Juridical attention
It shall be guaranteed to immigrants and gipsies the possibility to exercise the right included in the legislation in force, as well as their access to information and legal counselling services. For this, we have to work in the following direction:

▶ Awareness and training of the professionals of the judicial field in that relative to interculturality, equality, etc., especially of those that have to work with immigrant groups and ethnical minorities.

▶ Assistance to people victim of any kind of crime and awareness on the visibility of the same.

Group of actions[22]:

▶ General campaigns on fight against racism directed to the general public informing of the existing legislation on the subject and the ways to report them: creation of material, add campaigns, etc.

▶ Creation and maintenance of specific information, counselling and judicial support specialising in fight against discrimination.

▶ Creation and maintenance of services to make easier the language interpretation for those foreigners that do not understand or speak the official language in use.

4 Socio-education

The important increase in the number of immigrant people coming from abroad has meant also a notable increase of the population under school ages which has the characteristic of a great diversity of geographic and cultural origin and the presence of students coming from different ethnical minorities.

Schools from their social function have to be constituted as areas of construction of intercultural living, equality and solidarity, and this is why it becomes an area of privilege for the development of different awareness actions to guarantee equal treatment.

To achieve these prime goals, we propose the following lines of action:

▶ Awareness of the students on the profits of interculturality, both in the education world and in their social surrounding.

▶ Training and awareness of the teacher of the education centres in cultural diversity.

Group of actions:

▶ Support to the education centres that have workshops and sessions focused on intercultural living and fight against discrimination. For this purpose, the municipality can provide material, human and economic resources: awareness technicians, social educators, intercultural mediators or community dynamics.

▶ Development of extra-curricular activities that allow the meeting between students of different origin: sport, art or academic activities (games, summer camps, urban camps, programmes to support students, sport competitions, expos, etc.). In this case it can be useful to have the support of different enti-

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[22] For these actions, the City Council can count with its own judicial resources but also with the collaboration of Entities that work on the subject.

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ties that work in the field of fight against discrimination and intercultural living and that have awareness campaigns specifically directed to education centres[23].

▶ Writing and edition of different kinds of training and awareness materials directed to teachers and students. The body in charge of education can have the resources and the experience needed to carry out this actions. Likewise, the collaboration with different social entities with experience in the development of awareness actions is again suitable.

5 **Socio-cultural and free time participation**
The participation of immigrants and gipsies in the social and cultural life is one of the elements that favour the feeling of belonging somewhere, very close to the process of construction of a citizenship. Like this, measures making easier the active contribution in social, civil and cultural matters under conditions of equality to the rest of the citizens have to be created.

The actions directed to the achievement of such goal that are proposed are the following:

▶ Promotion of meeting points and social areas.

▶ Promotion of access to free time activities for all the citizens under equal conditions.

Group of actions[24]:

▶ Counselling service on the different ways of social participation and free time and information and support activities related to associations.

▶ Encouragement of cultural and sports activities directed to promoting intercultural meeting and living.

▶ Awareness by the celebration of activities and events of multi-cultural character (World Day for Refugees, etc.).

▶ Celebration of the festivities of the ethnical and foreign minorities present in the municipality, together with the celebration of the native festivities, with the goal of involving all the population in the celebration.

▶ Including the intercultural perspective in the cultural and feasts programmes of the municipality.

▶ Creation of meeting and participation points at municipal level with presence of the social tissue: immigrant associations, gipsies associations, neighbour associations, cultural, etc.

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[23] There are a lot of entities, present in the entire Spanish geography that have specific projects in this area and that, in most of the cases, have specific material at the disposal of any administration.

[24] Also in this field, municipalities count with their own resources to guarantee the success of these actions, but again collaboration with the social tissue is going to be a fundamental element.

TRANSVERSAL OR SPECIFIC ACTIONS RELATED TO COMMUNICATION AND SOCIAL AWARENESS

If we think of awareness as *"the activity consisting in the spread of certain subjects or action, trying to encourage a critical awareness and encouraging social movements",* it is easy to think that, to manage a phenomenon of the importance of immigration, it is fundamental to count with the suitable social awareness plan, taking into account the shape in which the perception of such migration fact is linked to the treatment the different information sources are giving to it.

Thus, it is necessary to encourage the creation and maintenance of spaces and resources for awareness, involving different sectors and so, we suggest carrying out the following actions:

▶ Awareness of all the citizens

Group of actions:

▶ Training on immigration and interculturality directed to different groups, paying special attention to the people linked to media, professionals of citizen attention, safety forces and in this case, especially to the local police.

▶ Programming intercultural shows and activities.

▶ Launching awareness campaigns against racism and xenophobia, in favour of equal treatment and of opportunities in different fields: education, health, housing, employment, neighbourhood life, etc.

▶ Involvement of the social tissue in general and of the Gipsies and Immigrants bodies in the development of activities.

Once these areas of action are proposed, it is suitable to give nuances of some of the questions that could be relevant when defining an awareness policy in the field of equal treatment.

First we have to mark the creation of an awareness plan is an action itself, because it means launching a public policy that has the goal of awareness in the fight against discrimination and for equal treatment.

We also have to underline that the municipal administration can and ha to have an important role coordinating the work of awareness on fight against racism, working together with the Civil Society and the different administrations.

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3.6 EXAMPLE OF APPLICATION AND METHODOLOGICAL TOOLS

The aim of this methodology is getting to an action proposal on a specific place for a specific population and with specific goals.

Let's think about a specific Local Administration: an average size municipality (80,000 inhabitants) with a percentage of a 15% of immigrant people.

Taking into account the use of participative methodologies, we establish then a series of guided steps that have to lead to a systematic analysis of the area in which we want to work and, later, supported on this analysis, we propose a project with all the elements clearly defined. These steps are the following:

1. PROBLEM ANALYSIS

It is about putting order in a relation of cause-effect the entire negative states (problems) that are presented in the area. We start from the *Main problem* and asking for the causes we create a *tree of problems.* In the example that is now given the central problem is *"the increase of prejudices and stereotypes against immigrants"* and it is stated that it is so because of two causes: it is though that *"the number of immigrants have considerably increased in the municipality"* and *"we have the feeling that all the resources are for foreign people".* At the same time, each one of these last two problems has its causes and so on.
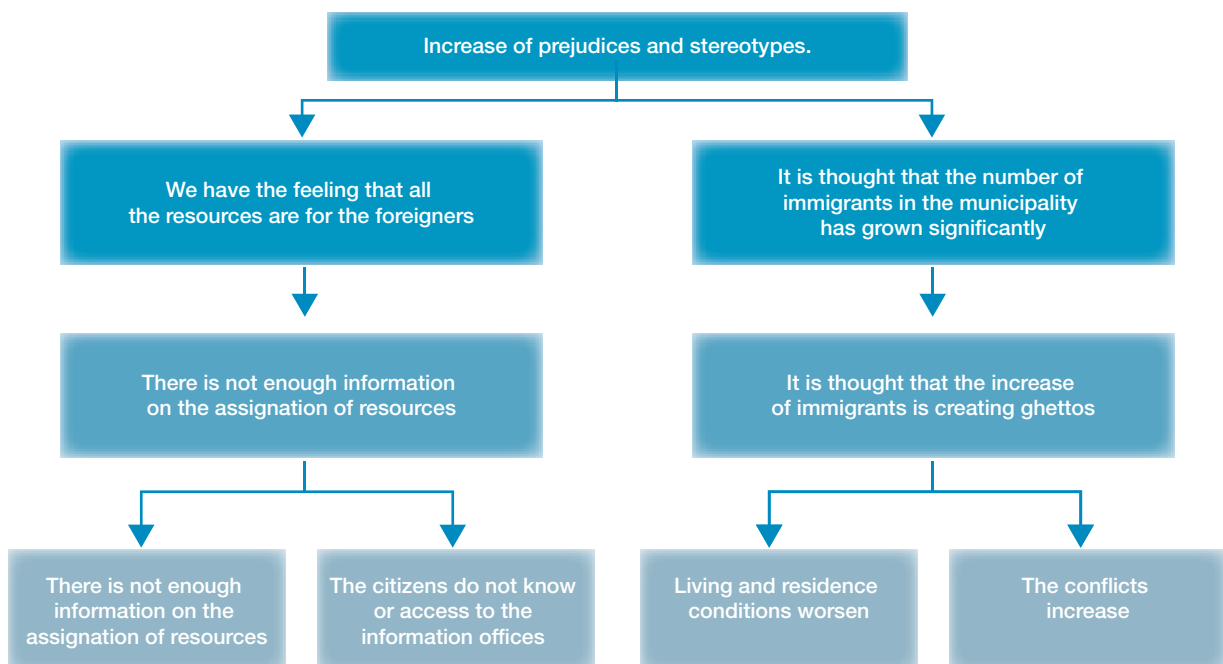
2. ANALYSIS OF THE GOALS

Departing from the problems identified, we establish the desirable and reachable goals, formulating each one of such problems as a positive status where to get. The tree of problems already described could be like the following *tree of goals.*

```
            ┌──────────────────────────────────────┐
            │ Reduction of the stereotypes and     │
            │          prejudices                  │
            └──────────────────────────────────────┘
              │                                │
    ┌─────────────────────┐      ┌─────────────────────────┐
    │ Resources are       │      │ The population is aware │
    │ distributed         │      │ of the provisions of    │
    │ following           │      │ diversity and           │
    │ transparent and     │      │ immigration to the town │
    │ objective criteria  │      └─────────────────────────┘
    └─────────────────────┘                 │
              │                  ┌──────────────────────────┐
    ┌─────────────────────┐      │ We inform and aware the  │
    │ Increase of the     │      │ population of the social │
    │ information on       │      │ conditions of the        │
    │ resources available  │      │ immigrant population of  │
    │ and criteria of      │      │ the municipality         │
    │ assignation          │      └──────────────────────────┘
    └─────────────────────┘                 │
         │          │          ┌──────────────────────────┐
  ┌──────────┐ ┌──────────┐    │ Programmes of action to  │
  │ The      │ │ The      │    │ solve the problems and   │
  │ municipal│ │ citizen- │    │ improve social cohesion  │
  │ info...  │ │ ship...  │    │ are created              │
  └──────────┘ └──────────┘    └──────────────────────────┘
```

Reduction of the stereotypes and prejudices

Resources are distributed following transparent and objective criteria

The population is aware of the provisions of diversity and immigration to the town

Increase of the information on resources available and criteria of assignation

We inform and aware the population of the social conditions of the immigrant population of the municipality

The municipal information centres inform of the resources and assignation criteria

The citizenship knows and has access to the municipal information offices

Programmes of action to solve the problems and improve social cohesion are created

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3. ANALYSIS OF STRATEGIES

The group of goals established can be grouped in different groups, called *strategies,* divided by their sector approach. There will be a number of goals related to infrastructures, others to production, health, etc. For the example we are talking about we can establish two strategies: "Information" and "Awareness".

Once these groups are identified, we select one of them in agreement with the different criteria established by the planning team. For example, one of the most important criteria to select a strategy can be the specialization of the executing body of the future project. Other criteria may be the feasibility of achieving results, the approximate cost, the foreseen period of execution, the degree of difficulty, etc. Let's think that in our case we select the "awareness" strategy.

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4. MATRIX OF PROJECT PLANNING (MPP).

The MPP includes all the elements of the project to be done and departs from the Analysis of Strategies made. This Matrix is a table of double entry with fur columns and two lines, as shown on page 96.

The way to give content to this matrix by the planning team is with the following order of columns: 1) Action logic; 2) Hypothesis; 3) Markers and sources of simultaneous checking and 4) Means and costs.

4.1. Logic of Actions

4.1.1. In first place, the Specific Objective (OE) is defined. This comes from the objective placed in the higher levels of the previously selected strategy. To formulate it, it is always advisable to do so in terms that mean any kind of direct and measurable profit for the population. For example, a specific goal could be formulated as follows: "people that have come to the municipal information offices have changed their minds on the assignation of resources". While a way to formulate it like an indirect profit would be: "people coming to the municipal information offices have received information on the assignation of resources. In this second case there is the chance that they never change their minds (despite having received information) when this was the idea that gave place to the project.

Also, the contents of the OE have to have the implicit idea of sustainability. This is, it is not about receiving any kind of profit in a specific period, it has to state the will that such profit stays forever.

4.1.2. The *General Goal* (OG) that comes from the OE and that has to be a consequence of it. Normally, with only one project we cannot reach the OG but it contributes to reach it in some measure. To establish the OG we can ask: what would happen if we reduce the prejudices and stereotypes? Which is the future scenario at medium term where we will be if we achieve the OE?

4.1.3. In third place, the necessary *results* to achieve the OE we have established are designed. In summary, it is about defining the tangible or visible and sufficient facts to achieve the OE.

4.1.4. Finally, in the column of Logic of Actions, we establish the activities that will be necessary to make to achieve each one of the three results established. Here we have to imagine that the results are already achieved and then, start planning all the activities we will have to carry out.

In general, the level of details in the definition of the activities does not need to be very high, because it can be established with higher precision assigning the operative responsibilities by the direction of the project.

It is important to underline that, facing the Logic of Actions the planning team has to check exhaustively:

a That all the activities planned are enough to achieve the results defined;

b That the causality relation established between these last and the Specific Objective is realistic;

c That it is likely to think that achieving the OE we will contribute to the achievement of the General Goal.

This is what talks about the coherence of the project planned, being of main importance to guarantee that the action of development that is proposed is consistent and is able to answer to a well defined problem.

4.2. Hypothesis

The *hypotheses* are factors outside the control of the project that have to take place to check the logic of the action established.

In this paragraph the planning team has to make an effort to be proactive and see the facts that should take place to guarantee that everything will go according to the plans. The accumulated experience with the execution of other projects and the deep knowledge of the region where the project is being planned has an important role.

To formulate the hypotheses there is a proceeding that can be divided into the following stages:

4.2.1. The hypothesis have to be a fact really outside the control of the project (otherwise, it would be included as activity, result…, in the Action Logic) and have to be *formulated in favourable terms for the development of the project.*

4.2.2. Is it important that the hypothesis takes place to develop the project? If positive, we go to the next question, if not we reject that hypothesis.

4.2.3. What probabilities we have for the hypothesis to take place? Almost sure, probable or little probable.

4.2.4. Can we modify the strategy of the project so the hypothesis stops being important? If positive, we will have to modify the strategy of the project. If negative, it is better to stop developing the project.

We have to underline the extreme solution proposed by the EML when we get to this answer. It is better not to risk the resources, at least in the identified direction, because it is very probable that we find insurmountable obstacles.

4.3. Markers and checking source

It is suitable to declare which is the situation we want to reach by one of the *markers* for each goal and each result. Such markers should be objectively verifiable, this is: different observers have to get to the same conclusions in relation to the degree of compliance of results and goals.

This can only be achieved translating to numbers what we have previously explained with words. For it, it is necessary *how much of which* product or condition and in which period of time. Also, in case it is suitable, the marker shall also include *who* is the group to which the measurement makes reference and *where* is that group.

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But apart of stating these characteristics we also have to say which the source of information is and that we have to use consult to check the compliance of the marker, because otherwise, two different observers could go to different sources and get to different conclusions and that is what we are trying to avoid.

Different to the results and goals that accept a relative degree of variable measurement, the activities are carried out or not, there is not an intermediate range so it is senseless to establish markers for such activities. They state the means and costs necessary for the execution of the project.

4.4. Means and costs

Following the relation of identified activities in the corresponding column, we establish all the means (human and technical, directly related to an activity or with the entire group) necessary for the effective accomplishment of the activities. In the next column the economic cost of each technical or human resource is specified.

5) SCHEDULE OF ACTIVITIES

With the goal of have a precise idea of the estimate duration of the project, it is necessary to establish how long it will take to carry out each one of the activities included in the MPP. The EML suggests taking advantage of the schedule of activities to divide them as much as suitable for the planning team. For example, we can create a schedule of work using periods of weeks, months and quarters depending on the needs of the project and of the nature of the activities planned.

	Logic of Actions	Objectively checkable markers	Checking sources	Hypothesis
General Goal	Stereotypes and prejudices are reduced	Most of the citizens do not see immigration as a problem	Inquiry (or other technique of the methodology)	
Specific objective	People that have visited the municipal information offices have changed their opinion about the assignation of resources	After six months of information campaigns, a 90% of the people that have visited the municipal offices know the criteria of assignation of resources	Questionnaire of the municipal information offices	
Results	R.1 The offer of resources is suitable for the needs of the neighbours of the municipality	At least a 80% of the requests of the neighbours are satisfied	Data on the resources: number of applications/number of grant (scholarships, helps, etc.)	The Municipality has enough resources
	R.2 The net of municipal information offices for citizens is enlarged	At the end of a year after the start of the project there are three new offices	Direct control	The demand of information is going increase
Activities	A.1.1. Doing a training course with the staff of the municipal information offices A.1.2. Spreading in the media the objective, transparent and verifiable criteria of the assignation of resources A.1.3. Analysing other similar experiences (information offices for the citizens) A.2.1. Looking for the most suitable location for the offices A.2.2. Hiring and training the new personnel in the offices	MEANS ▸ people/month ▸ Information leaflets ▸ External agents technical assistance ▸ Premises	ESTIMATED COSTS ▸ 3,600 ▸ 1,500 ▸ 3,000 ▸ 15,000	The local authorities are in favour of the project The offices are located in strategic areas for the project

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3.7 ASSESSMENT AND TRACKING OF THE PLAN

A) SOME GENERAL CONSIDERATIONS ON THE ASSESSMENT AND CONTROL

Considering that we have departed from a definition of awareness based on the long term planning and that the goal of awareness is acting on the speeches, opinions and attitudes, we can guarantee that tracking and assessment of the Local Awareness Plan is one of the most important stages of the said because of the complexity and difficulty in the measurement of the social changes that have taken place in our action context. Amongst other matters, we will always be able to ask if the change is due to our action or if other external factors have acted.

Trying to go deeper in this subject, it is important that the assessment and control stage of the Plan is included in the actions foreseen from the initial diagnose because, otherwise we will run the risk that the methods and markers used do not have a coherent relation with the entire planning. Thus, a first recommendation is that tracking and assessment are not the last measures to be developed; we could say that it is the last stage of the Plan but that it has to be included from the start.

In the same way as we have done with the goals, we could give some general characteristics for the assessment[25]:

a **Participative**. If the methodological design of the Local Awareness Plan has been that of co-responsibility, this fact has to have its reflection in the design of tracking and assessment: it has to have the participation not only of the social actors involved in the equal treatment and non discrimination actions, it also has to include the addressees of the different actions performed.

b **Training**. We try to state that tracking and assessment have to let us include the necessary corrections in our actions.

c **Assessment**. The tracking and assessment measures have to let us assess the different aspects of the proceeding and be useful to make the suitable recommendations to guide actions and goals.

d **Integral**: the assessment has to analyse the relation of:

▶ Needs detected, problems with diagnosis and the goals.
▶ Goals and strategies proposed to reach such goals.
▶ Goals and results.
▶ Resources used and results achieved
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[25] Cachón, L. (2005).- "Inmigración y sensibilización". Jornadas de reflexión sobre el Plan estratégico de los inmigrantes. Seminario sobre inmigración, participación y sensibilización. San Lorenzo del Escorial. Madrid.

We see three kinds of markers that will let us make a continuous assessment of our action:

1 **Procedure indicators**: they assess the execution of the Plan (organization, problems, need, solving methods, etc.).

2 **Outcome indicators:** they assess in which way the development of the plan achieves the goals and aims planned by the measurement of the specific results of the different actions planned.

3 **Impact indicators:** they assess in which way the results of the Plan have a social influence. Subsequently, they will give us information on if there have been or not changes in relation to the initial diagnosis, the characteristics of the changes and which sectors of the populations have been more important.

B) PARTICIPATIVE APPROACH OF TRACKING AND ASSESSMENT

The participative approaches are becoming more and more important during the last years in the assessment of programmes and, especially in some sectors such as that of policies of cooperation to development and international aid. Participative is understood in the widest of senses the approaches that put a stress on the participation of the social actors of the community in the assessment processes.

Some of these participative approaches are the following:

▶ *Assessment of fourth generation*. It is an alternative approach from the epistemological and methodological point of view. From the naturist alternative paradigm, they propose an assessment approach that gives place to the participation of the different critical agents. Its importance and influence is total especially from the point of view of the ontological and epistemological justification of these approaches.

▶ *The assessment for empowerment*, has given place to a series of participative experiences in assessment. Their success and influence is important, amongst other things, because of the importance the concept of empowerment is having in other fields (for example, in the development of policies of equality of gender).

▶ *The plural assessment* is focused in the social actors. This approach has a special influence in the field of policies and public management. It also proposes the necessary participation of the social actors around a public policy.

However, these different participative approaches, to the effects of design and creation of a participative assessment methodology, we have chosen to go deeper in the proposal named SEP, which is now detailed.

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Participative tracking and assessment

It is a tracking and assessment method by the group participation of social organization and institutions, the administration and the local population.

Tracking and assessment are two essential areas in the planning management of the public policies with the aim of judging their efficiency and the degree of achievement of their goals. Normally, such functions have been performed by external technicians measuring and comparing the actions and their results with the pre-established markers according to standardised proceedings. The participative tracking and assessment method, SEP, is born as the alternative to this traditional system because **it is based on the fact that local population, civil society and the public managers meet to decide how to measure the progress of the project and the actions to be taken from the results of the assessment.**

> Methodological recommendation: as we said in the paragraph of approach of the social consultation, it goes well with the participative tracking and assessment methodology because the groups consisting in different social actors are a departure requirement for social consultation and they can be continuous for the different stages of the plan.

The participative tracking and assessment approach that attracted an increasing interest because as it includes the participation of the population, with its points of view and aims it is easier to have a real view of what is happening. Also, given that this method contributes to teaching the population, to the development of its capacities and to its empowerment the objective match with the approach of social consultation.

The participative tracking and assessment gives new things in relation to the conventional tracking and assessment methods as we see in the attached comparison table. These traces derived from its main four basic principles:

a **Participation**, which means including the population in the design of the process and analysis of the data, being this the main difference in relation to the conventional systems.

b **Learning**, sobreespecially the practical as base for a better continuous correction action.

c **Negotiation** between the higher number of people involved (population, organization and social institutions, administration) to agree the object to be tracked and assessed, when and where the data is going to be collected, which is the meaning of the information, how to share the results and actions to take.

d **Flexibility** in the process, essential to adapt to the changes in the beneficiaries (number, role, knowledge) and their surrounding.

	Conventional tracking and assessment	Participative tracking and assessment
Who plans and manages the process?	Administration managers of external expert agents	Members of the community, local population, workers of the project, provider.
What	Pre-established success markers mainly results of costs and production	People identify their success indicators that could include production results
How	Approach with "scientific objectivity", distance of the experts and other participants; complex and uniform proceedings; late and limited access to results	Self-assessment; simple methods adapted to the local culture; open and immediate share of the results via the local involvement in the assessment processes
When	Tracking sometimes in the middle of the project; assessment in the end.	Small and frequent assessments
Why	Whether to learn of the experience and include the results achieved in to future processes. Whether to give results, normally for accountancy, to establish if financing will continue	To empower the local population, letting them start, control and take correction measures
Role of the beneficiaries	Mainly providing information	Design and adapt the methodology, collect and analysed data, share the achievements and putting them in relation to the action

Although the Participative tracking and assessment answers to different purposes, the following are underlined:

a *Estimation of the impact of planning and its actions (projects),* to check if the purposes have achieved the identified goals, if they are still relevant and if the best strategies of action have been used.

b *Improvement of the planning and management of the actions and projects* facing the future, thinking on the experience to create new goals and activities.

c *Organization strength and institutional learning:* self-assessment allows the increase of the organization capacities of people, which contributes to the promotion of sustainability and efficiency of the development efforts.

d *Articulation and negotiation of perspectives:* work in group that the participative tracking and assessment requests between all the sectors involved in the project (population, social organization, administration) give place to anyone to present his/her needs, interests and expectation and, from there, to develop group strategies and actions.

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The use of the Participative tracking and assessment requires four stages:

a *Planning of the* Participative tracking and assessment *process,* which is the key to success and that requires a collective negotiation between the different agents involved around different aspects: the identification of the participants, the specifications of the expectation of each one of them and of their involvement and responsibilities, the definition of the priorities and markers and the specification of the information that will be included how and with which methods

b *Compilation of information,* which can be made with the techniques of the different participative approaches.

c *Comparative analysis of data,* by sectors including the local population.

d *Transfer of the information* generated by the creation of the suitable documentation, after the agreement on who will use the results and how. Once the process is over, it is also suitable to debate if it is appropriate to start it again and how to do it.

As we were saying, to carry out the Participative tracking and assessment process we use a wide range of techniques and methods available in the different participation approaches, adapting them to assessment with the aim of comparing situations before and after carrying our a project or different activities.

An essential aspect is the markers to carry out the tracking and assessment which can be qualitative and quantitative. The selection is complicated, especially when the sectors of people involved in the participative tracking and assessment are several, due to: we have to find the balance between the factors of higher importance at local level and those that are important in a general level; they have to cover not only the tangible changes but also the intangible, especially in those projects that look for factors like personal or social development.

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FORM TO PROCESS THE PRACTICES AND EXPERIENCES TO HIGHLIGHT

NAME OF THE EXPERIENCE AND PLAN OR PROJECT IN WHICH IT IS INCLUDED	**Stepss project (acronym for effective police stop and search).**
MUNICIPALITY OR COUNTRY	Gerona (Catalonia) and Fuenlabrada (Madrid). Spain
DESCRIPTION OF THE TERRITORIAL CONTEXT	Municipalities of Gerona (Catalonia) and Fuenlabrada (Madrid).
FOSTERING BODY	City Councils of Gerona and Fuenlabrada; Generalitat de Catalunya and the NPO Open Justice Initiative, with the support of the European Union.
DESCRIPTION OF THE EXPERIENCE: GOALS, ADDRESSEES, STRATEGIES, IMPLEMENTED ACTIONS, SCHEDULE (DURATION, STAGES, ETC.)	The essential goal of the Stepss Project consists on improving the relations of Police with the immigrant communities and the ethnical minorities. For this purpose, it focuses on one of the most repeated police actions and that is the recurrent cause of disagreement with the Police and the said collectives: the police street stops and search.

Stepss encourages the police forces to systematically analyse such actions to know if they do match with efficient strategies to prevent a crime or, if on the contrary, they are frequently done base don discriminatory prejudices and behaviours.

As a consequence of such analysis, the best ruled proceedings are used in those police street stops and frisks, with higher guarantees for the citizenship, the communication channels between police and citizenship improve and training actions for the police agents are put into practice with the participation of representatives of the immigrants and the ethnical minorities.

The Project started in 2005 and it ended officially in November 2008, with the celebration of an International Conference of Assessment in the city of Fuenlabrada (Madrid). However, the Local Police forces of Gerona and Fuenlabrada have decided to keep those analyses and proceeding they started developing with Stepss. The Mossos* also keep it in Gerona and have announced their will of extending it to Catalonia.

* Regional Police in Catalonia |

AGENTS INVOLVED IN THE DEFINITION AND DEVELOPMENT OF THE EXPERIENCE

The Stepss Project is a European Programme, directed by the NPO Open Justice Initiative and developed with the financing of the European Union.

In Spain, the experience was carried out in the municipalities of Gerona (with the join participation of the Local Police and the Mossos d'Esquadra) and in Fuenlabrada, where only the local police took part. In both cases, we counted with the collaboration of the official police training centres: the Èscola de Policia de Catalunya and the Local Police Academy of the Comunidad de Madrid. Likewise, the project took place with the important collaboration of the main associations of immigrants present in each of these two cities, amongst which we highlight UNESCO-Catalonia and the Islamic Community of Fuenlabrada; as well as other NGOs defending human rights like SOS Racismo and Amnistía Internacional.

Two Police Forces of the United Kingdom, the Metropolitan Police of London and that of the County of Leicester provided the project with the important experience they have had on the subject after suffering several situations of conflict because of the development of unsuitable police strategies.

The National Police of Hungary and Bulgaria also participated in the Project.

TRANSVERSAL CHARACTER OF THE EXPERIENCE

It has not only set very important bases to analyse police efficiency in relation to a certain kind of actions in conflict with the citizens' rights (that especially affect ethical and immigrant groups) and they have also served to establish permanent ways of communication between the police and such groups.

These communication channels are useful to count with the opinion of these groups, socially more vulnerable, in the development of the local security policies.

RESOURCES USED

Stepss included work visits of all the members to the different police stations participation, as well as the celebration of an International Conference on Assessment of the Project.

Both in Gerona as in Fuenlabrada training actions took place in which representatives of the immigrant communities and most of the operative agents of the participating police forces were involved.

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Both municipalities put posters and gave leaflets in several languages (Spanish, Catalonian, Rumanian, Arab, Chinese, etc.) in which they gave information to the population of the citizen rights and obligations related to the police street stops and search, the police obligations on the subject and of the existing proceedings to claim their rights in case they got damaged during the police action.

Also new police forms were written like the Police Identification Form to register each stop or search and a Police Proceeding Manual where how to carry out a correct police action was explained.

At last, detailed analysis of the police actions done on the subject and related to the most affected groups and on the level of police efficiency reached were done as well as several street controls carried out by impartial observers to check the compliance of the protocols given.

METHODOLOGY USED

Training of the police forces; contact with the immigrant and defender of human rights associations; compilation and analysis of data on police identification; improvement of police proceedings; citizen awareness actions.

ASSESSMENT OF RESULTS

In general, the development of the Stepss Project has meant an important thinking process in the Police Forces that have participated in the experience, on their strategies and proceedings related to stop and search. Also, they have been obliged to create strongly ruled proceedings on the subject with higher guarantees for the citizens and to develop action systematic analysis mechanisms to assess the level of efficiency (detection of infractions and crimes) that are achieved with these kind of actions.

In some cases, like in Fuenlabrada, the development of Stepss has meant an important decrease in the number of police street stops and searches and, however, a high degree of efficiency in those carried out.

The Project has also achieved a notable approach between the participating police forces and the immigrant communities existing in the area.

REMARKS/ COMMENTS

All the agents involved in the development of the project have given a positive assessment of its impact. It is considered that the main deficit of the Project has been the lack of participation of other police organizations.

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NAME OF THE EXPERIENCE AND PLAN OR PROJECT IN WHICH IT IS INCLUDED	**City and school.** **Education in values.**
MUNICIPALITY OR COUNTRY	Sabadell- Barcelona. Spain
DESCRIPTION OF THE TERRITORIAL CONTEXT	Sabadell is the co-capital of the shire of Vallés Occidental, province of Barcelona, which is 25 km away from Barcelona and has around 202,000 inhabitants. The city is divided in 7 administrative districts. The city has 59 primary education centres and 29 secondary education centres that group more than 27,000 students.
FOSTERING BODY	The general programme is encouraged by the Council on Education of the City Council of Sabadell, via the Council on City and School, in which several municipal departments, companies, bodies and economic and social agents of the city participate. The paragraph of education under values is promoted by the Office of New Citizenship.
DESCRIPTION OF THE EXPERIENCE: GOALS, ADDRESSEES, STRATEGIES, IMPLEMENTED ACTIONS, SCHEDULE (DURATION, STAGES, ETC.)	Programme of support in the curricular programme directed to teachers and students of the primary, secondary and school of adults of the city of Sabadell. Via the Office of New Citizenship we offer a group of activities that have the goal of living and the work in values such as solidarity, respect, right to difference, respect, right to difference, generosity, etc. We collaborate to guarantee that the education offer matches the needs of the students and favours social cohesion and living.
AGENTS INVOLVED IN THE DEFINITION AND DEVELOPMENT OF THE EXPERIENCE	The responsible people of education planning of the city are involved as well as the teachers and the collaborating bodies (Proyecto Local, Fundación Akwaba, Asociación Sócio-cultural Ibn Batuta, Unescocat,etc.) by the Managing Council City and School. Several municipal departments are part of the Council City and School: Health, Sustainability and Environment, Cooperation and Solidarity, Education, Sports, Culture (Museums, libraries) Councils. All of them take part in the activities of the general programme.

RESOURCES USED

15 activities are included in the offer of the programme for the school year 2009-10, which is directed to an approximate potential of 5,000 students. The activities count with the technical direction of different NGOs, social bodies and companies, as well as with activities offered by other administrations like the Government of Barcelona and the Council of the Shire of Vallés Occidental.

METHODOLOGY USED

The activities include participative workshops where group and thinking methodologies are used, interpretation and theatre, role playing, guided visits to exhibitions, etc.

ASSESSMENT OF RESULTS

City and School is already a consolidated programme with more than ten years of experience. The construction of the Office of New Citizenship has made an offer to increase the number and quality, which is trying to answer to the new reality of the city, resulting of the last migration movements.

During the year 2008-09 11 different activities have been carried out and 152 workshops have also worked which means almost a 72% of the initial offer.

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NAME OF THE EXPERIENCE AND PLAN OR PROJECT IN WHICH IT IS INCLUDED	**Moving photo exhibition.** **Tan iguals, tan diferents** **("So alike, so different").**
MUNICIPALITY OR COUNTRY	Province of Barcelona. Spain
DESCRIPTION OF THE TERRITORIAL CONTEXT	The field of action of the Government of Barcelona are the 311 municipalities of the province with a census of population as of January 2008, of 5,416,447 inhabitants that are distributed in an unequal way in the territory. It is a territory characterised by a high populated metropolitan area and a 75% of minor municipalities of 10,000 inhabitants. During the last years the migration flows have had a great socio-demographic impact, from 121,375 foreign people in the census in 2001 to 745,216 in 2008 that represent a 13.8% of the entire population.
FOSTERING BODY	Area of Equality and Citizenship. Government of Barcelona
DESCRIPTION OF THE EXPERIENCE: GOALS, ADDRESSEES, STRATEGIES, IMPLEMENTED ACTIONS, SCHEDULE (DURATION, STAGES, ETC.)	In the frame of the actions that promote living and social cohesion, the Area of Equality and Citizenship offers the city councils the possibility of welcoming the moving show Tan iguals, tan diferents ("So alike, so different") with the goal of knowing the others and working in the citizen awareness in relation to the migration fact.

Goals

- Giving life to the differences between the people of different cultural origin and underlining the common values, eliminating the stereotypes associated to immigration.

- Becoming a tool for citizen awareness that serves as element to think on immigration from the approach of schools and neighbourhoods.

- Encouraging the vision of cultural diversity as a rich point in our society.

- Encouraging the mutual knowledge between the immigrant and native population.

Addressees
The exhibition is directed to the entire citizenship.

Contents
The exhibition has forty-nine photos with texts that bring the public closer to the experience, thoughts and will of the children in the pictures, all of the students of schools of the province of Barcelona.

These children share the fact of being the first generation of Catalonian people of their families, most of them because they were born here; others, becouse they have been here for a long time.

By their explanations they underline the existing differences with the children of Catalonian origin are more apparent than real, being most important the similarities than the differences.

Technical characteristics
The exhibition counts with 49 photos of 50.50 cm x 40.50 cm.

The surface of the exhibition wall covers 10.10 square meters.

Cession modes
The exhibition is offered in three different formats, considering the needs of the municipalities that request it and of the availability of room.

Supplementary activities
• Exhibition catalogue.

• *Catalogue of activities on equality and citizenships* that offers a compilation of awareness activities on the cultural and social changes that take place in the different municipalities and cities.

AGENTS INVOLVED IN THE DEFINITION AND DEVELOPMENT OF THE EXPERIENCE

Area of Equality and Citizenship.
Government of Barcelona

TRANSVERSAL CHARACTER OF THE EXPERIENCE

Citizen awareness represents a line of work that is included in a transversal way to all the programmes of municipal support that is made at the Government of Barcelona.

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METHODOLOGY USED	The Government of the Province of Barcelona offers the city councils of the province the possibility of welcoming the exhibition in any of the three formats during one, two or three weeks. The city councils interested have to fill in an application and send it to the Area of Equality and Citizenship of the Government of Barcelona which will get in contact with the person of reference to agree on the schedule and other details of the cession. Now, from the Area of Equality and Citizenship, the interested city councils get in contact with the company in charge of the transportation, assembly and disassembly of the exhibition and these works are supervised.
ASSESSMENT OF RESULTS	The exhibition is on offer for the municipalities from April 2009 and a total of 6 places have been agreed for 2009 (data as of September 2009). The exhibition is being used as an activity of awareness directed to the general citizens, at the same time that it organised school visits. On the other side, we have seen the interest of the city councils in welcoming the exhibition as a supplement for other campaigns or initiative multiplying the potential public.
REMARKS/ COMMENTS	The Government of Barcelona puts the moving exhibition at the disposal of the municipalities although it is the entire citizenship the one to take advantage of the action.

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NAME OF THE EXPERIENCE AND PLAN OR PROJECT IN WHICH IT IS INCLUDED	Audiovisual material: **El Diccionari de la Diversitat ("Dictionary on diversity") Connectats ("Connected")**
MUNICIPALITY OR COUNTRY	Province of Barcelona. Spain.
DESCRIPTION OF THE TERRITORIAL CONTEXT	See previous experience.
FOSTERING BODY	Area of Equality and Citizenship. Government of Barcelona. (Local TVnet) (XTVL) The magazine Connectats and the others joins the de Dinamización Juvenil Connectats.
DESCRIPTION OF THE EXPERIENCE: GOALS, ADDRESSEES, STRATEGIES, IMPLEMENTED ACTIONS, SCHEDULE (DURATION, STAGES, ETC.)	The *Dictionary on diversity* is a documental series of 26 episodes, created in group by the Area of Equality and Citizenship of Barcelona and Xarxa de Televisions Locals (XTVL). (Local TVnet) The show covers the importance of language as transfer mean for culture and diversity. Each episode has an average duration of 13 minutes that describe, from multiple perspectives, the key concepts of a dictionary with the aim of promoting the values of diversity, plurality and helps the community understand the fact of migration. The letters of the dictionary, in alphabetical order, are the thread that units and continues during the 26 episodes. With the aim of raising awareness on the spectator, the episodes count with the participation of experts that give their opinion from within the field of sociology, history, language, urbanism or economy like Judith Astelarra, Salvador Cardús, Eliseu Aja, Manuel Delgado, Rafael Crespo, Mary Nash, Oriol Nel·lo, amongst others. The show directed to the entire citizenship has a double goal, on one side, it is broadcasted by local televisions and, on the other, it becomes a peda-

gogic and awareness tool to be used as support in the education and free time centres, as well as for those bodies interested in working in the values of living in diversity.

Connectats is a multiple platform of youth dynamics that acts through communication.

It starts with the work done in the frame of the "communication workshops for youngsters" that is taking place from the end of 2005 in collaboration with the Federation of Latin American Bodies in Catalonia (FEDELATINA).

Currently it counts with:
1. A TV show broadcasted on the Net of Local Televisions (XTVL) and it also has a PPV TV option from its website.

2. An online radio show.

3. A magazine distributed in different centres of secondary education of the Metropolitan Area of Barcelona.

4. Workshops to support audiovisual production.

5. Documental shows on public spaces.

6. Meetings of the group.

General goals:
• Give look and voice to the actions that young people are developing in the centres of secondary education.

• Promote the social cohesion and the intercultural dynamics between native and immigrant youngsters from an autonomous, critical, compromised and of work in line position.

• Contribute to the construction of a young, supportive and social identity working on the possible areas of conflict.

Specific goals:
• To enriching the possibilities of communication and comprehension of the urban surrounding amongst young people.

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- To create meeting points linked to the audiovisual work and to the media.
- To build a social laboratory where the group of young people can act in public spaces under a climate of social cohesion and intercultural dynamics.

- To create a democratic and civic dynamics that involves young people.

- To get rid of apathy and of the sedentary habits as possible causes of exclusion.

- To have a constant debate on the perception and construction of the urban life from a young and connected perspective.

Connectats is a multimedia platform that collects the worries, problems and real life of young people.

The project has an area for young people where we work on interculturality from self-management.

The group gives shape to a flexible body that breaths the art, cultural and personal values with the aim of transferring knowledge and practices, letting them, from experimentation, work with a young and different public.

These are dynamic contents based on interviews, videos, clips, short films… that work on the streets.

The profile of the main characters captures the reality of a diverse but with integrating character society, with its problems and present and future expectations.

To generate the contents, we work with the groups of young people from a participative and of real implication methodology that looks for the following effects in the participants:

- To create a working group, including students and professionals, to create areas of intercultural exchange.

- To contribute to giving light to the contents that are important for young people and that make them being involved in something.

- To promote amongst the native and immigrant youngsters the capacity of autonomous, critical and compromised expression.

- To constitute a platform of means consisting on: a TV show, a radio show, a magazine and a website.

Designing communication areas that let them gain experience both for the professionals and for young people interested in them.

AGENTS INVOLVED IN THE DEFINITION AND DEVELOPMENT OF THE EXPERIENCE	Area of Equality and Citizenship. Government of Barcelona Xarxa de Televisions Locals de Catalunya (XTVL). (Local TVnet)
TRANSVERSAL CHARACTER OF THE EXPERIENCE	The awareness of the citizenship represents a working line that is included, in a transversal way, in all the municipal support programmes that are offered at the Government of Barcelona.
METHODOLOGY USED	For the Dictionary on Diversity: the Area of Equality and Citizenship has designed the contents to be included in the guide in order to, later, hire the experts for the development of the said. Xarxa de Televisions Locals de Catalunya (XLTV) has been in charge of recording. (Local TVnet)
ASSESSMENT OF RESULTS	*Connectats won the Communication Award 2008* of the Consell de la Joventut de Barcelona.
REMARKS/ COMMENTS	*The dictionary on diversity* goes with a didactic guide that acts as support for the awareness activities that are seen on the audiovisual part.

Connectats: **http://www.xtvlblocs.cat/connectats/**

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NAME OF THE EXPERIENCE AND PLAN OR PROJECT IN WHICH IT IS INCLUDED

Catalogue of activities of equality and citizenship

MUNICIPALITY OR COUNTRY

Province of Barcelona. Spain

DESCRIPTION OF THE TERRITORIAL CONTEXT

See previous experience.

FOSTERING BODY

Area of Equality and Citizenship.
Government of The Province of Barcelona

DESCRIPTION OF THE EXPERIENCE: GOALS, ADDRESSEES, STRATEGIES, IMPLEMENTED ACTIONS, SCHEDULE (DURATION, STAGES, ETC.)

The *Catalogue of activities of equality and citizenship* is a compilation of actions of pedagogical character that is offered by the social bodies working in the fields of action of the Area of Equality and Citizenship like: diversity and citizenship, equality between men and women, youth, citizen participation and the new uses of time.

Goals

- Transferring to the citizenship basic knowledge about the diversity and social change that is taking place in cities and villages.

- Encouraging the respect to differences, in the frame of a plural and democratic society.

- Promoting a change in the perspective that makes easier establishing fairer and more equal personal relationships between men and women, as well as surpassing the stereotypes and myths that hinder them.

- Favouring the participation of women in all the fields (economic, social, cultural and political).

- Favouring emancipation and autonomy of young people.

- Encouraging a more associated, supportive and participative citizenship.

- Promoting the culture of the human rights and solidarity as a way to living.

Addresses

The city councils of the province of Barcelona.

Contents

The Catalogue is a compilation of awareness activities done by social bodies.

They are grouped in five theme blocks:

• Diversity and citizenship.

• Equality men-women.

• Youth.

• Citizen participation.

• New uses of time.

Each part is structured around the following activity typology:
• Conference/debate.

• Workshop

• Audiovisual

• Exposition

• Show

• Others, a paragraph that groups the most specific actions or that share characteristics of different groups.

AGENTS INVOLVED IN THE DEFINITION AND DEVELOPMENT OF THE EXPERIENCE

Area of Equality and Citizenship. Government of Barcelona.

TRANSVERSAL CHARACTER OF THE EXPERIENCE

Citizen awareness represents a working line that is transversally included to all the programmes of municipal support that are offered from the Government of Barcelona.

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METHODOLOGY USED	The *Catalogue of activities of equality and citizenship 2009* counts with more than 400 awareness activities that is offered to the city councils of the province of Barcelona to strengthen the awareness actions that are developed in the territory.
	The catalogue is an active tool, because it is updated during the year including new activity files.
	The activities are subsidized by the Government of Barcelona in a 50% up to a maximum of 3,000 by city council and the field of the catalogue in the same budgetary year.
	The activities of the catalogue are fully designed and created by social bodies that work in the province of Barcelona.
ASSESSMENT OF RESULTS	During the year 2008 the number of activities offered to the city councils has been of 420 and a total of 734 activities have been requested and subsidized.
REMARKS/ COMMENTS	The *Catalogue of activities of equality and citizenship* has the goal of giving support to the municipalities in programming the awareness activities that are developed in the action plans, making the search and programming of the said easier.

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NAME OF THE EXPERIENCE AND PLAN OR PROJECT IN WHICH IT IS INCLUDED	**PWelcoming Women programme**
MUNICIPALITY OR COUNTRY	City Council of Badalona- Barcelona. Spain.
DESCRIPTION OF THE TERRITORIAL CONTEXT	Badalona, industrial municipality of the metropolitan area of Barcelona with 216,000 inhabitants.
FOSTERING BODY	Women Council. Ajuntament de Badalona.
DESCRIPTION OF THE EXPERIENCE: GOALS, ADDRESSEES, STRATEGIES, IMPLEMENTED ACTIONS, SCHEDULE (DURATION, STAGES, ETC.)	Welcoming Women is an urban programme that is in place since 2003 and that want to give sense to the living and respect to diversity. The Programme is developed by the women and neighbour association (organised in the Municipal Council of Women of Badalona), to achieve integration and give a positive value to the fact of intercultural living, at the same time that tries to favour and encourage volunteering in this field. It is a programme to support the bodies that are related with the constant training and with adult schools, language assistance, etc. working in the optimal integration behaviours and assessing interculturality. The Programme includes different actions like these following: Supportive babysitters to help immigrant women, to collaborate with them and, in the end, improve their education possibilities. Meeting point where women already living in the city and those that have just arrived may meet to share what they have in common and women and discover and accept all that makes them different. City tours to make easier for the newly arrived knowing the most important locations and services of the city. Pedagogical biblio-cases that is a series of theme documents that they request under a system of loan to the Centre of Resources and Counselling to Women as support material.

The project to support education, to improve the possibilities of training of the immigrant women and fostering an area to solve problems related to communication subjects and especially with the learning of the language.

AGENTS INVOLVED IN THE DEFINITION AND DEVELOPMENT OF THE EXPERIENCE

Technical personnel of the Women Council, volunteers of different citizenship and immigrant women associations.

TRANSVERSAL CHARACTER OF THE EXPERIENCE

The Programme wants to:

- Give basic language tools to be able to have communication.

- Providing an area where women can spend the process of loss that is involved in the migration fact.

- Encouraging areas where to work on living and citizen participation between native and immigrant women.

- Programming complementary activities that favour personal and group processes, personal autonomy and social links.

- Encouraging transversal work between the different municipal fields and other kinds of bodies that are interested.

RESOURCES USED

The programme has been performed in two stages:

- Knowledge of the women immigration in the city with the creation of a research (Research on women immigration and the resources to support their integration in Badalona), in 2003.

- Currently, most of the groups of the Programme Welcoming Women are absolutely consolidated and reach more than an 80% of the territory of the city. There are almost 40 volunteering women and 300 immigrant women from different origin.

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METHODOLOGY USED	Intercultural awareness and training; education of immigrant women.
ASSESSMENT OF RESULTS	The Programme started in a very modest way and has increased with time, both in the number of volunteers involved in the programme, in the people taking part as in the bodies that are involved in the evolution and development of the goals we looked for. For a lot of women, participating in this programme has meant an important change in the relation with their surrounding. Most of them, despite of living in Badalona, had not got out of their small area, and they did not know the services of the city council because they did not go far away from their houses. This fact has been changing and now we can speak of the different perception they have because now they are not in a country they do not know. The evolution of the groups in general has been very favourable. The implication in the programme of these women has made them take part in the design of activities and itineraries, they are who have made proposals like the creation of a group or association of North-African women to take their social worries and make them part of the participation of the city (Consell de Ciutat-City Council).
REMARKS/ COMMENTS	Welcoming Women has achieved the qualification of "good practice" in the Olympia de Gouges Transnational Project, carried out by the Technical Office of the Equality Plan of the Diputació de Barcelona, the City Council of Munich (Germany) and Província della Spezia (Italy) (which has received the support of the European Commission/Programme on the Communitarian Strategy on equality between men and women 2001-2005).

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NAME OF THE EXPERIENCE AND PLAN OR PROJECT IN WHICH IT IS INCLUDED	**Positive action to favour the access of women and immigrant of the Local Police. The action is part of "Plan Convive", an integral plan created by the municipality to foster the integration of immigrants.**
MUNICIPALITY OR COUNTRY	Fuenlabrada (Madrid) Spain.
DESCRIPTION OF THE TERRITORIAL CONTEXT	Industrial Municipality of 205,000 inhabitants of the South metropolitan area of Madrid.
FOSTERING BODY	Local Police of Fuenlabrada, with 250 agents.
DESCRIPTION OF THE EXPERIENCE: GOALS, ADDRESSEES, STRATEGIES, IMPLEMENTED ACTIONS, SCHEDULE (DURATION, STAGES, ETC.)	The Positive Action is being continuously performed since 2002, although at the beginning it was directed to women. From the year 2005 it is also directed to the descendants of immigrant families with Spanish nationality and that meet the legally required points to access to the Local Police Forces of the Community of Madrid (height, driving license, academic degree, etc.). It is about the organization of a free course to prepare the exam to become part of the Local Police. The Course includes the preparation of the physical exams, psychological aptitudes and subjects of the exam. The course starts when approving the Municipal Offer of Public Employment each year and ends in the end of each selection process. The classes take place in the Training Room of the Local Police and in municipal sports centres.
AGENTS INVOLVED IN THE DEFINITION AND DEVELOPMENT OF THE EXPERIENCE	The teachers of the Course, to prepare the physical exam and the subjects are commanders of the Local Police of Fuenlabrada and for the preparation of the psychological tests the Municipal Services of Assistance to Victims of Crimes. Also, they count with the sports facilities of the Municipal Sports Council.

The Municipal Centre of Initiatives for Training and Employment, the House of Women, the association of women and associations immigrants collaborate to give advertising to the action, at the start of each year.

TRANSVERSAL CHARACTER OF THE EXPERIENCE

The experience does not only mean treating the subject of social integration of the Spanish people coming from immigrant families providing them with an easy access to public employment, but also their participation in a public service of great importance, because their action is closely linked to the exercise of the citizen rights and freedom.

With this, we have achieved a public service with higher integration and having the Local Police closer to the local community which is more and more diverse in culture.

RESOURCES USED

Local Police teachers and the Municipal Service of Assistance to the victims of Crimes and municipal sport facilities.

METHODOLOGY USED

A very similar training methodology to that used in private centres to prepare the exams for the Local Police.

ASSESSMENT OF RESULTS

When the action started, the percentage of police women was of only a 3% and there was not any agent coming from immigrant families. In the Year 2009, women are a 13% of the staff of the Local Police and the agents coming from immigrant families is a 1.6%.

Apart of these results from Fuenlabrada, an important number of women and some of the immigrants that have participated in the action won the job in the Local Police forces of other municipalities of the Community of Madrid.

REMARKS/ COMMENTS

Initially the course was not good accepted y some of the political and trusts unions because they found it "discriminatory". Today, the experience is solid and only some private centres dedicated to the preparation of these exams reject it.

A very important aspect to take into account is that this Action, apart of achieving a higher integration of women and descendants of immigrant families in the Local Police has meant that this service is closer to the

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immigrant communities, the development of new integration programmes and higher operation efficiency because they have a larger number of agents that know well the culture and language (Arab) of one of the most important immigrant groups of the municipality.

The Local Police of Fuenlabrada was the first public police in Spain to carry out such an experience. Currently, the Mossos d'Esquadra de Catalunya, are carrying out the same action since 2007 and it is called he Programme on Social Diversification to encourage the entry in the Autonomic Police of people of Spanish nationality that accredit enough knowledge of foreign languages and cultures, being the extra-communitarian those of preference. It is a course of 3 months (300 hours) with 60 annual candidates.

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NAME OF THE EXPERIENCE AND PLAN OR PROJECT IN WHICH IT IS INCLUDED

Net to transfer values and positive messages for living together

MUNICIPALITY OR COUNTRY

Santa Coloma de Gramanet (Barcelona)
Spain

DESCRIPTION OF THE EXPERIENCE: GOALS, ADDRESSEES, STRATEGIES, IMPLEMENTED ACTIONS, SCHEDULE (DURATION, STAGES, ETC.)

Why did it start?
The different initiatives developed by the City Council of Santa Coloma because of the conclusions of the participative process that ended in the definition of the Plan for Living are based on a proximity strategy closely linked to neighbourhood dynamics.

Parallel to the development of other programmes, like the service of neighbour arbitration, we look for the complicity of the citizens and the social tissue to work on the fight against false rumours and stereotypes that make living complicated. We got to the conclusion that fostering a net of citizens and civic bodies that sign a compromise with the city to work on living in their closer surrounding.

The justification for the net is, in the end, becoming an area where any neighbour of the town willing to work for living, finds the information, the support and the necessary means to do it. In this sense, it becomes a quite innovative experience which will be effective for the promotion of living in a context of diversity, pursuant to a frame of rights and obligations shared by all the citizens.

Summary/ Description
Formulation of goals, strategies and priorities.

Goals:

• Aware the citizenship via different approaching instruments to guarantee a satisfactory living atmosphere.

• Involving the citizens in the transfer and spread of accurate information related to the negative perceptions and stereotypes for living.

• Creating complicity with the citizens that will let us act in advance with the conflicts and its management in the territory.

Working:

- The creation and maintenance of a net of civil agents through individual or group union that are specified in the compromise of action in favour of living together.

- The creation of positive messages and in the direct communication between people. Information and transfer.

- The training of the association tissue for the direct management of living together. Training and dynamics.

- Training the municipal workers for the correct treatment of diversity from all the services.

Compromise with living:

All the members of the Net of Transfer of Values and Positive Messages sign the following agreement:

«I, the signing part, neighbour of Santa Coloma, subscribe the present agreement with the goal of stating my voluntary compromise in the definition and development of the Net of Transfer of Values and Positive Messages for Living in the following terms:

1 *I will transfer to the other members of the Net and to all my neighbours the objective and accurate information that let us break prejudices and false rumours that hinder living.*

2 *I will actively work to show all my neighbours the knowledge and respect for the laws and habits of our citizen system. I recognise and I will defend equal rights of all the citizens of Santa Coloma de Gramenet and I accept and I will spread the corresponding obligations.*

3 *I will invite my neighbours, association, companies and citizen groups to join this compromise. I will work to spread the contents of the Net of Transfer of Values and Positive Messages for Living.*

4 *I will give information on good practices and civil campaigns to my neighbours. I agree to practice and spread civic attitudes as well as any positive action for the food use of the public and communitarian areas.*

5 *I will be part of associations, neighbour councils, bodies and groups and I will carry there the compromise and contents of the Net of Transfer of Values and Positive Messages for Living.*

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6 *I will use the resources of negotiation, mutual knowledge, mediation and inter-relation between neighbours to foster the relationships and make living easier.*

7 *I will collaborate with institutions and entities in the detection of situations that require an effort for the effective and positive incorporation of all the citizens.*

From the signature of this document I agree to act as Civic Agent for Living. »

The project was launched at the end of 2004.

AGENTS INVOLVED IN THE DEFINITION AND DEVELOPMENT OF THE EXPERIENCE

The City Council is preparing the renewal of the convention of current management and guarantees the provision of funds for the next 4 years. The service counts with the financing of the Government of Barcelona (Area of Equality and Citizenship), and of the Generalitat de Catalunya (Social Well-Being Department).

The good results, together with the update of the challenge of living together in urban areas like Santa Coloma de Gramenet, make necessary the implementation of projects that involve the citizens in an exercise of co-responsibility.

RESOURCES USED

As of today, the agreement for living has been signed by
- **314** citizens

- **47** associations

A monthly magazine that has been edited and sent to the members of the net in which there are parts for the activities of the net, other citizen activities and especially, information to work against false rumours and stereotypes.

We have edited a catalogue of free activities that are offered to bodies, institutions, education centres and municipal bodies that includes:

- False rumours: a workshop on false rumours and stereotypes, conferences of women in different cultural contexts, coffee chats.

- Awareness: workshop on living, exchange workshops for old people and cinema sessions on the chapters selected by the immigration programme of TV3, "Tot un Món" (the entire world).

- Training: seminars, courses for professionals (for example on religious diversity…), management courses for entities, etc.

A website has been launched: www.gramenet.cat/xarxavalors

Currently it has 350 direct speakers in the neighbourhoods that help in the creation of an opinion suitable for dialogue and living together.

The Net is coordinated with other municipal services (education, women, youth, civil centres, commerce, culture...)

We have given support and technical counselling to the rising entities for their formal constitution, information on municipal resources (including visits to different municipal facilities) and contact between the different agents to create future collaborations.

We have created stable working and debate areas:
- Offer of awareness activities for neighbour associations and group of citizens.

- **Inter-religious dialogue group.** This group was the embryo for the present Asociación Colomense para el Diálogo Interreligioso, which today gathers Catholic, Evangelic, Muslim and Sikh citizens groups.

Up to now, the impact is positive although the action has to be enlarged to more neighbours and, evidently, it has to be supplemented by the action of other intervention and awareness instruments.

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NAME OF THE EXPERIENCE AND PLAN OR PROJECT IN WHICH IT IS INCLUDED	**Arena II**
MUNICIPALITY OR COUNTRY	Government of Andalusia. Spain.
DESCRIPTION OF THE TERRITORIAL CONTEXT	A project focused in the fight against racism and xenophobia in Andalusia by means of assessing cultural diversity as vehicle to improve the incorporation of the immigrant people in the working world and daily life.
DESCRIPTION OF THE EXPERIENCE: GOALS, ADDRESSEES, STRATEGIES, IMPLEMENTED ACTIONS, SCHEDULE (DURATION, STAGES, ETC.)	The general goal is promoting the assessment of cultural diversity as factor of fight against racism and xenophobia, developing measures that favour the access and promotion of immigrant men and women in the labour world and their equal participation in the social and communitarian life. Arena II is a chance to consolidate and reinforce the results reached by the previous project Arena.

To reach this general goal the following specific goals have been established:

- Raising awareness towards the prevention of racism and xenophobia in the working life, raising awareness among managers and in the civil society on the value of culturally diverse areas.

- Training professional under intercultural conditions and offer occupational training to immigrant people to eliminate the differences of the labour world.

- Favouring socio-labour insertion of the immigrant population, especially women, by the development of coordinated itineraries in connection with the existing services.

Addressees: Immigrant people, especially women, and different sectors of the Andalusian population.

Action strategy: In general lines, the action strategy works around the immigrant population, including action of welcome and reception of beneficiaries, socio-labour orientation, training an counselling for the socio-labour insertion, with the ultimate goal of making immigrant people coming close to the possibility of accessing to a public services, making of this services an immediate socio-labour reference.

1 Awareness in the prevention of racism and xenophobia in the working world. It includes carrying out campaigns directed to immigrants, business people and other agents of the labour world.

2 Development of occupational education to eliminate the differences in the labour world directed to the immigrant population, mainly immigrant women, of training actions on mediation and intercultural aspects directed to social agents and professionals of the employment, education and health services.

3 Creation of a net of social action to foster the access to information on the existing resources. It consists of nine units of socio-labour integration that will count with technical personnel specialising in intercultural aspects to offer guides, intercultural mediation and promotion of the sector diversification of the labour world. Also, it encourages the knowledge of immigrant people of their working rights.

4 Improves the knowledge of the immigration contexts both of origin and of reception. It includes the creation of local surveys on the situation of the immigrant population, the action of the socio-labour discrimination markers in the project EQUAL Arena and the celebration of seminars to exchange experiences.

RESOURCES USED

Project financed by the Government of Andalusia and the European Social Fund.

METHODOLOGY USED

Training
Awareness raising actions
Insertion services
Conciliation services

Source: Government of Andalusia- European Social Fund- Equal projects.

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NAME OF THE EXPERIENCE AND PLAN OR PROJECT IN WHICH IT IS INCLUDED	**Inter-municipal letter of housing, social character tool in Ulis (France)**
MUNICIPALITY OR COUNTRY	24 municipalities of the region Massy-les-Ulis: Baillainviliers, Bièvres, Bures-sur-Yvette, Champlan, Chilly-Mazarin, Epinay-sur-Orge, Gif-sur-Yvette, Gometz-le-Chatel, Igny, Les Ulis, Longjumeau, Massy, Morangis, Orsay, Palaiseau, Saclay, Salux-les-Chartreux, Saint Aubin, Vauhallan, Verièrres-leBuisson, Villebon-sur-Yvette, Villejust, Villiers-le-Bacle et Wissous. France.
DESCRIPTION OF THE TERRITORIAL CONTEXT	Created in the frame of the inter-municipal conference, the body that groups the different actors that assign the social houses in the different municipalities. The goal of the project is establishing common playing rules on the territory on the distribution and assignation of social houses.
DESCRIPTION OF THE EXPERIENCE: GOALS, ADDRESSEES, STRATEGIES, IMPLEMENTED ACTIONS, SCHEDULE (DURATION, STAGES, ETC.)	The Letter defines the needs of the municipalities in the field of social housing as an instrument that is trying to favour social diversity on the territory with the following goals: • **Reducing the unbalance of social housing:** the letter lets them build a privilege area on the signing territory to know, track and improve the balances of the population on the territory of the municipalities that are members to define needs of offer adapted to the houses. • **Giving custom compliance:** the active collaboration of the lenders has been agreed (SCIC Hábitat IDF, Logirep and Transport houses).
AGENTS INVOLVED IN THE DEFINITION AND DEVELOPMENT OF THE EXPERIENCE	The 24 municipalities of the region Massy – Les Ulis
METHODOLOGY USED	The general board of the inter-shire conference on housing (CIL) assessed the execution of the letter.

ASSESSMENT OF RESULTS

The application of the letter has been unequal among the different municipalities involved because it did not need to be ratified at municipal level and the level of compromise has been difficult.

Source: High Authority of fight against discrimination and for equality (HAUTE).

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NAME OF THE EXPERIENCE AND PLAN OR PROJECT IN WHICH IT IS INCLUDED	**JoBArt: the expression of integration of young immigrant by Arts**
MUNICIPALITY OR COUNTRY	Olesa de Montserrat, Barcelona. Spain.
DESCRIPTION OF THE TERRITORIAL CONTEXT	The municipality of Olesa de Montserrat (Barcelona) has been the witness of the continuously increasing rhythm of the arrival of foreign population to our country. This migration process is the result, in most of cases, of family re-grouping so the arrival of children and youngsters is higher and higher. The programme is trying that the different art expressions become the main engine of the real and positive integration processes of the youngsters arrived to Olesa de Montserrat, understanding Beaux Arts as the universal relationship language.
FOSTERING BODY	City Council of Olesa de Montserrat
DESCRIPTION OF THE EXPERIENCE: GOALS, ADDRESSEES, STRATEGIES, IMPLEMENTED ACTIONS, SCHEDULE (DURATION, STAGES, ETC.)	It tries to work, mainly, in the process of integration of teenagers from 12 to 17 years of age coming from different countries that live in the municipality of Olesa de Montserrat. Also, it tries to involve the native population in these processes making a bet on living and social cohesion of the citizenship, especially of the youth.
AGENTS INVOLVED IN THE DEFINITION AND DEVELOPMENT OF THE EXPERIENCE	It makes of art the identifying element of the group as a mechanism for integration, making the approach between native and immigrant youngster easier in intermediation and living areas, like the Municipal School and Foundation of Arts and Offices, the School of Music and the Youth Department of Olesa de Montserrat.
METHODOLOGY USED	The project starts with a theory session where to create and agree all the aspects of the theory frame and the practices to be done, as well as to carry out a deep demographic survey. After this, starts the action stage in

	which different socio-artistic sessions with the participants are made, from different workshops (dance, drawing/arts, literature, cuisine exchange, etc). The programme ends with an assessment stage where to measure the degree of satisfaction of the participants in order to create a global assessment of the project.
ASSESSMENT OF RESULTS	Project under execution. Amongst the results foreseen, we find the approach of the immigrant population and of the resources and normal services o the municipalities, the inter-relation between youth of different origin and the awareness of the entire population in relation to concepts like living and respect.
	Source: http://www.integralocal.es/

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NAME OF THE EXPERIENCE AND PLAN OR PROJECT IN WHICH IT IS INCLUDED	**Awareness and social participation programme 2009**
MUNICIPALITY OR COUNTRY	Municipi DÁrtá- Balearic Islands- Spain.
DESCRIPTION OF THE TERRITORIAL CONTEXT	A population of 7,200 inhabitants of which a 10% are extra-communitarian people.
DESCRIPTION OF THE EXPERIENCE: GOALS, ADDRESSEES, STRATEGIES, IMPLEMENTED ACTIONS, SCHEDULE (DURATION, STAGES, ETC.)	From the Socio-education area of the City Council of Artá we have fostered the Programme on Awareness and Social Participation with the goal of favouring and making easier a public line of action to encourage living and fight against discrimination in the society with the cultural and social participation of immigrants and native people of the municipality.

The general goals of the project are:

1 Contributing to the mutual knowledge of the different human groups living in Artá.

2 Encouraging activities of solidarity and tolerance

The municipal awareness and participation project is directed to all the citizens.

The activities carried out have been:

- *Dóna´ns la mà* (Take our hand): seminary that works on the intercultural aspects of the municipality.

- Creation and organization of an art contest.

- Edition and publication of an intercultural cuisine book.

- Intercultural week on awareness and citizen cooperation: exhibition, story tellers, films, games, workshops and activities and the Intercultural dinner.

AGENTS INVOLVED IN THE DEFINITION AND DEVELOPMENT OF THE EXPERIENCE	Municipality of Artá. For the development of the activities several entities and social organization of the municipality have been taken into account.
RESOURCES USED	Materials for the different activities, (cuisine books, DVDs); information leaflets, hiring music or theatre companies, multi-cultural dinners, sound equipment.
METHODOLOGY USED	The methodology has been mainly practice and participation. In the case of the course *Dóna´ns la mà* each participant has to prepare the speeches, following a small script that has been provided. Each one of the lectures will be recorded, with the permission of the speaker, so in the end the course-seminar could be distributed as a DVD-book so anyone can discover the intercultural reality of the town of Artá from the voice of its foreign inhabitants. The twelve lectures that are included in the course are: Bolivia, Morocco, Germany, Ecuador, England, Senegal, Peru, Basque Country, Italy, China, Rumania ad Russia.
REMARKS/ COMMENTS	It is a project subsidised by the General Direction of Integration of the immigrants of the Ministry of Work and Immigration.

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NAME OF THE EXPERIENCE AND PLAN OR PROJECT IN WHICH IT IS INCLUDED	**Guide of Good Practices and Intercultural Training**
MUNICIPALITY OR COUNTRY	Integral Commonwealth of Municipalities "Campo Arañuelo"- Extremadura Spain.
DESCRIPTION OF THE TERRITORIAL CONTEXT	The arrival of foreigners to this area of Extremadura answers to the needs of hands in the agriculture campaigns that are linked on time (fruit trees, tomato, pepper, tobacco, etc.) giving place to the settlement in the area of most of them and their families for ever.
DESCRIPTION OF THE EXPERIENCE: GOALS, ADDRESSEES, STRATEGIES, IMPLEMENTED ACTIONS, SCHEDULE (DURATION, STAGES, ETC.)	The creation of a Guide on Good Practices and Intercultural training directed to the entire population and that includes paragraphs like Human Rights, values, mutual knowledge. The goal is setting the bases to raise awareness and be in the right position to understand the reasons, feelings, and attitudes, needs that make them take the decision of emigration, Perspective of gender is dealt in a permanent and transversal way.

The goals of the Guide, the sessions on awareness and the activity "Culture of the people" are:

1 Spreading ideas and values on Human Rights and citizenship on the population.

2 Providing a clear, useful and easy consultation document for the citizenship in relation to immigration.

3 Promoting living relations by putting in common experiences that favour the analysis and development of a critical thinking related to the migration phenomenon.

4 Improving the image of immigration amongst the people of the Commonwealth and promoting the positive aspects of a society with a characteristic diversity.

5 Establishing a meeting forum between immigrant and native population.

6 Treating the increasing and complex reality of cultural diversity with the scope of mutual respect and living.

7 Favouring professional promotion and training as well as putting in line the good points of the working population to the opportunities of the labour market.

To achieve these goals the following activities were carried out:
• Research and collection of material.

• Edition of leaflets and other material for awareness.

• Creation of the *Guide of Good Practices and Intellectual Education.*

• Sessions to raise awareness on women and immigration.

• "Culture of people": on the local day, there will be exhibitions, shows, food, folklore, etc.

AGENTS INVOLVED IN THE DEFINITION AND DEVELOPMENT OF THE EXPERIENCE

Integral Commonwealth of Municipalities "Campo Arañuelo", the activity counts with the participation of schools, primary health centres, associations, etc.

RESOURCES USED

All the personnel involved in the development of the activities, as well as the necessary material to carry them out.

METHODOLOGY USED

Each activity will be carried out following a suitable methodology for its purpose, even if all of them will enjoy of participative work, taking into account the needs and opinions of the people involved in the different projects. The purpose of the methodology is encouraging inter-relation; we look for the connection with other population groups in open programmes for common activities.

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ASSESSMENT OF RESULTS	We try to achieve raising interest for the present immigration reality and achieving a better understanding of the migration phenomenon and its personal, social and working consequences in most of the citizens at different levels (professionals, students, associations, users of the different municipal services, etc.) apart of being a reference for the area.
REMARKS/ COMMENTS	It is a project subsidized by the General Direction of Integration of the Immigrants of the Ministry of Work and Immigration.

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NAME OF THE EXPERIENCE AND PLAN OR PROJECT IN WHICH IT IS INCLUDED	**Equality for all** European Week against Racism 14 - 22 March 2009
MUNICIPALITY OR COUNTRY	Northern Ireland
DESCRIPTION OF THE TERRITORIAL CONTEXT	State campaign that offers the possibility of carrying out local actions.
DESCRIPTION OF THE EXPERIENCE: GOALS, ADDRESSEES, STRATEGIES, IMPLEMENTED ACTIONS, SCHEDULE (DURATION, STAGES, ETC.)	The campaign counts with four strategic axes where different awareness actions are placed. These for axes are: **1** Respect to diversity; fight against racism and discrimination: eliminate prejudices and stereotypes; equal rights for all. **2** Spreading the news of the work and the obligations of Equality commission of Northern Ireland. **3** Spreading the profits of a diverse society. **4** Being categorical in the fight against racism: racism is illegal. In these axes there are different awareness actions included for example: • Stop thinking black or white. • Be creative, be funny. • Planning a campaign activity. • We are UNITED. • Creation of material on different groups, cultural guides, etc.
AGENTS INVOLVED IN THE DEFINITION AND DEVELOPMENT OF THE EXPERIENCE	Equality Commission of Northern Ireland, together with UNITED that involved the Naughton Gallery at Queen´s and the University of Ulster. They spread all the materials of the campaign via the main libraries and youth clubs.

METHODOLOGY USED	The join work has been the fundamental tool of this camping. Via UNITED (European Net of fight against racism and support of immigrants and refugees). They base their work on cooperation and development of join actions, sharing different activities and initiatives from mutual respect.

Source: http://www.equalityni.org

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NAME OF THE EXPERIENCE AND PLAN OR PROJECT IN WHICH IT IS INCLUDED	**Do your thing. How can the local administration improve the mutual comprehension between the different ethnical groups?**
MUNICIPALITY OR COUNTRY	Tilburg – The Netherlands
DESCRIPTION OF THE EXPERIENCE: GOALS, ADDRESSEES, STRATEGIES, IMPLEMENTED ACTIONS, SCHEDULE (DURATION, STAGES, ETC.)	The goal of the project **"Do your thing"** is promoting integration between the different ethnical groups of Tilburg. ROC Midden-Brabant organises for youth, old people, immigrants and natives a monthly event. Once a month young people present the Hall of Fame, a former factory in Tilburg. Saturday afternoons, they can show their talent in public. They choose the way to set the lights: speaking, dancing, and singing rap or sport activities. "Do your thing" shall give a positive idea for the different ethnical groups. With these means, mutual comprehension and security on the streets increases.

Every third Saturday of each month they perform a show in which teenagers from 15 to 23 years of age can present themselves. There are a total of 10 shows and each night 60 people can take part. A group of students organises the activities. This group is divided in a group of public relations, a register and a group of production.

The activity is organized into different groups. The public relations group recruits the young people through the community groups, help organizations, schools and in the streets. The needs and expectations of the participants are considered at any time.

A film producer is also involved in the project, managing the filming a series of six episodes on the participants.

"Do your thing" is a youth project and gets to a transversal section of the population of Tilburg. |
| **RESOURCES USED** | The municipality of Tilburg has given a subsidy to the project. |
| **ASSESSMENT OF RESULTS** | • The number of participants has increased from 25 to 60 per programme. |

• The results are shown in the requests of sports clubs and dance, and the organizations recruiting new members.

• A better understanding in the core group

• Recognition of the activities of life during the night. The show has meant a more positive atmosphere in bars and discotheques.

• Prejudices are progressively moving away.

Source: http://europa.eu/index_es.htm

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NAME OF THE EXPERIENCE AND PLAN OR PROJECT IN WHICH IT IS INCLUDED

"Wij Amsterdammers" ("We, the Amsterdamers") and the platform "Platform Ámsterdam Samen". ("Amsterdam All Together")

MUNICIPALITY OR COUNTRY

Amsterdam- The Netherlands.

DESCRIPTION OF THE EXPERIENCE: GOALS, ADDRESSEES, STRATEGIES, IMPLEMENTED ACTIONS, SCHEDULE (DURATION, STAGES, ETC.)

It is a project that was created at local level in the City of Amsterdam in a turbulent political moment after the murder of the politician Pim Fortuyn and of the film director Theo Van Gogh that left a lot of questions and doubts in the society about the future of their city and the multicultural living.

The project has three main goals with a series of actions and activities:
1 Creating links between the city and the people and of the different groups and collectives among them. We are trying to create a real feeling of belonging to the City of Amsterdam. The strategies being implemented are: the creation of solid social nets and the organization of different meeting points for the different human groups living in the city.

2 Strengthening Amsterdam against polar positions. We are trying to give a positive image of "the other", fight against discrimination and the feeling of discrimination suffered by the foreign population and encouraging interaction between the different religious beliefs, trying to cope with the religious conflict. The strategies defined to achieve it are: creating a public debate, encouraging and favouring the participation of all the people and developing anti-discrimination actions.

3 Fight against radical attitudes in a proactive way. It is about strengthening the Islamic community. That is why we are trying to involve the different social agents (action professionals, NGOs and religious references of the mosques). The specific measures that are proposed are supporting the Muslim association and the Mosques: make Islam visible and encourage speech. Second, to fight against the religious radical positions, making the difference with the Islamic orthodox practices.

AGENTS INVOLVED IN THE DEFINITION AND DEVELOPMENT OF THE EXPERIENCE

A Special Unit that will treat the Islamic radicalism and the extreme right radicalism problem: one of the aims is making differences between radical positions and the Islamic religious practices and between the radicalism of the extreme right thinking and the political practice and ideology of the right wing parties. This is the reason why this unit has experts on Islamic religion and experts on radicalism to be able to create a context and a debate that helps spreading the difference above mentioned.

In the case of the Islamic Radicalism there are two main blocks of tasks/goals: contacting with the imams and key leaders of the Muslim collective (both social and religious) and work together in the difference between Islam radicals and practising people to cope with the prevention of the so called "social culture medium for radicalism" and to work with these young radicals, whether with police of judicial means or with a plan of rehabilitation when putting them in contact with moderate Muslim religious leaders who have a good religious credibility.

The contact and coordination with the mosques and the Muslim association is one of the success guarantees of this working process.

In the case of extreme right radicalism, the plan is similar: the goal is fighting and ending with discrimination and intolerance and finally ending with the violent and negative behaviour of these groups against foreign people in general and Muslims in particular. To achieve it, we are working with formal and informal nets and cases of extreme radicalism are detected.

TRANSVERSAL CHARACTER OF THE EXPERIENCE

The Special Unit has multiple disciplines because it groups police, expert in Middle East religions and radicalism in general (religious or not), social workers, sociologists, etc.

METHODOLOGY USED

The strategy is based on the principle of dialogue and it is built using debates.

http://www.amsterdam.nl/wijamsterdammers

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NAME OF THE EXPERIENCE AND PLAN OR PROJECT IN WHICH IT IS INCLUDED	**Equality and Diversity Forum-EDF**
MUNICIPALITY OR COUNTRY	United Kingdom
FOSTERING BODY	A net of bodies that work in the field of equal opportunities, social justice, inter-communitarian relations, respect to Human Rights, fight against discrimination because of age, handicap, sex, sexual option, ethnical or racial origin, religion or belief.

Members: Advice UK ; Age Concern England ; Board of Deputies of British Jews ; British Humanist Association ; British Institute of Human Rights ; Children's Rights Alliance for England; Citizens Advice ; Discrimination Law Association ; End Violence Against Women Campaign ; Equality Challenge Unit ; Fawcett Society ; Forum Against Islam phobia and Racism ; Help the Aged ; Institute for Public Policy Research ; JUSTICE; Law Centres Federation; Liberty ; Mind ; National AIDS Trust ; Policy Research Institute on Ageing and Ethnicity ; Press for Change ; Race On The Agenda (ROTA) ; RADAR ; Refugee Council; RNIB ; RNID ; Runnymede Trust ; Approach ; Stonewall ; The Age and Employment Network; Trades Union Congress ; UKREN ; UNISON ; Unite the Union (Amicus section) ; Women's Budget Group ; Women's National Commission ; Women's Resource Centre.

Observers: 11 Million (Children's Commissioner for England); 1990 Trust ; Acas; British Council ; Business in the Community; Carers UK ; Centre for Inclusion and Diversity, University of Bradford; Churches Together in Britain and Ireland ; Communities and Local Government ; Confederation of British Industry ; Department for Business, Enterprise and Regulatory Reform ; Department for Work and Pensions; Department of Health; Employers Forum on Age ; Employers Forum on Belief ; Employers' Forum on Disability; Equal Rights Trust ; Equality and Human Rights Commission ; Equality North East ; Equality South West; The European Union Agency for Fundamental Rights (FRA); Friends, Families and Travellers; Government Equalities Office; GrandParents Plus; Improvement and Development Agency (IDeA); InterFaith Network UK ; Joint Committee on Human Rights; Local Government Association ; Men's Health Forum; Ministry of Justice ; Muslim Council of Britain; National Council for Voluntary Organisations ; Odysseus Trust ; Office for Disability Issues ; Oxfam ; Religion and Belief Consultative Group; Scottish Council for Voluntary Organisations ; Wales Council for Voluntary Action.

DESCRIPTION OF THE EXPERIENCE: GOALS, ADDRESSEES, STRATEGIES, IMPLEMENTED ACTIONS, SCHEDULE (DURATION, STAGES, ETC.)	The goals are: • Promoting equality and fight against discrimination because of reasons of age, handicap, sex, sexual option, ethnical or racial origin, religion or belief or by any combination of them. • Promoting Human Rights. • Promoting volunteering for the efficiency and effectiveness of the society in matters of equality, fight against discrimination and promotion of the Human Rights. • Advancing in the solving of conflicts and reconciliation in equality matters. The main actions of the Equality and Diversity Forum are: • Sharing information, experiences and practices on the subjects given by the members of the Forum. • Favouring an area for dialogue and networking. • Strengthening the third sector, with the exchange of experiences and networking. • Doing researches and seminaries on the said subjects. • Celebrating regular meetings to favour communication, the exchange of good practices and the development of public policies on equality and human rights.
AGENTS INVOLVED IN THE DEFINITION AND DEVELOPMENT OF THE EXPERIENCE	EDF and all of its members. Coordination has been started with the different Public Administrations involved in the promotion of equality, human rights and fight against discrimination.
RESOURCES USED	PROGRESS European Financing
METHODOLOGY USED	It is a Forum based on dialogue, respect and the participation of all of its members and collaborators. Networking with the purpose of exchanging information, experiences and good practices. They edit the magazine: *Equal Opportunities Review, and Mature Times.*

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FORM TO PROCESS THE PRACTICES AND EXPERIENCES TO HIGHLIGHT

NAME OF THE EXPERIENCE AND PLAN OR PROJECT IN WHICH IT IS INCLUDED	**Everyone is equal**
MUNICIPALITY OR COUNTRY	United Kingdom
DESCRIPTION OF THE EXPERIENCE: GOALS, ADDRESSEES, STRATEGIES, IMPLEMENTED ACTIONS, SCHEDULE (DURATION, STAGES, ETC.)	It is a European Progress initiative which goal is fighting against discrimination from the information and knowledge of the rights and obligations included in the anti-discriminatory legislation in force. The activities have taken place in different places of the United Kingdom. The activities have been developed taking into account the relevant and significant aspects of diversity of each context. Some examples of the actions that have been developed in this programme were:

- *BEMIS and STUC* (Ethnic Minorities Law Centre)

- *Festival de Edimburgo / Edinburgh Festival* (Ethnic Minorities Law Centre)

- TUC Día de Rally en Mayo / *TUC May Day Rally* (Chesterfield Law Centre)

- *Festival de Sordos / Deaf Festival* (Chesterfield Law Centre)

- 3D Comida de Igualdad y Diversidad / *3D Equality and Diversity launch* (Chesterfield Law Centre)

- T en el Parque / *T in the Park* (Ethnic Minorities Law Centre)

- Carnaval de Mitcham / *Mitcham Carnival* (South West London Law Centres)

- Día de la Ciudadanía en Croydon / *People's Day in Croydon* (South West London Law Centres)

- *Glasgow MELA* (Ethnic Minorities Law Centre)

- Orgullo de Nottingham / *Nottingham Pride* (Chesterfield Law Centre)

- Encuentro de Conexiones y Capacidades / *Connexions Event Skills Festival* (Chesterfield Law Centre).

AGENTS INVOLVED IN THE DEFINITION AND DEVELOPMENT OF THE EXPERIENCE	Law Center Federation (LCF) coordinates the project working in collaboration with local and regional agencies: • Carlisle Law Centre - covering the North West of England, especially Cumbria • Ethnic Minorities Law Centre - Scotland • Newport Citizens Advice Bureau - Wales • Southampton Advice and Representation Centre - South West of England • Kirklees Law Centre - Yorkshire and Humberside • Chesterfield Law Centre - Midlands • South West London Law Centres - London • Alnwick Citizens Advice Bureau - North East of England
RESOURCES USED	PROGRESS European Financing
METHODOLOGY USED	The project has use different material like posters, post cards, banners, stands, information leaflets, etc. to fight against discrimination and informing on legal matters on this subject.

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FORM TO PROCESS THE PRACTICES AND EXPERIENCES TO HIGHLIGHT

NAME OF THE EXPERIENCE AND PLAN OR PROJECT IN WHICH IT IS INCLUDED	**"ONE-STOP-SHOP: A New Answer for Immigrant Integration"**
MUNICIPALITY OR COUNTRY	Portugal
DESCRIPTION OF THE EXPERIENCE: GOALS, ADDRESSEES, STRATEGIES, IMPLEMENTED ACTIONS, SCHEDULE (DURATION, STAGES, ETC.)	State Project. Two centres in the cities of Lisbon and Porto having the higher concentration of immigrant population, a delegation in Faro (Algarve), where the presence of immigrants is also important and a net of 83 Local Centres of support to integration of immigrants in the national territory.
FOSTERING BODY	High Commission for Immigration and Intercultural Dialogue, ACIDI, I.P. – State body for the integration of Immigrants.
DESCRIPTION OF THE EXPERIENCE: GOALS, ADDRESSEES, STRATEGIES, IMPLEMENTED ACTIONS, SCHEDULE (DURATION, STAGES, ETC.)	In the year 2004, Portugal developed a strategy via an innovative project (One-Stop-Shop) under the official name of National Support Centres for Immigrants. Two resources centres for immigrants were created in which a building grouped all the services related to immigrants. In coordination with five government Ministries, they offer specific support and attention of regular situations, residence permissions, family re-grouping, job applications, classes of Portuguese for foreigners, cultural mediation services, etc.

The underlying strategy under One-Stop-Shop is that of offering a global answer to the user, based in a system that manages the data of the target public, centralising the digitalization of data and documents and the communication among different government departments. These centres also provide help with the presence of cultural mediators of the different communities of immigrants that help giving a transparent, respect and dignity look in the contact with the Portuguese public administration. |

AGENTS INVOLVED IN THE DEFINITION AND DEVELOPMENT OF THE EXPERIENCE

It is part of a European project financed by the European Commission (General Direction of Justice, Freedom and Security), and promoted and coordinated by the High Commissioner for Immigration and Intercultural Dialogue, (ACIDI, I.P.). They have also worked and have taken into account the philosophy of a shared responsibility, with a wide range of social actors related to integration of immigrants, political decision makers, government agents at local, regional and state level, suppliers of services, academic researchers, immigrant associations, etc.

RESOURCES USED

In Portugal, the launching of these National Support Centres for Immigrants represented in 2004 the use of 1.4 million of Euros paid by the High Commissioner for Immigration and Ethnical Minorities. In 2007, most of the budget of ACIDI, I.P., 5.51 millions of Euros, was financed by the Ministry of Work and Social Solidarity of the Portuguese State.

METHODOLOGY USED

The shared information system (IT) in these national centres to support immigrants was a clearly innovative aspect that allowed the ACIDI, I.P., to win the price of Good Practices of the Public Portuguese Sector in 2004/2005. Sharing and having digital information on each immigrant person the processes of assistance are easier especially in those proceedings related to the achievement of registered documentation, renewal of the permissions of stay, work and residence. In parallel, a telephone hotline SOS Immigrant lets each user to use a telephone to get information on his/her process.

Mention of the OIM, World Immigrant Organization recommending the development of an international net to assess the model of the One-Stop-Shops as a model for integration and to examine the feasibility of launching it in other Member States of the European Union.

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FICHA DE SISTEMATIZACION
DE PRACTICAS Y EXPERIENCIAS A DESTACAR

NAME OF THE EXPERIENCE AND PLAN OR PROJECT IN WHICH IT IS INCLUDED	**Diversity policy of the City Council of Amsterdam**
MUNICIPALITY OR COUNTRY	Amsterdam. The Netherlands
FOSTERING BODY	City Council of Amsterdam
DESCRIPTION OF THE EXPERIENCE: GOALS, ADDRESSEES, STRATEGIES, IMPLEMENTED ACTIONS, SCHEDULE (DURATION, STAGES, ETC.)	Developing a policy of diversity and integration directed to especially vulnerable groups (women, immigrants, handicapped people, homosexuals and natives under risk of exclusion) with the goal of promoting actions of positive discrimination for the working incorporation of these vulnerable groups in the City Council of Amsterdam. the City Council of Amsterdam has to be the mirror of the diversity existing in the municipality but the truth is that these vulnerable groups are not present enough in the different municipal services. The Social Development Service (DMO) has carried out an analysis of the presence of these groups (number of employees, training level, payment levels, etc.) based on which they have developed measures and actions for all the selection and recruitment processes of municipal personnel.
AGENTS INVOLVED IN THE DEFINITION AND DEVELOPMENT OF THE EXPERIENCE	City Council of Amsterdam.
TRANSVERSAL CHARACTER OF THE EXPERIENCE	The Social Development Service (DMO) is an integral policy in the City Council of Amsterdam so it affects all of its areas.
METHODOLOGY USED	It departs from an analysis allowing them to know the reality when launching different specific training programmes, of awareness of the municipal personnel and of motivation techniques at Human Resources.
ASSESSMENT OF RESULTS	In six months the immigrant people hired by the City Council of Amsterdam has increased from 19.7% to 22.5%.

ANNEX 1
GLOSSARY OF TERMS

The purpose of the annex is offering a definition of the key terms for the Methodological Guide and, at the same time, inviting all the people using this Guide and that want to go deeper on each of the concepts used.

To deal with the definition of the selected concepts it has been taken into account a series of support material (works of reference, links to interesting websites, etc.); all of it has been grouped in the Bibliography included at the end of this annex.

After the review of the awareness material created by the public institutions and social organization, we suggest 54 concepts in Spanish alphabetical order. At the end of the glossary we present the bibliography used for the creation of the same.

ACCULTURATION

Process of apprehension of a specific culture by another. Acculturation makes reference to the cultural change resulting of the direct contacts and interactions among groups initially autonomous. It is a process that may affect to all the groups in contact although it is more frequent that the minority group assume the identity traces of the reception group.

We can talk about a psychological acculturation, if we make reference to the individual changes, or group acculturation if we take into account the modifications in areas such as politics, economy, demography, etc.

ANTI-SEMITISM

Hostile actions or attitudes towards the Jew community. This prejudice breeds a kind of intolerance that has lead not only to the discrimination against these people but also to the persecution of this group. Anti-Semitism, both in the religious branch and in the lay, is a "sui generis" nature phenomenon that covers an exceptional combination of ethnical, religious, cultural, economic and political reasons that adopts different shapes.

ATTITUDES

Assessment trends that mean predisposition to answer in a certain way with favourable and unfavourable reactions towards a subject. They include the opinions of beliefs, the feelings and behaviours, factors that are also related between them.

- *Cognitive component:* is the group of data and information the person has on the object on which the decision is based. Its detailed knowledge of the object favours the association to the object.

- *Affective components:* they are the feelings such object causes on the person.

- *Behaviour component:* they are the intentions, dispositions or trends towards and object, it is when the real association between object and person is created.

Racism as attitude would consist of:

- Cognitive component: stereotypes

- Affective component: prejudices

- Behaviour component: discrimination.

AWARENESS RAISING

It is the group of actions that try to have an influence on the ideas, perceptions, stereotypes and concepts of people and groups to cause a change of attitude in our social, individual and collective practices.
It is the result of the influence of one person over another to cause changes of attitude by the provision of information and participation.

CENSUS-TAKING

It is the registration in the municipal census of habitants, this is, the administrative register where the neighbours of a municipality are included, stating the residential evidence and main address of the said. The certifications issued in reference to the data shall have the condition of public and accurate document to all the administrative effects.

CITIZENSHIP

It is the ownership of rights and obligations of the people as they are members belonging to a political community represented by a State that guarantees those rights and recognises that belonging.

Residential citizenship.
It is a civil movement, in the field of new citizenship that promotes the idea that people, independently of their nationality, have to be considered as citizens from their link and daily life in their place of residence.
Political citizenship.
It is the ownership of rights and obligations of the people as they are members belonging to a political community represented by a State that guarantees those rights and recognises that belonging.
Social citizenship.
They are the rights, responsibilities, practices, belonging and feelings that do not make a necessary reference to the national judicial statute and that are mainly stated not in the large areas of the country or nation but in the cities and villages, the neighbour communities and in the civil society in general.

CIVIL SOCIETY

It is the group of volunteering and social institutions and organizations that act as mediators between the individuals and the State[26]. It is thus, the group of organised social movements as such to act in the public field searching for their common good without looking for other kinds of purposes or interests such as enrichment or political power.

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[26] Tocqueville (s/f)

CO-EXISTENCE[27]

It is the situation of respect to the differences in which people or groups are not related in an active way and that live separately. It is, thus, a mutual passive respect, laisser faire, with small interest by the other group. We know that the other party is different and it is understood that they live in a different socio-cultural world which exist while it does not bother the other party. It should not be mistaken for *"living"*.

"In co-existence people do not relate in an active way and they live apart. The relationship between the individuals is respectful, but it is a passive respect, laisser faire, with little interest for the other party. We know that the other party is different and it is understood that they live in a different socio-cultural world which exist while it does not bother the other party".

COMMUNITY

It is the group of people that live in the same territory with some links and interests in common[28].

CULTURAL ASSIMILATION

Uniform policy that proposes, and at the same time supposes, that the minority cultural groups are going to adopt the identity signs (idiosyncratic, language, values, traditions, behaviours, rules code, etc.) of the majority community and abandoning its own codes for a better living. It is, thus, an strategy of acculturation that looks for social uniformity.

It is a model that puts a stress on the relationship between the person and the state, rejecting the value of the minority communities. Reaching the citizenship requires the adaptation to the environment and, once the process is over- that can affect several generations- there are not visible differences between the native population and not native.

When this process is obliged to solve situation of rejection, racism and/or xenophobia we talk about acculturation.

CULTURAL DIVERSITY

It is a manifestation of the multiple differences lived in the social reality. This includes, at lese, the economic, political-judicial, gender, ideological-cultural and ethnical dimensions. The inscription of these facts of all the citizens gives place to identity groups.

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[27] Idem 5

[28] Zucconi, A. (s/f).

CULTURAL ETHNOCENTRISM[29]

It is the situation in which the group is the centre of everything and the rest is considered and classified according to its relation with the group.

Ethnocentrism also means prejudice and lack of trust to other cultures, promoted by the lack of knowledge and the lack of capacity to admit that cultural differences do not imply being less than the other group.

CULTURAL PLURALISM

In practice, cultural pluralism makes reference to the presence or simultaneous presence of populations with different cultures in a certain field or territorial and social area whether under a situation of co-existence or of living together.

From a ruling approach, cultural pluralism implies a positive conception of the cultural diversity and a proposal on the legislation, institutional, etc way in which it should be treated in practice. Such proposal relieves that all the cultural, ethnical, religious and linguistic expressions are called to be present in the socio-political community to be developed without repression, freely.

CULTURE

It is the group of behaviour, beliefs, attitudes, values and ideas that are shared by the members of a group and that are inherited by the following generations through learning.

DEMOCRATIC VALUES

These are the essential elements, pillars of the representative democracy. They include respect to human rights and to the fundamental liberties; the exercise of power linked to the rule of law; the plural regimen of the political parties and the separation and independence of the public powers; the transparency and responsibilities of the governments in public managements, the respect for social rights, freedom of expression and citizen participation.

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[29] Mitchell, D. (1983).

DIRECT AND INDIRECT DISCRIMINATION

Direct discrimination[30]*:* those situations in which the person "is, has been or could be treated in a less favourable way that another in an analogue situation".

Indirect discrimination: an "apparently neutral disposition, criteria or practice that may cause a disadvantage" in the case that that disposition, criteria or practice can be justified by a legitimate purpose.

DISCRIMINATION

Distinction, exclusion, restriction or preference based on ethnical, social, cultural, religious, sexual orientation, etc. criteria that has the goal or result annulling or reducing the recognition, enjoyment or exercise, under conditions of equality, of the human rights and freedoms in the areas of politics, economy, social, cultural or in other field of the public life.

EQUAL OPPORTUNITIES

It is the lack of discriminatory conditions of any kind (sex, socio-economic status, culture, religion, political opinion, etc.) that limits the participation of that person in different fields (economic, political, social, etc.).

EQUAL TREATMENT

It is the lack of discriminatory conditions of any (sex, socio-economic status, culture, religion, political opinion, etc.) that leads to treat in a different way or damaging treatment to certain people.

The principle of equality of treatment answers to two flows: formal equality and substantial or material equality that, starting from real differences existing in the groups that are unequally treated, which legitimates the introduction of inequalities to re-establish the socially ignored equality[31].

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[30] Guideline 76/207/EEC art 2.1; modified by Guideline 2002/73/EC

[31] Taken from the Glossary of Terms of Integration of Immigrants. General Direction of Immigration and volunteering

EQUALITY OF RIGHT

It is the formal equality in front of the Law. Equality is made by legislative measures.

ETHNIC GROUP

It is the fact of belonging of an individual to a group or to a community that shares a language, symbolic identity, ideology, culture and in some cases some physical characteristics that make them different to the other groups or communities[32].

ETHNICAL AND CULTURAL MINORITIES.

They are specific population groups in the core of a society, which are charectericed because they have distinction elements from the cultural, social or ethnical point of view and which members have the concience of existing as a different entity.

An ethnic group lives in a position of subordination and social marginality. The minority is defined not because of the number of members but for the condition of inferiority in the group. The minority status implies the exclusion of participation in social life.

FOREIGNER

It is a person coming from a nation in relation to the natives of the other taken as reference.

FUNDAMENTAL RIGHTS, DIGNITY, DIFFERENCE

"The Fundamental Rights are Human Rights legally recognised and judicially protected, that is to say, *Rights that become part of the positive Law (*the Law) *in a specific judicial order* (for example, in a State). Given that the recognition and protection of the Rights is an open and unequal process relative to its reach (not all the States recognise them in a similar way), here we make reference to the Human Rights as international frame of the Fundamental Rights, and so Human Rights can be defined as *moral aims that express basic values.*

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[32] Taken from the Glossary of Terms of Integration of Immigrants. General Direction of Immigration and volunteering.

As underlined in the annex of the Judicial Frame there are two fundamental articles that frame our judicial order. One of them is article 10 of the Spanish Constitution that consecrates "the dignity of the person, the incorruptible rights that are inherent, the free growth of the personality, the respect to the law and to the rights of the others which are the base of the political order and social peace". In this sense, we will use **the term of dignity**, in this Methodological Guide.

On the other side, *article 14* guarantees in our judicial order the ***principle of equality and non discrimination*** of people underlining that "Spanish people are equal in front of the law and any discrimination could prevail because of birth, racial origin, sex, religion, opinion or any other condition or personal or social circumstance". Thus, there is a ***right to difference*** (because of origin, belief, sexual option or any other circumstance) always based on this principle of equality and non discrimination.

GENDER PERSPECTIVE

One of the essential characteristics of the contemporaneous immigration is its feminine increase. It is necessary to understand the needs of migrant women and of some ethnical minorities and the specific requirements that have to be promoted from the public policies to create a more equal participation of women in our society.

These public policies, based on the principle of equality between men and women, the incorporation of the gender strategy and non discrimination by reason of sex, has its origin in areas both of international and of European character and have been incorporated little by little in our country.

The gender strategy has to be taken into account with transversal character in the entire Awareness plan and in each of the different axes included in it, recognising and considering the differences between the life conditions, social, economic and cultural situations of men and women in separate. Likewise, specific measures of actions directed to immigrant women who belong to ethnical minorities have to be included and they have to be directed to correcting the situation of inequality and discrimination that have their origin in social, economic and cultural practices based on gender and origin stereotypes.

GOVERNANCE

The incorporation to the management of the public powers to the processes of decision making of principles like opening, participation and responsibility, without forgetting others already included to the principles of good government life efficiency and coherence. With governance we look, as seen in the Commission, "opening the process of political decision to provide it with higher level of integration and responsibility" this is, opening the government structures to the participation of the civil society making more democratic the management of public affairs.[33]

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[33] White book of the European Commission: *The European Governance.*

HUMAN RIGHTS[34]

The General Assembly of the United Nations proclaims the Universal Declaration of Human Rights like common ideal by which all the peoples and nations have to make an effort with the aim that both individuals and institutions, always inspired on them, promote by teaching an education the respect to these rights and freedoms and to guarantee with progressive measures of national and international character their universal and effective recognition and application, both between the people of the member states as between the territories under their jurisdiction. The Universal Declaration has thirty articles of which the first two are summarisedes:

Article 1.
All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

Article 2.
Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

IDENTITY

The term *identity* has different meanings and uses in social sciences. We make reference to the *collective identity* as those qualities shared by a group, by which people can associate or that are associated by other based on common characteristics.

On the other side *social identity*[35] makes reference to that part of the concept of an individual that is derived from the knowledge of its belonging to a social group or groups together with the assessment and emotional meaning attached to this belonging."

INTEGRATION

It is a double direction process of mutual adaptation which results is a coherent social whole with higher value adding all of its parts. It implies the interaction and exchange of positions of equality. It is pluralism characterised by the existence of equal social, education, economic, etc. opportunities and in which the present interculturality is included.

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[34] http://www.un.org/es/documents/udhr/

[35] Tajfel (1981)

Social, cultural and working integration will allow the insertion in the host society and the contribution to the society with which the concept of citizenship will be shared.

As *"double direction process, of mutual adaptation"* that requires the active participation of all the citizens, immigrants and native, as well as of the institutions of the host country and that looks for the consecution of an inclusive society that guarantees full economic, social, cultural and political participation of the immigrants under conditions of equal treatment and opportunities.[36]

It has to be *shared* and, thus, it shall imply all the public administrations, the social actors (trust unions, company organizations, NGOs, immigrant associations, etc) and the host society as a whole.

INTERCULTURALITY

It is a practice that generates positive relationships between people or groups with different cultures emphasising in equality, the right to be different and living together.

It is based on taking advantage of diversity to establish a permanent dialogue between the different cultures so, respecting the differences, building a fair and satisfactory living together, richer and with wider perspectives that becomes the synthesis of the different elements of all of them. Interculturality shares with multiculturalism the principles of equality and difference but it does not put a stress in the positive interaction between cultures. It underlines the convergent factors between cultures to link them. Thus, it pays attention to mutual learning, exchange and cooperation instead of putting it on culture and history. In includes the pacific management of conflicts between cultures.

Interculturality is a way inside cultural pluralism. The concept between the real and the proposals can be unfolded[37]:
In the fact sense: *interculturality* or even better of the intercultural, inter-ethnical, inter-religious or inter-linguistic relations. Emphasis is in the relation between the groups and, thus, it makes reference to living situations.
In the rules sense: Interculturalism.

INTOLERANCE

It is a way of expression or behaviour that rejects human diversity and that denigrates, violates or hurts the dignity and fundamental rights of the person and even invites him/her to deny them. It implies mental dispositions where political, economic, cultural or social attitudes or behaviours are born that damaging other people, social groups and different cultures

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[36] See Strategic Plan on Citizenship and Integration of the Ministry of Work and Immigration.

[37] Giménez Romero, C.(2003).

or that hinder human relations. When intolerance becomes a collective fact, it damages livingand, the democratic principles and is a threat for world peace. The manifestations of intolerance consecrate the value, not the person with its own and different identities, but the identity facing that of others who are not accepted and to whom rejects respect and care. It is united to manifestation of racial, national, sexual, religious hate or other attitudes that discriminate, divide, damage or that lead to it to groups, minorities or people because of the fact of being, thinking or acting in a different way.

Intolerance is a problem with ethnical, social and political dimension, created and nourished by different structural, economic, ideological and/or cultural factors.

ISLAMOPHOBIA

It is phobia to Islam, an expression of intolerance towards Muslim people. A new concept that includes the report of the United Nations on the prejudice that identifies Islam with serious threats establishing the bases for fanaticism that justifies the aggressions to Muslim because of the simple fact of being one.

LIVING TOGETHER[38]

"In living, people act actively ones with the others, they do not live separated. That interaction has reciprocity elements, mutual learning and cooperation. They share not only the area or territory but also they respect and assume the basic or main values of the community as well as the moral and judicial rules. Different interests are convergent and they create links between the people, which are more or less solid but links". In the end

MINORITY

It is a group with lower number to that of the rest of the population of a State which is not dominant, which members have ethnical, religious or linguistic characteristics that are different to those of the rest of the population and who have a sense of solidarity towards the preservation of its culture, traditions, religion and language[39].

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[38] Giménez Romero, C. (2005)

[39] Taken from the Glosarry on Immigration OIM.

MULTICULTURALITY

It is a principle that looks for respect, living together and dialogue between the different cultural groups in good fellowsip, its rights to difference and social organization, their rights are respected and they can enjoy equal opportunities and treatment.

The multicultural model puts a stress in the co-existence of different cultures, it means that integration is permanent and it strengthens the plural character of the society. This model encourages that immigrants preserve and even develop their cultural identity, although we are still working on their native culture. The principles on which it is based are the recognition of diversity and the recognition of differences. It is, thus, a model of tolerance that includes help to those who may need it (solidarity) and putting a stress in each one of the cultures.This way, the identity of each is underline one and empathises the differences as a necessary step to achieve recognition. It looks for and has meaning in co-existence. Living is supposed to mean respect for the other and its acceptance.

Multiculturality is a modus in the cultural plurality. The concept of real and proposals can be unfolded[40]:

Multiculturality:

- In the factual sense we make reference to m*ulticulturality* or even better to cultural, ethnical, linguistic, religious, etc. diversity. It had to do with situations of co-existence.

- In the ruling sense we talk about multiculturalism as praxis that starts from the active, social and institutional recognition of differences and that gives places to certain models of public policy, education system, etc.

MULTIPLE DISCRIMINATION

It takes place when a person or a group of people suffer two or more factors of discrimination. For example, a case of double discrimination is that suffered by immigrant women who suffer their condition of women and that of immigrants so discrimination doubles. A handicapped lesbian would be, then, a case of triple discrimination: woman, sexual option and handicapped.

NATIONALITY

It is the condition of a certain person because of the link or relation that unites him/her with a State, constituting the maximum judicial expression of his/her integration in the community, letting the person belong to a group, being identifies with it and being protected by the State, exercising his/her rights pursuant to the judicial rules of this state.

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[40] Giménez Romero, C.(2003).

NEW RACISM

The social rejection to racism has favoured the appearance of new racist attitudes that go beyond the sanction received by the thesis of biological racism. Different formulation support the superiority of one culture over another and the potential threat for culture and the occidental way of living from the lack of compatibility of some cultural, national, religious, ethnical or other specific incompatibilities (symbolic racism). Some of the new presentations are stating a prejudice in an indirect and symbolic way, for example, opposing to measures that favour the integration of immigrants (modern racism) but also denying segregation or excluding measures; or they look for justifications to these discriminatory behaviour (aversive racism).

In our society it would be easy to find clear examples of racism (traditional) together with other more subtle. This so called subtle racism has the characteristics of: 1) Defending the traditional values (which mean blaming the immigrants for their situation, because they do not behave in the necessary way to be successful in the society). 2) Exaggeration of the cultural differences: the situation of disadvantage in which the discriminated group is placed is not due to inferiority but to cultural differences. 3) Not showing positive feelings towards the members of the exogroups (because having negative emotional reactions to the members of the exogroups can be seen as a trace of racism and the subtle prejudice does not admit the existence of those negative feelings) but it does with the lack of positive feelings.

POSITIVE ACTION

It is a group of measures with the aim of achieving that the people from different groups that are part of the society, and that are under-used as consequence of general discriminatory behaviours, enjoy substantial equal opportunities, not only formal. The social inclusion will be the result of measures of non discrimination combined with measures of positive action[41].

PREJUDICE

It is the negative and discriminatory consideration against any element hardly known or new that normally implies and attitude. They are assessment trend directed to the social groups and its members. They are found in the affective field and, in general, the prejudices against ethnical and national groups are characteristic for being negative assessments. This includes, of course, that the individual has developed a negative affection towards the group and its members but it is also possible that the prejudice is on the beliefs of the individual towards the members of the groups and that includes the intention of behaving with rejection, hostility and avoidance.

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[41] Tomado de Cabra, (2004).

RACIAL DISCRIMINATION

It is the discriminatory or abusive behaviour to members of other racial origin. Racial discrimination "implies any distinction, exclusion, restriction or preference based on racial, colour, origin or other ethnical or national origin that has the goal or the result of annulling or reducing the recognition, enjoyment or exercise, under equal conditions, of the human rights and fundamental freedoms in the areas of politics, economy, social, cultural or in other field of the public life"[42].

RACIAL ORIGIN

In the present document we will use the term of *racial origin* instead of race, because there is only one race, Human. We have mentioned the term "*race*" only in the judicial annex when it is literally included in a Law.

In the guideline 43/CE/2000 "the European Union rejects the theories that try to establish the existence of human races. The use, in the present guideline of the term of racial origin does not imply the recognition of such theories". The use, thus, of the term "race" is incorrect and its use implies racist manifestations.

RACISM[43]

It is the group of beliefs that assert the natural superiority of a group over other both at individual and institutional level. It implies discriminatory practices that protect and maintain the position of some groups and strengthens the position of inferiority of the ethnical or national racial minorities.

Thus, it is a way of theoretical or practical discrimination against people based on their belonging to a certain racial, lineage origin or to an ethnical, national, cultural, religious, etc group, asserting that the human behaviour is marked by its innate biological characteristics.

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[42] Article 1 of the International Convention on the Elimination of all kinds of Racial Discrimination, 1965.

[43] As we have said before, the guideline 43/CE/2000 "the European Union rejects the theories that try to establish the existence of human races. The use, in the present guideline of the term racial origin does not imply the recognition of such theories". In the present document we will use the term *racial origin*.

REFUGEE

It is any person that "due to justified fear of being persecuted because of racial, religious, national origin or because of belonging to a certain social group or political option, is outside his/her national country and can not be or does not want to be protected by such country because of such fear".[44]

SEGREGATION

It is a way of discrimination consisting in keeping distance and reserved areas for the group or groups affected so its members can only leave it under more or less restrictive conditions[45]. It implies that all the groups keep their own separate idiosyncrasy and with a trend of reducing contacts among them.

The total or partial adaptation will depend on the decisions that are taken in relation to the establishment. The relations with the members of the other group and the defence of their culture as a value to keep in the new context.

SOCIAL COHESION

It is the social process that looks for the creation and development of a community with shared values and challenges and where equal treatment and opportunities are predominant, based on trust, hope and reciprocity between all the members.

SOCIAL CORPORATE RESPONSIBILITY

It is the voluntary involvement of the companies in the social and environmental reality, considering the impact they will have on its different activities and operations, stating the principles and values it has, both in its methods and processes as in its relation and cooperation with other external actors and speakers. One of the aspects it includes is the different management practices on diversity of human resources.

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[44] UNHCR, *Geneva Convention of 1951 relative to the Statute of Refugees*.

[45] Idem 2

SOCIAL DIALOGUE

It is a theoretical and practical concept that includes communication, negotiations, consultations or simple exchanges of information between different social actors on matters of common interests relative to the economic, social or cultural policies.

Another meaning of the concept of social dialogue is related to the negotiation between social speakers (trade unions and employers associations) and the Government as the way to reach to agreements on employment and labour world.

SOCIAL EXCLUSION

A process by which a person or group, because of different reason, is separated from the rest of the society or from one of the essential processes although it is still considered as part of that society but it is not growing inside the said. It implies an unequal access to the existing resources of the society.

The lack of political, economic, social and cultural participation is one of the visible symptoms of exclusion[46].

In difference with marginality that marks a deep discrimination in the integration, exclusion makes reference to a structural process of separation but also to ideological, cultural steps and social trends and, thus, it is difficult to change them at least integration programmes attacking the rules of the problem are carried out.

SOCIAL PARTICIPATION

They are those social initiatives in which people get involved, taking part and becoming part of some groups to carry out certain causes that depend of the management of social power structures.

We understand participation as a possibility to settle new social spaces like the inclusion of social actors in the social movements, in government and non government organizations, or with the presence in the public areas to claim situations or ask for changes. Participating does not only mean being present, it involves equal treatment and opportunities.

STEREOTYPE

Group of beliefs, opinions and simple ideas on some people or members of a certain group and that are defined because they give them some particular characteristics that create the model to make value judgements.

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[46] Taken from the Glossary of Terms of Integration of Immigrants. General Direction of Immigration and volunteering of the Autonomous Community of the Region of Murcia.

It can include personality traces, physical, behaviour or even roles and jobs. The generation of stereotypes answers both to the need of making reality simple, to the difficulty to create an opinion depending on experience. It lets us understand in a simple way the social atmosphere and predict events that will have to take place. Perception is one of the fundamental components of this processes as well as the creation of social categories. Thus, it is not strange that most of the stereotypes represent negative points of view that imply prejudices.

STIGMATIZATION

It is the process of social attribution that reduces the value of the identity of an individual or a group and that place him/her/them in a situation of disadvantage for his/her/their social acceptance.

STRATEGIC PLANNING

It is the process of communitarian development or social communitarian action that departs from the dynamic conception of communitarian development and, thus, that includes the participation and implication of the community as one of the key aspects.

XENOPHOBIA

It is an attitude of rejection and exclusion of all cultural identity foreign to that own. It is different from racism because it proclaims cultural segregation and accepting foreign or immigrant people merely by their socio-cultural assimilation[47].

Hate, repugnancy or hostility against foreigners. In the international field there is not an accepted definition of xenophobia although it could be described as the attitudes, prejudices or behaviours that reject, exclude and, most of the time, despise other people based in their condition of foreigner or stranger to the identity of the community, of the society or the country. There is a very close relation between racism and xenophobia; they are terms difficult to separate. Xenophobia appears as the aggravating circumstance of the crimes included in article 22.4 of the Spanish Criminal Code. On its side, article 515 of this same text considers illicit association as any of those that promote this new way of hate and violence[48].

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[47] Taken from Good Practices and Recommendation for the Fight against Racism in the Labour World, Equal

[48] Taken from the Glossary on Immigration OIM.

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ANNEX 2
JURIDICAL FRAME OF EQUAL TREATMENT AND NON DISCRIMINATION

This chapter does not pretend to be exhaustive in the treatment of the subject; it has the purpose of introducing and guiding the reader in the frame of the rules existing on the subject.

1 INTRODUCTION

In Spain, the principle of equality and non discrimination is included in the Spanish Constitution of 1978, being it asserted in different rules of the ordinary legislation and explained in the specific legislation.

In our fundamental rule it is stated that "Spanish people are equal in front of the law, and any discrimination because of birth, race, sex, religion, opinion or any other condition or personal or social circumstance can not prevail".

The juridical frame relative to discrimination because of racial or ethnical origin mainly consists on the general ruling that develops the principle of equality and non discrimination, the specific ruling that covers such discrimination and the legislation relative to immigration, where ethnical diversity has its clearest manifestation. Also, there are specific rules in the Autonomous Communities that have been developed.

2 RULING OF THE INTERNATIONAL BODIES ON EQUAL TREATMENT AND NON DISCRIMINATION

From the *Universal Declaration of Human Rights of 1948,* in which the equality of every human being and the eradication of discrimination for any reason, including the racial origin, language, religion, national or birth origin, or any other condition was established (art. 2), there have been new declarations, conventions, agreements, pacts, recommendations and dispositions of all kinds of defence of this principle of equality and non discrimination birth in the international bodies (United Nations, UNESCO, OIT, OSCE, European Council and ECRI, European Union, etc.) as in the national and in non profit organizations of different sign and nature.

The worry to eradicate all discrimination, especially those because of reasons of racism or xenophobia has become more important during the last years due to the increase of the international migration flows and to a hardening of the racist and xenophobic attitudes. Thus, the efforts of the international bodies have been doubled to improve the application of the principle of non discrimination to the ethnical, religious and cultural minorities and to immigrant people.

In Europe, the increase of immigration has made that the European Union has published different rules which goal is ruling the entry, stay and exit of non national immigrant and, also, the treatment to be given to these immigrants who should not be discriminated because of belonging to a certain ethnical group or cultural diversity.

In the *Constitution Treaty of the European Community*, which is based on the principles of freedom, democracy, respect to the human rights and fundamental liberties and in the Rule of Law that is also included in the *principle of non discrimination*. Thus, article 12 includes the prohibition of exercising any discrimination because of reasons of nationality. And in article 13, amended by the *Treaty of Amsterdam*, which complemented in the Treaty of the European Community the guarantees of non discrimination foreseen in the other Treaties, the Council is invested with the possibility of adopting the suitable actions to fight against discrimination for reasons of sex, racial or ethnical origin, religion or beliefs, handicap, age or sexual option; in relation to immigration a series of guidelines on visas, immigration and asylum relative to immigration are established with the aim of progressively establishing a *common area for freedom, security and justice.*

In virtue of this, the European Union, by its institutions has created a series of documents to solve the increasing cases of discrimination that have been taking place. There are a series of Guidelines published that cover specific matters like equal treatment to people independently of their racial or ethnical origin, especially in work and Social Security, family regrouping, the right to return and, especially, the fight

against certain ways and manifestations of racism and xenophobia, even in Criminal Law. Also, four guidelines and a financial tool to support the asylum policies have been adopted the European Fund for Refugees. Amongst the measures that were adopted we highlight the *Programme of communitarian action to fight against discrimination (2001-2006) and the Decision* of establishing the *European Year of Equal Opportunities for everyone (2007),* which one of the goals was putting a stress in the advantages of diversity. On the other side, this ruling has to be complemented with the guidelines that have been created on equal treatment between men and women in different fields, especially in the working world and in the access of goods and services and their supply, fight against trafficking with human beings, protection to childhood and of handicap people and the right to religious freedom.

On its side, the Council of the European Union in its two fundamental rules, *The European Convention for the Protection of Human Rights and of the Fundamental Freedom (1950) and the Social European Chart (1961) and its additional protocol (1988),* establish the prohibition of discrimination because of reasons of sex, racial origin, colour, language, religion, political or other opinions, national or social origin, belonging to a national minority, birth or any other situation. Parallel, the Council started publishing a series of dispositions that have covered specific matters like equal treatment for immigrant workers, the promotion of participation of foreigners in the public life, the protection of national minorities and the elimination of intolerance and racism, creating a series of specific declarations and recommendations to fight against these two causes of discrimination.

3 THE SPANISH CONSTITUTIONAL FRAME AND THE STATUTES OF AUTONOMY ON EQUAL TREATMENT AND NON DISCRIMINATION

1. SPANISH CONSTITUTION

Article 1 number 1 of the **Spanish Constitution of 1978**, declares that: "Spain is constituted in a social and democratic State that proposes as *the highest values of its judicial ordering the freedom, justice and **equality** and the political pluralism"*.

The principle of equality, thus, becomes a higher value of the Spanish judicial ordering that consecrates the Constitution and against which any rule of the rest of the ruling can not prevail, because the *third derogation disposition* establishes that "any disposition opposed to the established in this Constitution is derogated".

Together to such rule we have to underline two fundamental articles that put a frame on our judicial ordering.

On one side, *article 10* that consecrates the **dignity of the human being** as one of the fundamental values of our judicial system because it established that "1. The dignity of the person, the inviolable rights inherent, the free development of personality, the respect to the law and to the rights of other is the fundamentals of the political order and social peace[49]".

On the other, *article 14* guarantees in our judicial order the **principle of equality and non discrimination** of people stating that "Spanish people are equal before the law, and any discrimination because of birth, race, sex, religion, opinion reason or because of any other condition or personal or social circumstance can not prevail".

As a consequence of the interrelation of both rules, the same chapter establishes the public rights and freedom of people, underlining as such, the right to life and to physical and moral integrity (art. 15); the right to ideological, religious and cult freedom (art. 16); the right to freedom and security (art. 17); the right to honour, personal and family intimacy and personal image (art. 18.1); the right to the inviolability of the home (art. 18.2), and the right to free expression (art. 20). In section 2, the Spanish rights and obligations are included amongst which are mentions the right to

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[49] The second paragraph of this rule states that: "2. The rules relative to the fundamental rights and freedoms granted by the Constitution shall be construed in agreement with the Universal Declaration of Human Rights and the international treaties and agreements on the same subjects ratified by Spain".

getting married, the right to private property and heritance, the right of foundation, the right to work, the right to health protection (art. 43), the right to education and syndic union.

On the other side, *article 13* establishes that "Foreigners will enjoy in Spain the public freedoms that are guaranteed on the present chapter in the terms established by treaties and the Law".

At last, we have to remember that *article 9* of the Constitution establishes that: "1. *Citizens and public powers submit to the Constitution and to the rest of the judicial ordering*". Likewise, paragraph to of the said article declares that *"It is the obligation of the public powers to promote the conditions for freedom and equality of the individuals and of the groups that are included are real and effective; to eliminate the obstacles that hinder its completeness and to make easier the participation of all the citizens in the political, economic, cultural and social life".*

In the frame of these constitutional values and principles the entire legislation of our judicial ordering has to be developed.

2. AUTONOMIC STATUTES

In the Autonomic Statutes of the different Autonomous Communities, the treatment of the principle of equality and non discrimination and of integration of immigrant people and of those belonging to ethnical minorities is very different depending on the treatment given to them.

In the Statutes in which there has not been a substantial change, only reference is made to the promotion of the principle of equality in similar terms to those of article 9 of the Constitution. On the contrary, in those Autonomous Communities where the change has been made, special references to the subject are made.

In the Autonomy Statute of the *Valencian Community*, amended by the *LO 1/2006, of 10 April*, the principle of equal treatment and opportunities between men and women is included (art. 11), and handicap people (art. 13), amongst other groups. Likewise, in article 10 were the social rights are ruled, the rights and social attention to immigrants living in the Valencian Community are recognised.

The Statute of Autonomy of *Catalonia*, amended by *LO 6/2006, of 19 July*, establishes that we have to promote the exercise of the rights and public liberties recognised by the Statute and in the other legal texts and the conditions for freedom and equality between the individuals and the groups are real and effective (art. 4), also in the socio-economic scope (art. 45). In Heading I, Chapter I the ruling on the rights and obligation of the civil and social field is explained, stating that everyone has right to living with dignity, security and autonomy, free of exploitation, battering and any other kind of discrimination and has the right to the free development of his/her personality and social capacity (art. 15); now we are listing the right of people, especially making reference to minors, to old people, women and their right to equal treatment (art. 19), and in Chapter V, the protection and promotion of social integration under equal conditions, of handicapped people and old people amongst other groups (art. 40, 5 y 6) and women (art. 41). In article 40, 8 the "Public powers have to promote equality of all the people independently of their origin, nationality, sex, race, religion, social condition or sexual option are promoted, as well as promoting the eradication of racism, anti-Semitism, xenophobia, homophobia and any other expression that attacks equality or the dignity of people". In relation to immigrants, article 42, 6, establishes that: "The public powers have to take the necessary measures to establish a regimen to welcome the immigrant people and have to promote the policies that guarantee the recognition and the effectiveness of rights and obligations of immigrant people, equal opportunities, grants and help that allow their complete social and economic accommodation and their participation in public affairs".

The Statute of Autonomy of the *Balearic Islands*, amended by *LO 1/2007, of 28 February*, one of the principles established as one of the principles for self-gover-

nance of such community the principle of equality (art. 12, 1), stating that citizens have to take part in the public affairs under equal conditions (art. 15, 2). In article 16, 3, relative to the social rights, it is stated that the action of the Public Administration will be focused in the protection of different groups (family, minors, youth), it establishes the principle of equal treatment and opportunities for handicap people (also in art. 19) an equality between men and women (also art. 17, 2), and the rights and social attention to immigrants.

The Statute of Autonomy of *Andalusia*, amended by *LO 2/2007, of 19 March*, is the most explicit of all because it includes and rules the principle of equal treatment and non discrimination and the integration of immigrants and ethnical minorities. Thus, the Statute declares as higher values the freedom, justice, equality and political pluralism for all the citizens of Andalusia in the frame of equality and solidarity with the other Autonomous Communities of Spain (art. 1, 2), stating that it will promote the conditions so equality and freedom of the individual and of the groups of which he/she is part to be real and effective (amongst them, equality between men and women), adopting all the necessary positive action measures that are necessary (art. 10, 1).

Any discrimination in the exercise of the rights, compliance with the obligations and the provision of the services is forbidden, especially that exercised by reason of sex, ethical or social origin, language, culture, religion, ideology, genetics, birth, patrimony, handicap, age, sexual option or any other personal or social condition or circumstance. The prohibition of discrimination will not avoid positive actions in the benefit of less favoured sectors, groups or people (art. 14) establishing the suitable mechanisms inside the constitutional frame to promote the participation of foreign citizens living in Andalusia, guaranteeing the full respect to minorities that are living in the territory, social, economic, working and cultural integration of the immigrants in Andalusia and the promotion of the necessary conditions for the full integration of these minorities and, especially, of the gipsy community for their total social incorporation (arts. 5, 9 and 10, 3, 17 ° and 21º). Likewise, it constitutes as ruling principles the fight against sexist action, xenophobia, homophobia and war trends, especially by the education under values that foster equality, tolerance, freedom and solidarity, the labour, working, economic, social and cultural integration of immigrants, the free access to all the people to culture and the respect to cultural diversity (art. 37, 2º, 9º and 17º). Article 62 makes specific reference to immigration stating that it belong to the Autonomous Communities the policies of integration and social, economic and cultural participation of the immigrants, in the frame of its obligations, and the executive obligation on the authorisation of work of foreigners whose labour actions take place in Andalusia, in necessary coordination with the state competences on entry and residence and in agreement with the established by the legislation of the State.

The Statute of Autonomy of *Aragon*, amended by *LO 5/2007, of 20 April*, rules the rights and ruling principle governing such Community, stating that all the people

have the right to living with dignity, security and autonomy, free of exploitation, battering and of any kind of discrimination and they have right to the free development of their personality and personal capacity (art. 12), listing the rights recognised to them. Amongst the ruling principles, it is an obligation of the public powers the promotion of the conditions of equality of the citizens, of equality between men an women, of equality of equal treatment and opportunities of the handicap people, of equality in employment and work and, at last, the promotion of the necessary policies for the socio-economic integration of immigrant, the effectiveness of their rights and obligation, their integration in the education world and their participation in the public life (arts. 20 to 29).

At last, the Statute of Autonomy of *Castilla y León*, amended by *LO 14/2007, of 30 November*, establishes the promotion of freedom and equality of the individuals, equality of women, the promotion of equal treatment and opportunities of handicap people and the non discrimination for reasons of gender (arts. 8.3, 11.3, 13.8, 14 and 70, 10º and 11º). The ruling principles are "The promotion of the peace culture, tolerance, respect and democratic civil living, rejecting any attitude that promotes violence, hate, discrimination or intolerance or that, in any other way, attacks the equality or the dignity of people" (art. 16, 25). At last, it makes clear reference to the rights of foreigners in article 10 that states: "1. In the frame of the Constitution and of the applicable state legislation, the rights that the present Statute recognises to the citizens of Castilla y León shall extend to all the foreigners with administrative address in the Community in the terms established by the laws that develop them.- 2. The public powers of the Community shall promote the social, economic, working and cultural integration of the immigrants in the society of Castilla y León" (seen also in art. 76, 2º).

4 SPECIFIC LEGISLATION ON EQUAL TREATMENT AND NON DISCRIMINATION IN SPAIN

Spain has given several rules in relation to the principle of equal treatment and non discrimination, both in the national and autonomic approach. As we have seen before, the goal of this Guide is focused on discrimination because of racial and ethnical origin; however, we will give the most important rules relative to the principle of equal treatment and non discrimination for other reasons.

Amongst them, we have to highlight those relative to equal treatment between men and women. Thus, the *Law 11/1990, of 15 October, on the modification of the Civil Code, in application of the principle of non discrimination for reasons of sex,* that eliminated in the civil field the last traces of discrimination for reasons of sex that were still alive after the publication of the Constitution of 1978, and the *Organic Law 3/2007, of 22 March, for effective equality between men and women,* which constitutes the frame of development of the principle of equal treatment, includes substantial legislative modification to advance in the real equality between men and women and in the full exercise of the rights and that implements transversal measures that put a stress in all the orders of the political, judicial and social life with the aim of eradicating discriminations against women.

On the other side, other rules related to people with handicap has been given. So, the *Law 51/2003, of 2 December, of equal opportunities, non discrimination and universal access of the people with handicap was given*.

The *Law 62/2003, of 30 December, of fiscal, administrative and of social measures*, is especially important because it gives two Guidelines on equality and non discrimination: first the *Guideline 2000/43/CE of the Council, of 29 June 2000, relative to the application of the principle of equal treatment to people independently of their racial or ethnical origin,* which covers such principle in different areas; and in second place the *Guideline 2000/78/CE of the Council of 27 November 2000, relative to the establishment of a general frame of equal treatment in employment and occupation,* which tries to fight against the discriminations based on religion and beliefs, handicaps, age and sexual option. Also, this Law establishes a general legal frame to fight against discrimination because of racial or ethnical origin of people in all the fields, and it covers the legal definition of discrimination, direct and indirect, and the ruling of equal treatment and non discrimination at work becomes more modern.

In specific fields we have to highlight the *Law 19/2007, of 11 July against violence, racism, xenophobia and intolerance in sports*.

About the gipsy ethnical group, very present in Spain, we have to underline the ***Royal Decree 891/2005, of 22 July, by which a State Council of the Roma People is created and ruled*** and the ***Decree 102/2005, of 31 May, of creation of the Inter-department Commission of the integral Plan of the roma people and the Advising Council of the Roma People***[50]***.***

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[50] We have to underline that similar Council have been created in the Autonomous Communities of the Basque Country, Madrid and Andalusia.

5 THE PRINCIPLE OF EQUALITY AND NON DISCRIMINATION IN THE ORDINARY LEGISLATION

In ordinary legislation there are several basic text ruling the rights of the Spanish citizens in the different fields where their daily life takes place and where reference is also made to the rights of foreigners and of the ethnical minorities, also of the specific ruling on their judicial situation that rules our country.

In first place, reference is going to be made to that specific and relative to foreigners, and in second place to the quotes in different rules of ordinary character.

1. LEGISLATION ON THE RIGHTS OF FOREIGNERS IN SPAIN

The legislation that currently rules the situation of foreign people in Spain is the ***Organic Law 4/2000, of 11 January, on the rights and freedom of foreigners in Spain and their social integration***, which has lately been modified by the Organic Law 8/2000, of 22 December, by the Organic Law 11/2003, of 29 September and the Organic Law 14/2003, of 20 November, which ***Ruling*** is established by the ***Royal Decree 2393/2004, of 30 December***[51].

The Chapter I of such Law the rights and obligations of foreigners is established and *article 3* of such rules underlines that, with general character:

"1. Foreigners will enjoy in Spain the rights and obligations included in Chapter I of the Constitution in the terms established in the International Treaties, in this Law and in those ruling the exercise of each of them. As general interpretation criteria, it will be understood that foreigners will exercise the rights that are recognised to them in this Law in conditions of equality to Spanish people.

2. The rules relative to the fundamental rights of foreigner will be construed in agreement with the Universal Declaration of Human Rights and with the International Treaties and Agreements on the same matters in force in Spain, and the religious beliefs or ideological or cultural convictions of different sign can not be given to justify making discriminatory acts or having behaviours against the same"[52].

In the said laws these right are specified[53]. We have to underline that amongst these rights also the *principle of non discrimination of foreigners* is also established (in chapter IV of such Heading: "Of the anti-discriminatory measures")[54],

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[51] On 1 July 2009 a Law Project has been presented in the Congress sent by the Council of Ministries to Reform the Organic Law on Foreigners (published in the Official Gazette of the General Courts) which as of the date of edit of this Guide is under stage of ammendments and debate.

[52] As remarked, in this article 3 there is a constitutional mandate included in article 13 related to article 10, paragraph 2, of the same.

[53] The rights recognised to foreigners in the Law in articles 4 to 22 are the right to documentation, free moving, public participation, meeting and manifestation freedom, free association, to education, work and social security, to free syndic arrangement and to strike, to health assistance, to living aids, Social Security and social services, to family intimacy, effective judicial guard, to appeal in administrative actions, to free judicial assistance. They are affected by the reform included in the Project of Organic Law to Change Organic law 4/2000, of 11 January, on the rights and freemdom of foreigners in Spain and their social integration.

[54] Including the consacred principle of article 14 of the Constitution.

and so *article 23, 1* establishes that "to the effects of this Law, discrimination is any act that, directly or indirectly, implies a distinction, exclusion, restriction or preference against any foreigner based on the race, colour, ascendants or the national or ethnical origin, the religious convictions or practices and that have the goal of destroying or limiting the recognition or exercise under conditions of equality of the human rights and of the fundamental freedoms in the political, economic, social or cultural field".

Specifically in number 2 of this rule the *acts constitution discrimination* are specified amongst which we can underline " all those that impose worst conditions than those of the Spaniards, or that mean resistance to provide to a foreigner goods or services offered to the public only because of their condition of foreigner or because of belonging to a certain race, religion, ethnical group or nationality" and "all those that illegally impose worst conditions than those of the Spaniards or that restrict or limit the access to a work, house, education, professional training and to the social and socio-assistance services, as well as any other right included in the present Organic Law, to the foreigner that is living in Spain under legal conditions only because of being such or because of belonging to a certain race, religion, ethnical group or nationality" (letters b and c).

Other acts that constitute discrimination are: "Those carried out by the authority or public personnel or by people in charge of a public service that in the exercise of their functions, by action or omission, carry out any discriminatory act prohibited by the law against a foreign citizen only because of being such or because of belonging to a certain race, religion, ethnical group or nationality" and "all those that hinder, by their actions or omissions, the exercise of an economic activity legally made by a foreigner living in Spain only because of being such or because of belonging to a certain race, religion, ethnical group or nationality" (art. 23, 2, letters a and d respectively).

Well, we have to take into account that foreigners in Spain find some situations for which there is a different judicial regime. *Foreigners may live in Spain in situations of stay or living;* such situation may be accredited with the passport or a travelling document that accredits their identity, visa or foreign identity card, as suitable (art. 29)[55].

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[55] These articles are affected by the Future Reform Project of the Organic Law 4/2000, of 11 January, on the rights and freedom of foreigners in Spain and their social integration.

The Law defines the *stay* as the stay in the Spanish territory for a period of more than 90 days, without prejudice of the established for students[56] (art. 30,1). And it understands that *resident* are those foreigners that live in Spain and that are holders of an authorisation to stay (art. 30 bis 1).

At the same time, people living in Spain may find the situation of temporal or permanent stay. The *temporal stay* is the situation that authorises them to live in Spain for a period longer than 90 days and shorter to five years (art. 31, 1 of the Law and 34 of the Ruling)[57].

Permanent stay is the situation that authorises to live in Spain and to work under equal conditions to those of the Spanish people (art. 32, 1)[58], which will be granted to foreigners that accredit living legally and continuously in the Spanish territory for five years (art. 72, 1 of the Ruling) or that is under other of the circumstances included in article 72, 3, of the Ruling.

To be able to enter in the Spanish territory, the Law requires some specific requirements that are: the entry because of proven position, holding a passport, travelling card or any other document identifying the person, documents that justify the object and the conditions of stay in Spain, accreditation of means for living or being under conditions to get them, the suitable visa[59], a medical certificate[60], not being under any prohibition of entry and not being a threat to public

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[56] According to article 25, 1, of the Ruling of 2004, "Is in situation of stay abroad that person not being holder of an authorisation of residence and that is authorised to stay in Spain for a continuous period or addition of periods which total duration shall not exceed ninety days per semester from the date of first entry, without prejudice of the established in Header VII for student or researchers and their families".

[57] The same precept establishes in number 2 that "the situation of temporal residence shall be granted to a foreigner that accredits having enough means for living and to cover his stay and living expenses, including, in the case, those of his family for the period for which it is requested without need of making any paid activity, and has achieved the adminsirative authorisation to work to which makes reference art. 36 of this Law, or if he/she is beneficiary of the right of family regrouping. The criteria to the effect of establishing the sufficient means of live to which the present paragraph makes reference shall be estbalished by rule".

[58] Number 2 of this article establishes that: "The permanent right of residence shall be granted to all those that have had temporal residence during five years continuously. It is considered that residence has not been continuous although they have left the country for periods of holidays or other reason in a temporal manner".

[59] The kinds of visas that are included in article 25 bis of the Law are: transit visa, stay, residence, work and residence and studies. These shall be issued by the Diplomatic Missions or Consular Offices of Spain. They are affected by the change in the Project of Organic Law of Reform of the Organic Law 4/2000, of 11 January, on the rights and freedoms of foreigners in Spain and their social integration.

[60] Such certificate is explicitly requested in the Ruling in the cases of temporal residence (art. 35, 2, c), temporal residence because of family regrouping (art. 42, 8, e), temporal residence and work (art. 7, c), and temporal residence and work on others' account (art. 59, 2).

health, national security or the international relations of Spain or of any other State with which Spain has relations[61] (arts. 25 of the Law and 4 to 10 of the Ruling).

On the other side, the Law and the Ruling permit the authorisation to entry in Spain of foreigners not meeting the requirements compulsory for the legal residence when there are exceptional reasons of humanitarian character, public interest or compliance with the compromises acquired in Spain during a maximum period of three months (art. 25, 4, of the Law and 107, 4 and 7 of the Ruling)[62]. This stay is also allowed to those who have entered with damaged documentation or without it or by places not established to such effect whenever there are humanitarian reasons (art. 34, 2, of the Law). Also an authorisation of temporal residence can be granted when there are humanitarian reasons, of cooperation with justice, situations of roots or other exceptional circumstances that have been legally stated and in this cases a visa will not be compulsory (art. 31, 3, of the Law).

 Amongst these cases, article 45 includes several exceptional situations in which there is an exemption of the requirement of visa but complying with the other conditions requested by the law (art. 25 of the Law).

On the other side, there are situation that may be lived by foreigners in Spain.

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[61] In that relative to the ways of accrediting the situation of the foreigner in Spain, the Ruling states in art. 102 that it could be made by the passport of travel document accrediting the identity, visa or identity card of the foreigner, and exceptionally such situation could be accredited by other authorisations or document validly issued to such purpose by the Spanish authorities. The *passport or travel document* in which the entry stamp is fixed will accredit, a part of the identity, the situation of stay in Spain in those cases in which foreigner do not need a visa to stay (art. 103). The *visa* validly achieved accredits the situation for which it has been granted and which validity will extend from the effective entry of the holder in Spain until achieving the corresponding identity card of foreigner or until the expiry of the visa (art. 104). The *identity card of foreigner* is the document directed to identify the foreigner to the effects of accrediting the legal situation in Spain; all the foreigner having a visa or an authorisation to stay in Spain for a period longer than six months have the right and the obligation of achieving an identity card of foreigner which shall be personally requested in a period of one month from the entry in Spain or since the moment the corresponding authorisation has been granted (art. 102, 1 and 2).

[62] Article 107, 4, of the Ruling establishes that "The interested party, equally, shall provide with the documents, declarations or any other mean of evidence that serves to accredit the presence of exceptional reasons of humanitarian nature, public interest or, in the case, the compliance of compromises of Spain, that justify this documentation, by the Spanish authorities", considering that in these cases a provisional identification document will be granted and that will allow that person to stay in Spain for three months, and its registration in a special section of the Foreigners register shall be made (nos. 7 and 9 respectively).

a) Isolated foreigners and refugees

They are all those foreigners that due to based fear of being persecuted because of racial origin, religion, nationality, belonging to a certain social group or political opinions, are outside their national country and can not or, because of such fear, do not want to be protected by such country; or that, lacking a nationality and being, as a consequence of these facts, outside the country where they have their normal address, can not or, because of such fears, do not want to return to them (definition included in article 1(A)2 of the *Convention of Geneva of 1951 on the Statute of Refugees*). Their situation is ruled by the *Law 5/1984, of 26 March, ruling the Right to Asylum and of the condition of Refugee,* modified by the Law 9/1994, of 19 May and LO 3/2007 of 22 March and by the ruling approved by the *Royal Decree 203/1995, of 10 February*[63] *later modified by different* Royal Decrees to the Royal Decree 2393/2004 of 30 December.

The *Law of Asylum 5/1984* gives exception on the requirements of entry to the territory (art. 23). Asylum gives the refugee the authorisation to live in Spain, issuance of the necessary document of travel and stay in Spain and authorisation to carry out working, professional or mercantile activities and any other that may be included in the International Conventions on refugees ratified by Spain (art. 2 of the Asylum Law).

b) Stateless people.

They are all the people that lack a nationality. Their situation is ruled by the *Convention on the Statute of stateless people of 28 September 1954 by which the Ruling of the Statute of Stateless people is established* and by the Asylum Law 5/1984.

The people with a recognised statute of statelessness shall have right to live in Spain and to carry out working, professional and mercantile activities as well as to the identity and travel documents that correspond.

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[63] Currently, a *Project of Law ruling the right of asylum and of subsidiary protection*. See BOCG, Serie A, Law Projects, 19 december 2008, Núm. 13-1.

c) Undocumented foreigners.

They are foreigners that can not have documents from the authority of any country and that want to have documents in Spain. Once their situation has been checked and if they have circumstance of humanitarian character, public interest or compromises with Spain, will be able to get identification documents (article 34.2 of the Law 4/2000).

d) Foreigners in irregular situation.

They are all those foreigners that have entered in Spain in an irregular way or that have entered in regular conditions but they are illegally living in Spain. The Law 4/2000 grants them several rights. And the State can agree the periodical presentation of that person before the competent authority, withdrawal of the passport or accrediting documentation, cautionary detention, preventive stay in a non-penitentiary centre, return or leading to sanctions with economic fines, and even removal (arts. 57, 58, 141 and 157 of the Ruling)[64].

e) Foreign minors.

Foreign minors can be under different situations that give place to different judicial solutions. We have to make a difference between those accompanied by their parents or guardians from those unaccompanied minors (art. 35 of the Law 4/2000).

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[64] See AGUADO I CUDOLÀ, V., "The application of the legal frame of Immigration in the local administrations", in *Books of Local Right,* October 2002

2. PRINCIPLE OF EQUALITY AND NON DISCRIMINATION IN THE PRIVATE AND FAMILY LIFE. RULING OF THE CIVIL CODE

In the civil scope, the principle of equality and non discrimination has been included in the private and family relations. Thus, it is especially applied in the marital relation, both to personal effects and to patrimony (art. 32, 1, of the Spanish Constitution and 66 of the Civil Code (C.c), amongst other) and in the filiations relationships (art. 108 of the C.c.). It has also been included in the special Civil Rights of the different territories that build our community up (Catalonia, Aragon, Navarra, Basque Country, Balearic Islands and Galicia) and that give rules depending on their own idiosyncrasy the family life lived in those territories.

In that relative to the application of this principle to the family and private life of foreigners and of the ethnical minorities in Spain, we have to underline that foreigners enjoy in Spain the same civil rights than the Spanish people, except for the established in the special laws and Treaties (art. 27 del C.c), so such principle has to be applied also to foreigners and ethnical minorities; although we have to take into account that the personal law corresponding to physical people is that given by their nationality and that such law will rule the capacity and civil status, the rights and obligations of the family and the succession because of death (art. 9, 1 of the C.c.).

3. THE DEFENCE OF THE PRINCIPLE OF EQUALITY AND NON DISCRIMINATION IN THE CRIMINAL FIELD

It is especially important the ruling made on the Criminal Code on the respect to equality of people and non discrimination as well as the protection of the fundamental rights of these people.

Thus, the Organic Law 10/1995, of 23 November, of the Criminal Code in its Chapter IV *On the circumstances that aggravate criminal responsibility*, in article 22, that has meant a great advance, includes as aggravating circumstance "*committing a crime because of racist, anti-Semitism reasons of because of any other kind of discrimination relative to the ideology, religion or beliefs of the victim, the ethnical group, race or nation to which he/she belongs.*"

At the same time Heading XV, *Of the crimes against the rights of workers*, article 314 states that "*those implying a serious discrimination in the employment, public or private, against any person because of his/her ideology, religion or beliefs, belonging to an ethnical group, race or nation, sex, sexual option, family situation, illness or handicap, for holding the legal or syndic representation of workers, because of relation with other workers of the company or because of the use of some of the official languages of the Spanish state, and that do not solve the situation of equality before the law after the request of administrative sanction, repairing the economic damages that have been caused, shall be punished with jail penalties from six months to two years or to a fine from 12 to 24 months.*"

On the other side, Chapter IV of the Heading XXI (Crimes against the Constitution) in Section 1, Of the crime performed according to the exercise of the fundamental rights and of the public freedom guaranteed by the Constitution, and especially article 510 states that "*1. Those that cause discrimination, hate or violence against groups or associations, because of racist anti-Semitism reasons or other making reference to the ideology, religion or beliefs, family situation, belonging to an ethnical group or race, nationality, sex, sexual option, illness or handicap, shall be punished with jail penalties from one to three years and a fine from six to twelve months. 2. The same punishment shall be given to those that, knowing falseness or rejection to truth, spread slanderous information on groups or association because of their ideology, religion or beliefs, because of belonging to a certain ethnical group or race, nationality, sex, sexual option, illness or handicap.*"

Article 511 states that "*1. It shall constitute a penalty of jail from six months to two years and a fine of twelve to twenty four months and especial disqualification for employment as public charge for a period from one to three years the person in charge of a public service that denies to a person a provision to which anyone is entitled to because of ideology, religion or beliefs, belonging to an ethnical group or race, nationality, sex, sex-*

ual option, family situation, illness or handicap. 2. These same penalties shall be applicable when the facts take place against an association, foundation, society or corporation or against any of its members because of ideology, religion or beliefs, belonging to an ethnical group or race, nationality, sex, sexual option, family situation, illness or handicap. 3. The state employees that commit any of the fact foreseen in this article will incur in the same penalties and in that of special disqualification for employment or public position for a period from two to four years".

On the other side, article 512 underlines that *"those that in the exercise of their professional or business activities denied to a person a provision to which they have right because of ideology, religion or beliefs, belonging to an ethnical group or race, nationality, sex, sexual option, family situation, illness or handicap, shall incur in the penalty of special disqualification for the exercise of profession, employment, industry or commerce, for a period from one to four years".*

We can also highlight article 515, in which in paragraph 5 states that *"are liable of punishment the illicit associations, taking into account (…) those that promote the discrimination, hate or violence against people, groups or associations because of ideology, religion or beliefs, belonging to an ethnical group or race, nationality, sex, sexual option, family situation, illness or handicap, or that lead to it".*

In the Chapter II bis, of the Heading XXIV, (*Crimes against the International Community)* gives different penalties from one to twenty years of jail for "*the crimes of genocide that are committed with the aim of totally or partially destroying a national, ethnical, racial or religious group*".

In application of this legislation, it is important to point out that the Procuracy of the National Court has appointed a coordinating prosecutor for the investigation and pursuit of organized rings, in the light of the proliferation of this type of extremely violent groups, the majority of which are neo-nazi based. Even though this type of groups cannot be considered as "terrorist organisations", their activities can be linked to the Article 577 of the Penal Code, under the "terrorist crimes" section.

It is also of great significance the formal creation, in the Court of Barcelona, of the Service against hatred and discrimination crimes.[65]

The Service against hatred and discrimination crimes is created as the evolution of the precept of the Prosecutor as an interlocutor in crimes on the ground of discrimination, sexual orientation and gender identity, appointed in June, 2007, by the former Director of Public Prosecutions of the High Court of Justice of Catalonia.

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[65] And its possible creation in Madrid and Valencia.

The accumulated experience, as manifested in the Annual Report of the Procuracy during the years 2007 and 2008, has made evident that the problems affecting the victims of homophobia are similar to the problems affecting the victims of other criminal expressions based on discrimination, irrational aversion and hatred towards different people by the mere fact of being different, that are motivated by the place of birth, ethnic or racial origin, gender, religion, beliefs, , social and economic situation, age, handicaps or sickness of individuals.

These criminal facts, which are the expression of racism, xenophobia or religious intolerance, among others, represent certain features and specifities that require a specialized attention and response by the Prosecutor's Office, in particular during a period of economic crisis, when social and economic conditions are found to be more appropriate for a bigger social influence of the diffusion of the doctrine of hate and rejection of the different.

The growing complexity that some crimes are progressively acquiring during the investigation, as the result of the proliferation, on the Internet, of web sites, personal blogs and association of people in social networks dedicated to the commission for crimes related to the provocation of hatred, violence and discrimination, all of which without underestimating that an important element of culture broth for racism, xenophobia or homophobia also derives from the activity of serious violent rings or urban tribes, as defined by musical, aesthetic, sports, etc. affinities.

The creation of a specialized service shall contribute to give the Prosecutors doctrinal and jurisprudential tools and in their fight against discrimination and also a better and more coordinated answer from the Prosecution Office versus this kind of crimes, thus contributing to raise legal certainty.

On one side, there are facts that the victims, for several reasons, do not want or do not dare to report and, on the other, there is the need for the organization of the statistics systems from the National Security Forces and the Administration of Justice.

The crimes that the service shall be aware of are:

a) Any fact constituting a crime or petty form of offence committed because of racism, anti-Semitism or any other type of discrimination on the grounds of ideology, religion or beliefs of the victim, ethnic, racial or nation of origin, gender or sexual orientation, sickness or handicap that it might suffer", in short, because of the reasons expressed in the aforesaid art. 22.4 of the Penal Code and also of other reasons not included in these legal principles:

- age
- poverty of the victim (aporophobia)

- gender
- language
- any other social or personal circumstance of the victim.

b) Any fact that could be qualified as a crime against moral integrity as stated in art. 173.1

c) Any fact susceptible to be qualified as a crime against moral integrity in its modality of torture crime on the grounds of discrimination, as stated in art. 174 of the Penal Code.

d) The crime of incitement to hatred, violence or discrimination as stated in art. 510.1 of the penal code and the crime of diffusion of insulting information, as stated in paragraph 2º of the mentioned article.

e) Discrimination in the working environment as stated in art.314 of the Penal Code. Crime of conspiracy to promote hate, violence or discrimination as stated in art. 515.5 of the Penal Code.

f) Crimes against freedom of thought and religious beliefs as stated in arts. 522 to 525 of the Penal Code.

g) Crime of denial of assistance by the individual in charge of a public service or by a government employee, as stated in art. 511 of the Penal Code.

h) Crime of denial of benefits during the exercise of commercial or professional activities, as stated in art. 512 of the Penal Code

4. THE PRINCIPLE OF EQUALITY AND NON DISCRIMINATION IN THE HEALTH FIELD

In the basic rule of our health legislation, the *Law 14/1986, of 25 April, General Health*, it is establish that: "*The holders of the right to health protection and sanitary attention all the Spanish people and foreign citizens* that have they address in the national territory" and that "Foreigners not living in Spain, as well as all the Spaniards outside the national territory will have that right guaranteed in the way established by the international laws and conventions" (art. 1, numbers 2 and 3).

The same Law establishes the *rights of the users* to the public health system[66], which are also applied to foreigners, consecrating the *principle of non discrimination* as it states that the users have right "to the respect of their personality, human dignity and intimacy and they can not be discriminated for reasons of race, social type, sex, moral, economy, ideology, political trend or syndic" (art. 10, 1).

This criterion is included in the legislation that rules the situation of foreigners in Spain, the Organic Law 4/2000 that establishes the sanitary assistance to immigrants in a different way according to the situation in which they are (art.12).

Foreign people requesting a visa for transit or *stay*[67] in Spain have to accredit that they have medical insurance covering all the time their stay and in the other States that apply the international agreements of suppression of frontier control of which Spain is a members, the medical expenses and the repatriation associated to an accident or sudden illness (arts. 23, 2, e, and 28, 1, d, for the Ruling).

Well, once in Spain, the legislation states: 1) that "foreigners in Spain included in the municipal census where they normally live have right to the sanitary assistance in the same conditions than Spanish people". 2) The same criterion is used for people under 18 to which, on the other side, this right was already given in the Law of Judicial Protection of Minors of 15 January 1996. 3) Likewise, also special consideration is given to pregnant women because they have the right of sanitary assistance during pregnancy, birth and after birth (art. 12, no. 1, 3 and 4, of the L.O. 4/200) y 4) public sanitary emergency assistance to all the foreigners.

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[67] Specifically, such rights are included in art. 10, modified and supplemented by the *Law 41/2002, of 14 November, basic rule of the autonomy of the patient and of rights and obligation in that relative to medical information and documentation* and the corresponding autonomic legislation.

On the other side, we have to remember that the Autonomous Communities have legislative competences on health, reserving to the State the ruling of the bases and general coordination (art. 148, 1, 21ª, de la CE)[68]. Under the shelter of the Constitution and of the Autonomy Statutes, the Autonomous Communities have little by little gained competences on health issues.

In the relation of sanitary assistance to immigrants, as general rule, most of the Autonomous Communities follow the criterion established in the L.O. 4/2000[69].

However, some of the Autonomous Communities have not taken into account the registration in the municipal census to provide sanitary attention to immigrants, giving such assistance to any person in need of it. So it is done in Valencia, Andalusia, Navarra and Murcia.

Andalusia, in 1999 signed an agreement between the Health Council of the Andalusian Government and the NPO's with the aim of guaranteeing the access to the health system of all the immigrants, so any of them not having documentation can access to the health centres directly or by a card of remission issued by one of the participating organizations.

In the Valencian Community, the Decree 26/2000, of 22 February, of the Valencian Government, by which the right to health assistance of foreign citizens in the Valencian Community is established and the Solidarity Card is created, establishes that the Health Council shall enlarge the health cover for all the immigrants not included in the census when they do not have economic resources with the conditions established in this decree, while they make legal they administrative situation (art. 2.2)[70].

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[68] According to article 21 of the ruling, "in transit are those foreigners will permission to cross the Schengen Area in travel from a third State to another that admits such foreigner to stay in the international transit area of a Spanish airport, without accessing to the national territory, during stops and links with other fights".

[69] We underline the importance that has to rule the health assistance to immigrants in the Autonomous Communities, ALONSO SECO, J. Mª., *Social protection and Immigration (I y II): Autonomous Communities and Immigration,* "Social Security Forum", no. 3, February 2001.

[70] So happens in *Decree 188/2001, of 26 June of the Generalitat de Catalunya, that applies the Organic Law 4/2000, of 11-1-2000, of rights and freedoms of foreigners in Spain and their social integration;* article 7, that treats the right to health assistance of immigrants, underlining the contents of article 12 of the Law.

On its side, the *Foral Law 2/2000, of 25 May, of modification of the Foral Law 10/1990, of 23 November, on health to enlarge the sanitary assistance cover of the public health system of Navarra to all the immigrants of the Foral Community*, establishes in article one that "public health assistance in the territory of the Foral Community shall be enlarged to all the citizens living in any of the municipalities of Navarra independently of their legal or administrative situation"[71].

At last, the Region of Murcia has published the *Law 3/2009 of 11 May, of the Rights and Obligations of the Users of the Sanitary System of the Region of Murcia*, in which special attention is given to the health assistance to be received by foreigners, underlining that immigrants and groups under risk of social exclusion have to receive the personal and suitable attention to their personal circumstances that favour respect and the compliance of the rights established in law, and it is especially stated that the foreign citizens who access and use the facilities and services of the health system shall have the rights and obligations recognised by Law and the Public Administration shall encourage actions to promote actions in the Public Administrations to minimise the language obstacles. It is considered that the foreign citizens are holders of the right to the protection of health and of sanitary attention in the terms foreseen in article 3 of the Law 16/2003, of 28 May, of cohesion and quality of the National Health System, although the foreigners that are not included in the census and without economic resources living in the Region of Murcia and that do not have the right to sanitary assistance under the shelter of the state ruling, shall have access, while they make their situation legal, to the entire provisions and services offered by the regional public health system in agreement with the proceeding that is established by law (arts. 15 and 20).

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[71] In the preamble of such Law this ruling is justified based on the situation of vulnerability and discrimination that this situation causes for such group..

5. THE PRINCIPLE OF EQUALITY AND NON DISCRIMINATION IN THE LABOUR AND SOCIAL SECURITY FIELD

In the working field, the Statute of Workers establishes the *principle of equality and non discrimination* in the article 4 and 17. Such Statute establishes that workers have right to not being directly or indirectly discriminated for employment, or once hired, because of reason of sex, civil status, age according to the limits included in this Law, *racial or ethnical origin*, social condition, religion or beliefs, political ideas, sexual option, syndic association, as well as for language reasons in the Spanish state, and they could not be discriminated because of handicap, whenever they are apt to carry out that occupation (art. 4, 2, c). On the other side, we consider null and without effect the ruling precepts, the clauses of the collective conventions, individual agreements and unilateral decisions of the businessman that include direct or indirect discrimination because of age or handicap or favourable or adverse in employment, as well as in matters of compensation, working hours and other conditions of work because of circumstances of sex, origin, *including racial or ethnical,* civil status, social condition, religion or beliefs, political ideas, sexual option, or links of relation with other workers of the company and language in the Spanish state. Equally void will be the orders of discriminating and the decisions the businessman takes and that mean a unfavourable treatment to the workers as a reaction to a claim made to the company or to an administrative or judicial action directed to request the compliance with the principle of equal treatment and non discrimination (art. 17)[72].

On its side, the Spanish judicial order recognises to foreigners the *right to work and to social security* in article 10 of the L.O. 4/200, stating that the foreigners that meet the requirements foreseen in this Law and in its disposition, have right to exercise a compensated activity as freelance or on other's account, as well as the access to the system of Social Security, in agreement with the legislation in force and that "Those residence foreigners shall have right to access to the provisions and services of the Social Security under the same conditions as Spanish people" (art. 14, 1, de la L.O. 4/2000)[73].

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[72] Such precept still makes reference to the exclusions and reserves that could be made and to the actions and positive measures to favour the access to employment, especially of women.

[73] In this same precept it is recognised the right of foreigners to the social services in its numbers 2 and 3 in the following terms: "2. Those resident foreigners shall have right to the services and to the social provision, both to the general and to the basic as well as to the specific, in the same conditions as Spaniards. 3. Foreigners, no matter their administrative situation, have right to the basic social services and provisions".

The *Statute of Workers* establishes that foreigners could be hired for the provision of their work in agreement to the established in the specific legislation on the subject (art. 7, c)[74].

Supplementing this legislation, the merged text of the *General Law of the Social Security, approved by the Royal Legislative Decree 1/1994, of 20 June,* establishes that they are included in the System of the Social Security, to the effects of the provisions of contribution modes, whichever their sex, civil status or profession is, *any Spanish person living in Spain and the foreigners living legally in Spain*, whenever they carry out their activity in the national territory and they are included in any of the paragraphs stated by law (art. 7).

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[74] Article 69, 2, par. 2º, establishes that foreign workers could be chosen and can choose as delegates of the staff and members of the committee whenever they meet the conditions requested by law.

6. THE PRINCIPLE OF EQUALITY AND NON DISCRIMINATION IN OTHER FIELDS

Given that equality is included in our judicial order as one of its highest values and that it is consecrated as such in our Constitution (art. 1 of the EC), this principle is included in the entire legislation that rules the judicial relations in the different fields of our community.

In a special way, it is included in the field of education, especially in the *Organic Law 2/2006, of 3 May, on Education,* where it is stated that the Spanish education system, created in agreement to the values of the Constitution and based in the respect to the rights and obligations included in it, it aims for the principles of quality of the education for all the students, independently of their conditions and circumstances; in equality to guarantee equal opportunities, the education inclusion and the non discrimination and to act as compensating element of the lack of personal, cultural, economic and social equality, paying special attention to those derived from handicaps; in the transfer and launching of values that favour personal freedom, responsibility, democratic citizenship, solidarity, tolerance, equality, respect and justice as well as to help surpassing any kind of discrimination; the development of equality of rights and opportunities and in the encouragement of effective equality between men and women (Article 1).

Based on these principles, they underline as purposes of the education systems, the education in the respect to the fundamental rights and freedom, equality of rights and opportunities for men and women and equal treatment and non discrimination of the people with handicaps, the exercise of tolerance and of freedom in the democratic principles of living, as well as in the prevention of conflicts and the pacific resolution of those, the individual responsibility and personal efforts and merits and training for peace, the respect to human rights, the life in common, social cohesion, cooperation and solidarity between people as well as the acquisition of values that go for respect towards human beings and to the environment, especially to the value of the forest areas and sustainable development (articles 1, 17, 19, 23, 33, 40, 75, 80, 82, 84.3, 86, 88, amongst others).

In the same way, such principle is also included in the *Organic Law 2/86, of 13 March, of the Forces Of Security of the State,* establishing amongst its basic principles the action of the members of the Forces of Security and shall be made with the absolute respect to the Constitution and to the rest of the judicial ordering, with absolute political neutrality and impartiality and, subsequently, without any discrimination for reasons of race, religion or opinion, with integrity and dignity, and avoiding any abusive, arbitrary or discriminatory practice that implies physical or moral violence (arts. 5.1. a, b and c, and 5.2.a).

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6 THE AUTONOMIC LEGISLATION ON EQUAL TREATMENT AND NON DISCRIMINATION

In the autonomic field, the legislation on the principle of equal treatment and non discrimination is unequal.

There have been Communities in which the application of such principles to such collectives has been ruled. Thus, there have been specific laws published to promote the equality between men and women[75] or to care for social integration of the drug-dependants, minors, and handicapped people. But in most of the Autonomous Communities have not yet carried out any rule on the subject.

On the other side, also the Autonomous communities have legislation on the integration of immigrants in such Communities[76].

However, there is a large autonomic ruling of lower degree on international cooperation, promotion of immigration Forums and other aspects specific of the integration of immigrants in the different Autonomous Communities.

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[75] In that relative to equality between men and women, the following rules have been published: Law12/2007, of 26 November, for the promotion of equality in gender in Andalusia; Law 7/2007, of 22 October, of Modification of the Law 1/2003, of 3 March, of Equal opportunities between men and women in Castilla y León; Law 7/2007, of 4 April, on Equality between men and women, and of protection against gender violence in the Region of Murcia; Law 2/2007, of 28 March, of work under equality for women in Galicia, and Law 12/2006, of 20 September, for women in the Balearic Islands..

[76] The Communities that have published laws on the subject have been: Community of Madrid, Law 4/2005, of 14 December, of the Regional Agency for Immigration and Cooperation; Valencian Community, Law 15/2008, of 5 December, of the Generalitat, on Integration of Immigrant People; Catalonia, Decree 188/2001, of 26 June of the Generalitat de Catalunya, that applies the Organic Law 4/2000, of 11-1-2000, on rights and freedom of the foreigners in Spain and their social integration.

7 EQUAL TREATMENT AND FIGHT AGAINST DISCRIMINATION IN THE LEGISLATION OF LOCAL REGIME

In the basic text of the legislation relative to the local regime[77], the **Law 7/1985, of 2 April, ruling the bases of the local regime,** there is not any specific reference to the principle of equality and non discrimination[78], as neither there is to the different ethnical minorities or to the social integration of the said. However, when controlling the municipal census reference is made to immigrants.

A*rticle 16,1,* defines the municipal census as "the administrative register where the neighbours of a municipality are included. Their information is an evidence of their residence in the municipality and the normal address of that person. The certification such data issue will have the character of public and accurate document for all the administrative effects".

In the second paragraph it makes reference to the inscription in the municipal census which "shall only have effect in agreement with the established in article 15 of this law[79] during the time the fact that motivated it persists and, in any case, it shall be object of periodical renewal each two years when it is the about the registration of *non communitarian foreigners without authorisation for permanent stay*", warning that after that period "it would be the cause to agree on the expiry of the entries that are object of periodical renewal, whenever the interested party has not proceeded to such renewal. In this case, the expiry could be declared without need of previous audience with the interested party".

The data to be included in the entry of the municipal census re the name and family name, sex, address, nationality, the place and date of birth, the certificate or school or academic decree and as many other data as may be necessary for the creation of the Voting Census, whenever the respect to the fundamental rights included in the Constitution are guaranteed and the national identity card number (art. 16, 2).

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[77] See AGUADO I CUDOLÀ, V., "The application of the legal frame of immigration in the local administrations" (I y II), in *Books of Local Right,* no. 0, 2002, pp. 7-43 and no. 1, 2003, pp. 58-88.

[78] Only in article 84 it is stated that the Local Corporations could take part in the activities of the citizens, adjusting, in any case, to the principles of equal treatment, according to the reasons and goals and with respect to individual freedom.

[79] Art. 15 establishes: "Any people living in Spain is obliged to register in the municipal census in which he/she currently lives. Anyone living in several municipalities shall register only in that where he/she stays most of the time of the year.- The group of people registered in the municipal census constitutes the population of the municipality.- Those registered in the municipal census are the neighbours of the municipality.- The condition of neighbour is achieved in the moment of registration in the census".

In this last case, if they are foreigners, the order requests:

a) The number of valid residence card, issued by the Spanish authorities or, in its default, the number of the document accrediting the identity or a valid passport issued by the authorities of the coming country, in case of citizens national of member states of the European Union, of other states members of the Agreement on the European Economic Area or of the States that, in virtue of an international convention, there is a judicial regime for the citizens of the said states.

b) The foreigner identification number that is in that valid document issued by the Spanish authorities or, in its default, for not being a holder of one, the number of valid passport issued by the authorities of the coming country, being then citizens of states non included in the previous case.

Article 18 establishes the rights and obligations of the neighbours[80], stating that the registration of foreigners in the municipal census would not be considered as evidence of their legal residence in Spain and shall not grant them any right that is not granted by the legislation in force, especially in matters of rights and freedoms of foreigners in Spain.

We understand from this rule that the registration in the Municipal Census is not subordinated to any administrative situation abroad. But we do no understand that it is solved because of the fact of being registered in that census. However, such registration can serve as evidence accrediting a period of stay in Spain.

The competences that article 25 of the LBRL grants to the municipalities have a special importance to suitable treat the phenomenon of immigration. Several activities have been mentioned where this importance can be stated (see Chapter 3 of the present Guide).

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[80] Such rights are: "a) being elector and elected in agreement with the established in the electoral legislation.- b) To take part in the municipal management in agreement with the established in the laws and, in the case, when the collaboration as volunteer of the neighbours is directed by bodies of the government and municipal administration.- c) To use, in agreement with their nature, the public municipal services, and to access to the common use, in agreement with the applicable laws.- d) To contribute with economic and personal provisions legally established to carry out municipal competences.- e) To be informed, after request, and to address request to the municipal administration in relation to all the municipal files and documents, in agreement with the established in art. 105 of the Constitution.- f) To request the people's consultation in the terms foreseen in law.- g) To request the provision and, in the case, the establishment of the corresponding public service, in the case of constituting a municipal competence with compulsory character.- h) To have popular initiative in the terms foreseen in art. 70 bis.- i) All those rights and obligations established by law".

LEGISLATION RELATED TO THE PRINCIPLE OF NON DISCRIMINATION FOR REASONS OF RACIAL OR ETHNICAL ORIGIN

SYNTHESIS OF THE LEGISLATION

1. I. SPANISH LEGISLATION

On non discrimination, amongst other causes, for reason of race or ethnic group or cultural diversity, there is a fundamental rule, the Spanish Constitution, two basic rules (the Law on Foreign Persons and the Ruling) and several references in the ordinary legislation. We have to take into account the ruling of the Autonomous Communities in which the principle of equality and non discrimination is included.

1. Spanish Constitution: art. 14 related to articles 10, 13 and 15 and next.

2. Autonomy statutes: Valencian Community (arts. 10-13); Catalonia (arts. 4, 15, 40-45); Balearic Islands (arts. 12-17); Andalusia (arts. 1, 5-14, 37, 62); Aragon (arts. 12, 20-29); and Castilla-León (arts. 8-16, 76).

3. Organic Law 4/2000. of 11 January, on the rights and freedom of foreigners in Spain and their social integration (modified by the Organic Law 8/2000, of 22 December, Law 11/2003 of 29 September and Organic Law 14/2003, of 20 November).

4. Royal Decree 2393/2004, of 30 December that approves the Ruling of the said Law.

5. Civil Code: art. 27.

6. Law 14/1986, of 25 April, General Health: art. 1, 2 and 3.

7. Workers' Statute: arts. 4, 17, c); 69, 1.

8. Royal Legislative Decree 1/1994, of 20 June that approves the merged text of the General Law of Social Security: art. 7.

9. Criminal Code: arts. 22, 86, 108, 173, 174, 189, 190, 221, Heading XV (311-314), 510-512, 515, 586, 594, 597, 607, and especially Heading XV bis (Crimes against the rights of the foreign citizens).

10. Law 5/1984, of 26 March, ruling the right to asylum and the condition of refugee (modified by the Law 9/1994, of 19 May) and ruling of development.

11. Royal Decree 865/2001, of 20 July, relative to the Ruling of recognition of the stateless people Statute.

12. Decree 188/2001, of 26 June of the Generalitat de Catalunya that is applied by the Organic Law 4/2000, of 11-1-2000, of the rights and freedom of foreigners in Spain and their social integration.

13. Decree 26/2000, of 22 February, of the Valencian Government by which the right to sanitary assistance to foreign citizens in the Valencian Community is established and the Solidarity Card is created.

14. Foral Law 2/2000, of 25 May, of modification of the Foral Law 10/1990, of 23 November, on Health, to extend the cover of sanitary assistance of the public health service of Navarra.

15. Organic Law 2/2006, of 3 May, on Education: arts. 1, 17, 19, 23, 33, 40, 75, 80, 82, 84.3, 86, 88, amongst others.

16. Organic Law 2/1986, of 13 May, of the Security Forces of the State: arts. 5. a), b) and c); 5.2.a).

2. II. INTERNATIONAL LEGISLATION

There are several dispositions of general and specific character derived from different international bodies, relative to the principle of non discrimination and equal treatment, as well as to immigrant people and to the fight against discrimination because of race or ethnical group. Amongst them we mention the following:

2.1. LEGISLATION OF THE UNITED NATIONS

2.1.1. General:

a. *Universal Declaration of the Human Rights (1948)* to which clear mention is made in article 10.2 of the Constitution with interpretation effects,

b. *The Convention on the Statute of Refugees (1951) with its protocol of 1967,*

c. *The Convention on the Statute of stateless persons (1954).*

2.1.2. With specific character:

a. *Declaration of the United Nations on the elimination of any kind of racial discrimination (1963).*

b. *International convention on the Elimination of any kind of racial discrimination (1965).*
   This Convention, which is currently one of the most largely ratified of the Conventions of the United Nations that makes reference to Human Rights, obliges the signing states to prohibit any kind of discrimination based on race, colour, national, ethnical or family origin against any person in the jurisdiction of that State, and to establish legal sanctions for the activities based on such discrimination. However, discriminations based on nationality are not forbidden by the Convention.

c. *Declaration on the fundamental principles relative to the contribution of the means of communication of the masses to strengthen peace and international understanding, the promotion of the human rights and the fight against racism, apartheid and incitation to war (1978).*

d. *Declaration on the race and the racial prejudices (1978).*

e. *International Convention on the protection of the rights of all the immigrant workers and their families, of 18 December 1990.*
   This Convention is based on the agreements of the ILO and it is highlighted in it that it touches all the immigrant workers that entry or live illegally in the country of employment (and their families) the rights that were before limited to the people that practiced legal migration because of employment, and protects the fundamental rights of the immigrants and does not exclude any kind of immigrant.

f. *Declaration of the rights of the people belonging to national, ethnical, religious and linguistic minorities (1992).*

g. *Declaration of Principles on the tolerance of the UNESCO of 16 November 1995.*

h. *Declaration approved on 8 September 2001 in Durban, South Africa in the World Conference against racism, racial discrimination, xenophobia and other shapes of intolerance.*

i. *European Coalition of Cities against Racism and Xenophobia ECAR, (2004).*

j. *Other tools of the United Nations*.

Amongst these tools we have to underline:

– *Convention on the elimination of all kinds of discrimination against women (1979).*

– *Convention relative to the fight against discriminations in the field of education (1960) and the Protocol to create a Commission of Conciliation and Employment with faculties to solve the controversies arising from the Convention relative to the fight against discrimination in education (1962).*

– *International Agreement on Economic, social and cultural rights (1966).*

– *International Agreement on Civil and Political Rights (1966).*

– *Declaration on the elimination of all means of intolerance and discrimination based on religion or the conventions, approved by the General Assembly in 1981.*

– *Convention against Torture and other Cruel, Inhuman or Degrading treatment or penalty (1984).*

– *Convention on the Rights of Children (1989).*

– *Convention of the United Nations against transnational organised crime known as the Palermo Convention (2001) and specially its additional protocol to prevent, eliminate and sanction trafficking with people and especially women and children.*

– Except for the *International Convention on the protection of the rights of all the immigrant workers and their families*, the other agreements have been ratified by Spain and published in the Official State Gazette and thus, they are part of our laws, in agreement with the established in the Spanish Constitution.

2.2. EUROPEAN UNION RULES

Amongst the different tools adopted and of the activities carried out at regional level in relation to the principle of equality and non discrimination, especially because of reason of migration, race, ethnic group and cultural diversity, the following are stated:

2.2.1 The treaties

The ***Constitution Treaty of the European Community*** states in article 6 that: "1. The Union is based on the principles of freedom, democracy, respect to the human rights and of the fundamental freedom and the Rule of Law, principles that are common to all the member states.-2.   The Union will respect the fundamental rights as guaranteed in the European Convention for the Protection of Human Rights and of the Fundamental Freedom signed in Rome on 4 November 1950, as stated in the common constitutional traditions of the member states as general principles of the Communitarian Law".

It also includes the *principle of non discrimination*. Thus, article 12 does not include the prohibition of exercising any kind of discrimination because of reasons of nationality. And article 13, reformed by the ***Treaty of Amsterdam***, which complemented the Treaty of the European Community the guarantees of non discrimination foreseen in all the Treaties establishes: "Without prejudice of the other dispositions of the present Treaty and within the limits of the competences given to the Community by the same, the Council, unanimously at the proposal of the Commission and after consulting the European Parliament, shall be able to make the necessary actions to fight against discrimination for reasons of sex, racial or ethnical origin, religion or conviction, handicap, age or sexual option".

About immigration, the judicial base that limits the possibility of incidence of the communitarian institution is the **Heading IV of the Constitution Treaty of the European Community (TCE) that talks about "Visas, asylum, immigration and other policies related to the Free Movement of People".** Under this paragraph a list of the measures related to visas, immigration and asylum policy are listed to be adopted by the communitarian institutions with the aim of progressively establishing a *common area of freedom, security and justice*.

2.2.2 Directives, regulations and Decisions

A. Directives

Directives cover diverse matters, such as mobility rights and freedom of residence, the right to remain inside the territory of another Member State after having concluded an occupation, the education of the children of migrant workers and the right to vote and to stand for elections of other Member States.

a. *Directive 2000/43/EC on equality of treatment of individuals of any race or ethnic origin*

b. *Directive 2000/78/ EC on the establishment of a general frame for the equality of treatment in the workplace1.*

c. *Directive 2002/73/EC of the European Parliament and of the Council of 23 September 2002* amending Council Directive 76/207/EEC **on the implementation of the principle of equal treatment for men and women** as regards access to employment, vocational training and promotion, and working conditions[81].

d. *Directive 2003/86/ EC on the right to family reunification.* It establishes the right to reunite the spouse or person with a duly proven relationship analogous with marriage, and its underage children, without any other requisite than having a suitable housing, a health insurance fund and enough income for the sustainability of the family. Two years is the maximum period of previous residence that can be required before the application of this right. The sponsor's family members shall be entitled, in the same way as the sponsor, to access to education, to employment and self-employed activity, to vocational guidance, initial and further training and retraining. In regards to this Directive, Spain has cleared the relevant communication to the European Commission, by setting out that there is no need to engage a formal incorporation, provided the standards of the Spanish legislation concerning family reunification are above the minimum criteria required by the Directive.

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[81] See comments made by BALAGUER CALLEJÓN, Mª L., "Chronicle on European legislation", *ReDCE*, no. 6, July-December

e. *Directive 2003/109/ EC concerning the status of third-country nationals who are long-term residents.* It governs the acquired rights whenever an individual has legally and continuously lived inside the territory of a Member State for at least five years. Such rights cover, among others, the equality of treatment with nationals in terms of education, access to employment, social security and official recognition of professional diplomas. Moreover, it acquires the right to relocate the residence, under certain conditions, to the territory of another Member State. The status of long term residence also includes a special protection from deportation; the latter would be only executed should the resident constitute a real and serious enough threat to the public order or public safety.

f. *Directive 2004/113/ EC of 13 December 2004, which addresses the principle of equality of treatment between men and women in the access to and supply of goods and services.*

g. *Directive 2008/115/EC of the European Parliament and of the Council of 16 December 2008, on common standards and procedures in member States for returning illegally staying third-country nationals.*

h. *The Council of the European Union adopted* **four Directives and a financial instrument for the support of Asylum policies,** *the European Refugee Fund. The four directives refer to the temporary protection for displaced persons (2001/55/EC of 20 July), to the minimum conditions for the reception of asylum seekers (2003/9/EC of 27 January), to the status of refugee and complimentary forms of protection (2004/83/EC of 29 April) and to the asylum procedure (2005/85/EC of 1 December). The first two have already been incorporated to the Spanish Legislation throughout the Royal Decrees 865/2001 of 20 July and 2393/2004 of 30 December.*

B. Regulations

a. *Regulations concerning equality of treatment in Social Security nº 859/2003 of the Council, of 14 May, 2003.* Its purpose is to eliminate discrimination on the grounds of nationality affecting non nationals of the European Union when travelling from a Member State to another, insofar as they were losing their rights to the allowance of the Social Security they would have accumulated in the first State.

b. *Regulation nº 1612/68/EEC* concerning mainly the equality of treatment in regards to access to employment, working conditions, social and tax advantages, union rights, vocational training and education; it also states governing principles for family reunification, and

c. *Regulation nº 1408/71/EEC* on the application of social security schemes to the employed persons, unemployed persons and members of their family travelling inside the community, amended by the Regulation nº 1606/98/EC of the Council of 29 June, 1998.

C. Decisions.

a. *Decision of the Council, 27 November 2000, which establishes a communitarian action programme against discrimination (2001-2006).*

b. *Decision nº 771/2006/CE of the European Parliament and of the Council of 17 May 2006, establishing the European Year of Equal Opportunities for All (2007) — towards a just society [Official Journal L146 of 31.5.2006]*

   Its article 2, c), underlines as one of the goals of such year: "c) Recognition: Making easy and celebrating diversity and equality. The European Year underlines the positive provision that people, independently of their sex, ethnical or racial origin, religion or beliefs, handicap, age or sexual option can make to the society as a group, especially putting a stress in the advantages of diversity".

c. *Frame decision 2008/913/JAI of the Council of 28 November 2008 relative to the fight against some shapes and manifestations of racism and xenophobia by Criminal Law.*

d. Community initiative *EQUAL,* which chases discrimination in the labour market, as well as the programme concerning the *communitarian frame decision on gender equality,* focused on the situation of women, and the *European Refugee Fund,* which provides financial support for the fostering, integration and voluntary return of refugees.

2.2.3. Commission of the european communities.

a. *Communitarian Chart of the fundamental social rights of workers (1989).*

b. *Green Book of the Commission, of 28 may 2004 "Equality and non discrimination in the enlarged European Union».*

2.2.4. Resolutions of the European Parliament.

a. *Resolution of 26 October 1995 on racism, xenophobia and anis-Semitism.*

b. *Resolution on racism, xenophobia and anti-Semitism and on the European Year against Racism (1997).*

c. *Resolution of 8 June 20065, on the protection of minorities and the policies of fight against discrimination in the enlarged European Union.*

2.3. EUROPEAN COUNCIL

2.3.1 Of general character.

a. *The European Convention for the Protection of Human Rights and Fundamental Freedom (1950) and*

b. *European Social Chart (1961, reviewed in 1996) and its additional protocol (1988).*

Both of them recognise the following rights to the people that live and work in countries of which they are not: the right to the respect of private and family life; the right to perform a paid activity in the territory of other member State; right to information of immigrant workers; measures directed to make migration easier; the right to equal treatment to nationals and non nationals in employment; the right to family meeting and guarantees against return, etc. However, these instruments only make reference to immigrants that are citizens of the member States of the European Council and its application is conditioned to reciprocity.

2.3.2. With specific character:

a. *The European Convention on the judicial statutes of immigrant workers (1977).*

It is applied to the nationals of a contracting party authorised by the other contracting party to live in its territory to exercise a paid job. This convention rules the main aspects of the judicial statute of immigrant workers and, especially: recruiting, medical exams and professional aptitude exams, travels, working and residence permissions, family grouping, housing, work conditions, economic transfers, social security, social and medical assistance, termination of working agreement, dismissal and placement in a new post, and the preparation to return to the country of origin.

b. *Convention on the reduction of cases of multiple nationalities and on the obligation of the military service in these cases (1963).*

c. *Convention on the participation of foreigners in the public life at local level (1992).*

d. *Declaration and Action Plan on fight against racism, xenophobia, anti-Semitism and Intolerance (1993).*

e. *Frame-convention for the protection of the national minorities (1995).*

f. *Convention of the European Council on Actions against trafficking with human beings, of 16 May 2005.*

g. *Declaration against intolerance and racism (2005) named the Declaration of Faro.*

2.3.3. European Commission against Racism and Intolerance (ECRI).

a. *Recommendations of General politics, numbers 1 to 12, of fight against racism and xenophobia (since 1996).*

b. *Declaration of the ECRI on EURO 2008 "United against racism".*

2.4. ILO RULES

To highlight:

a. *Convention no. 19 and Recommendation no. 25 on equality in work (working accidents) in 1925.*

b. *Convention on the conservation of the rights of pension of the immigrants (no. 48) in 1935.*

c. *Convention on equal treatment (social security) number 118 in 1962.*

d. *Convention (no. 157) and Recommendation (no. 167) on the conservation of the rights relative to social security, respectively, in 1982 and 1983.*

There have been other tools relative to immigrant workers, amongst which we underline:

a) In 1926 the Convention on the inspection of emigrants (no. 21) and the Recommendation on the protection of emigrants on vessels (no. 26) were adopted;

b) In 1939, the Convention number 66 and the Recommendation number 61 on the immigrant workers as well as the Recommendation on immigrant workers (collaboration between States) (no. 62);

c) In 1947, the Convention on social policy (non metropolitan territories) (no. 82). However, the convention number 66 has never come to effect because of lack of support. Thus, it was reviewed in 1949 when convention 97 and recommendation 86 on immigrant workers were adopted;

d) In 1955, the Conference adopted the Recommendation on the protection of immigrant workers (non developed countries) (no. 100);

e) In 1958, the Convention number 110 and recommendation 100 on plantations;
f) In 1962, the Convention on social policy (rules and basic goals) (no. 117);

g) In 1975, the Conference completed its tools of 1949 by the adoption of the Convention number 143 and the recommendation number 151 on immigrant workers (supplementary dispositions).

2.5. OTHER ORGANIZATIONS

Declaration of Cordoba of 10 October 2007 of the executing president of the OSCE on intolerance and discrimination towards Muslims.

2.7. CITY ORGANIZATION

European Chart to safeguard the Human Rights in the city, 18 May 2000.