

pote à pote

Le magazine des Quartiers



UNITED FOR EQUALITY

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The Europe of Equality is on the move !

30 years ago, it was in France and in the United Kingdom that the youth, together with the children of immigrants from former colonies rose up against racist crimes, and demanded Equality.

In 1985, hundreds of thousands of people mobilized in France by wearing the badge «Touche pas à mon pote» (Don't touch my buddy) against the electoral pressure of the extreme right, which had achieved a score of about 10 % in the 1984 European elections.

Gradually, all the other European countries have become immigration countries and participants of the fight against racism.

But at the same time, in many countries, the extreme-right began to develop along with racist crimes, incitement to hatred and discrimination against foreigners, Roma, Muslims and Jews.

30 years after the electoral breakthrough of the FN (National Front), the scores of the extreme right have reached almost 25% in several countries including France.

To combat this rise of racism, anti-racist initiatives took place throughout Europe. March 21st, became an important date of antiracist mobilization at the European level.

From now on, along with the local branches of the Maison des Potes-Maison de l'Egalité, we decided to join the European-wide antiracist forces mobilized in different countries. In solidarity with immigrants, we demand Equality of rights in order to fight against racism and discrimination.

There is a new generation of antiracist activists who is ready and determined to take action at the European level with the purpose of « Making Equality a Reality ». On 14 to 19 April 2015, will be held the European Antiracist Seminar in Paris to attest their work which you can read the details in this edition of the Pote à Pote.

Today we are gathered on the basis of an appeal « United for Equality ». We carry together four demands which are developed in this Pote à Pote and which will be discussed during the April seminar in Paris.

Under the pressure from the-extreme right our States gave up to grant equal rights to non-European foreigners, we must act at a European level to exert a reverse pressure in favor of a fraternal inclusive Europe.

If we are «United for Equality» we can ensure the respect for human rights over racism and discrimination.

Samuel Thomas

Translate by Daniel Martinez Sotelo

Special thanks to the agency «Nouvelle Cour» for having created our posters «United for equality»

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Please return this form to :
Fédération Nationale des Maisons des Potes
16, Square Dunois, 75013 Paris.
tel : 01 44 93 23 23

NAME

SURNAME

ADDRESS

ZIP CODE CITY

MAIL

PHONE:



Pote à Pote magazine N°147
Fédération Nationale des Maisons des Potes
16 square Dunois - 75013 Paris
www.maisondespotes.fr
Tel : 01.44.93.23.23
Fax : 01.44.93.23.24
www.poteapote.com
Editorial Office :
sabrana.alaouchiche@maisondespotes.fr

President and Publisher :
Samuel Thomas
Chief Editor : **Sabrana Alaouchiche**
Assistant Editor :
Daniel Martinez Sotelo
Art Director : **Raphael Perrin**
Subscription : **Mala Dhunnoo, Minta Ouattara**
Publicity : **Le réseau national des Maisons des Potes**
Contributing Editors : **Teddy Ambroise, Pierre Beaupère, Matyas Beyick, Ricardo Bouzas-Mendes, Christine Chalier, Dolpi, Naïla Dzanouni-Brousse de Laborde, Abby Faye, Justine Franco-Février, Julien Grégoire, Sophia Hocini, Carolina Maciel de França, Sabine Mallet, Grégory Mauzé, Julia Moumon, Nicolas Rey, Nadjib Sellali, Magarita Spasova, Slimane Tirera, Dianguina Tounkana, S.V, Alexandrine Yala, Lea Moreau, David Zennou, Daniel Martinez Sotelo, Victor Albert Blanco, Camille Mezza**
Editorial Board : **Loic Rigaud, Tulin Sen et Myriam Zaanoun**
Maps : **L. Dzanouni, Eurostat, L.U.I., J. Van-hée, C. Withol de Wenden**
Illustrations : **Aeto's, I. Ayestaran, Pierre Beaupère, Cartooning for peace, Charb, A. Faber, Ganon, L. Ka-Kuen, Kroll, T. Roy**
Photos : **AFP, Apple, BBC, Canal-u, cincodias, City of Westminster, DPA, Oige Flobachtach, S. Gustave, Y. Herman, A. Kisbenedek, Mirror, Nederland3, Reuters, Rinzwind, Sunday Times**
Front cover : **Photo de Danny Santos et Fédération Nationale des Maisons des Potes**

Joint Committee contact number :
1208G84757-ISSN-1259-4199
Printer : **EXPRESSIONS 2 - 10 Bis, rue Bisson - 75020 Paris - Tél: 01.43.58.26.26**

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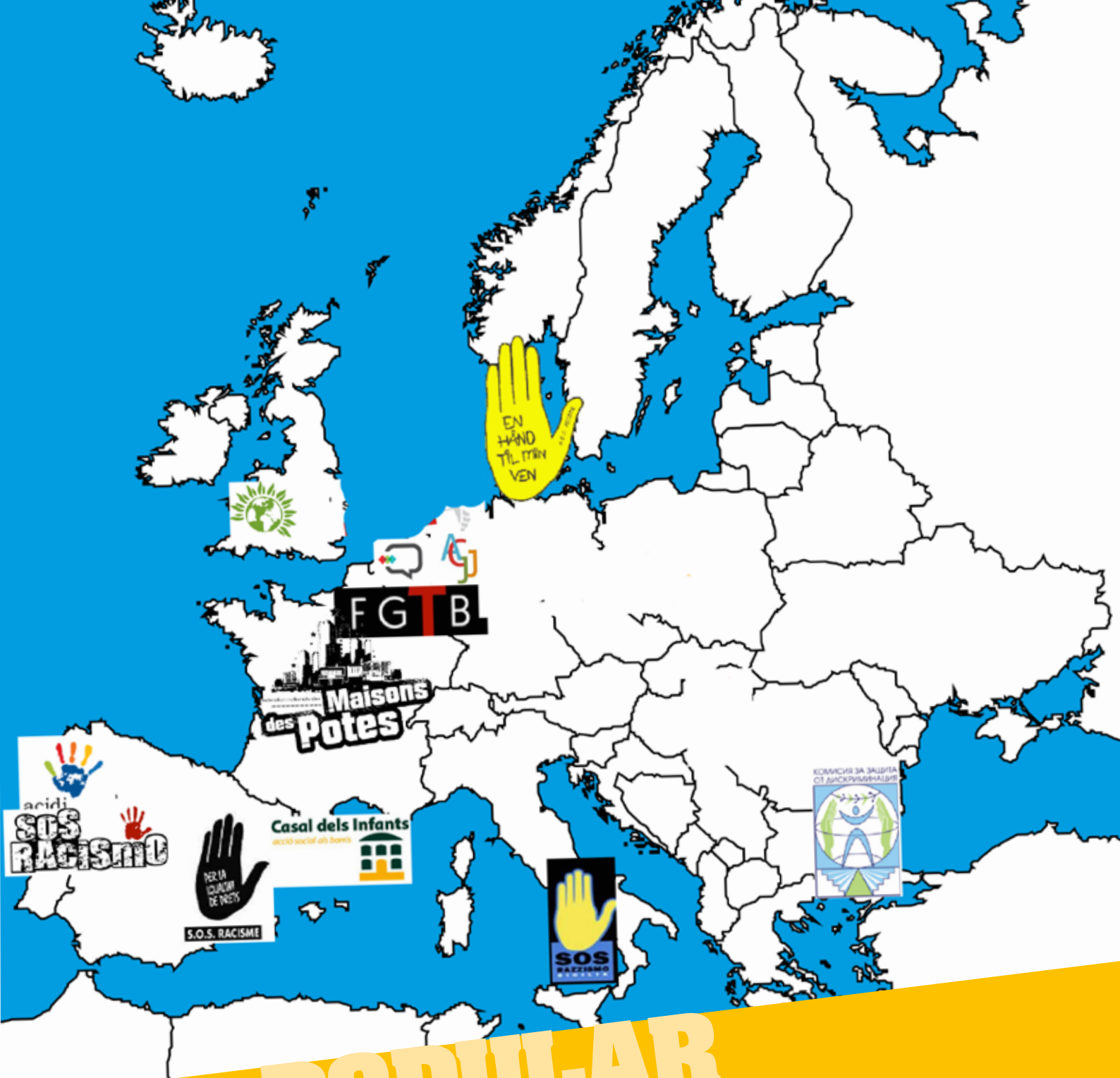
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POPULAR EDUCATION

In every European country, associations, unions and parties are mobilizing their strength to build a fraternal Europe to protect immigrants against racism and xenophobia. This popular movement, acting alongside immigrants and people in difficulty from popular district all over Europe should be valorized and supported by the European Union as reclaimed Stéphane Troussel, president of General Council of Seine-Saint-Denis. We asked the representatives of the organizations to explain the situation of their states and actions that they lead to make equality a reality. Youngsters in action in the Maison des Potes, collected their opinions to prepare the European meeting for equality and racism which take place on upcoming 14, 15, 16, 17 and 18 April in Paris.

Samuel Thomas
Translate by Victor Albert Blanco

European youth movement to

The links with our partner organizations from different countries of Europe were strengthened through the European Conferences of the MDP of December 5-6-7th, 2013 in Paris; Today they are more broadly renewed among 16 countries of Europe, for a convergence of equal rights for all European citizens.

Teddy



A pure product of the 90's, Teddy was brought up on European football championship games and the Eurovision singing contest... At 25, he now embraces a more citizen-like approach: How can Europe help fight discrimination? Teddy has investigated the situation of immigrants in Sweden.

Nadia



Nadia has been one of the artisans behind the Maisons des Potes Federation European relations. She has met with partners in Bulgaria and Sicily. While supported by a far too underused network of associations, she has been nurturing exchanges and building up the network by adding new associations, and has thereby been a great part of the project's success. Thank you.

Julia



Too black for some, too white for others, Julia has been committed to fighting discrimination. She aims at making equality a reality in terms of access to justice. In this manner, she has been able to promote the issue of legal aid in Italy.

Slimane



Slimane is a Europeanist with convictions. As the manager of an association in Seine-Saint-Denis in the Parisian suburbs, he regularly takes young people on visits to European institutions. On our behalf, he went to Brussels to meet with European social forum players.

Julien



An activist from an early age, Julien has been a familiar attendee of European Organizations, including OBESSU and IGLYO. He believes in a future United-States of Europe, which would enhance a greater vision for democratic ideals and social harmony. As the chief editor of Pote à Pote magazine, he has made contributions to many studies on various European countries.

Alexandrine



Alexandrine is a member of the new European generation: a generation filled with the desire to meet others, exchange and travel. Acting as a contact person between the Maisons des Potes Federation and other European associations, she has been able to conduct research on the United-Kingdom and Italy for this issue.

Victor



This 24-year old Spanish student has studied in many cities in Europe, and in all of them he has fought for the cause of students. He's the very epitome of the new generation of Europeans who won't hesitate to move from one country to another.

Léa



Deeply involved in the feminist cause in both France and the UK, Léa radiates enthusiasm and indignation. Since she opened the door of the Maison des Potes, she's been contributing to the United for Equality project.

Linda



At only 18, Linda is deeply involved in the combat against racism, and committed to making a reality of equality. Her particular interest is the conditions of custody of immigrants in Italy.

Daniel



Daniel hails from Mexico, and helps us build bridges with our Spanish-speaking partners. His dream: a fraternal continent of Europe where anti-racism is ingrained.

Camille



Camille, studying for a BA in political science, has contributed articles to this issue of Pote a Pote. She studied the British model to gain understanding of discrimination and racism and better combat these scourges.

Ismahan



A law student and activist at the Maison de l'Egalité, Ismahan, driven by her convictions, combats inequalities on a daily basis. She dreams of making equality between all European citizens a reality.

Sophie



Sophie is deeply involved in politics. This activist uses her sharp wit—and pen—to help Pote à Pote magazine discuss antiracist combats. Thanks to her political activity, we at La Maison de l'Egalité have met with representatives who work for equality.



build Europe Equality

Erik



Erik, who's been active since a very young age, is always ready to defend his rights. While still at high school, he got all his school friends to sign up for the union and he did the same at his university. He's now a member of the team at La Maison de l'Egalité and for him, the struggles goes on.

Karim



With his camera always ready to shoot, Karim, responsible for communications at La Maison de l'Egalité, captures all our actions for posterity. His work on the images helps convey the image of equality that is the aspiration of our organization.

Brian



This fervent combatant of racism works on a daily basis to achieve equality in the outskirts of Paris. For him, the ideal of obtaining equality throughout Europe is not just a dream.

David



David, passionate about politics and literature is an idealistic activist. Cultivated and imbued with conviction, he contributions to our Pote à Pote magazine are always enriching.

Barbara



A legal expert first and foremost, an activist firmly committed to the fight against racism, Barbara is always there when La Maison de l'Egalité needs her. Her objective is equal justice for all European citizens.

Dania



A student in journalism, Dania put her talent to good use writing for Pote à Pote's issue, United for Equality. Her dream: an all-embracing Europe where equality becomes reality.

Ervé



Ervé took his first steps in political struggles in Cameroun. The author of the phrase "Life is a perpetual combat" must certainly have come across this activist, a lawyer who straddles two continents.

Aminata



Aminata represents the new generation of Europeans united in the fight for equality. She works day-to-day to incite students at the universities of Paris to join the combat against discrimination and racism.

Amel



This brilliant politics students firmly believes in a united, anti-racist Europe. She has conducted numerous interviews abroad.

Zahoua



Zahoua is committed to ensure that all high school students have equal access to internships. Fascinated by other cultures, her dream is to show the world that Europe can truly achieve equality among its citizens.

Gargana



Gargana brought her experience of the fight for human rights in Bulgaria and Ukraine to France. This political science student, a member of the team working at the European level, aims to see that anti-racists principles converge across the EU.

Raphael



Active since a very young age, Raphael is deeply devoted to the anti-racist cause. He's always to be seen with his computer at hand doing the layout of the Pote a Pote magazine.

Sarah



From a multicultural background, this anti-racist feminist is a powerhouse at La Maison de l'Egalité. Her role is to educate high school students about our SOS Stage programme, which works for equal access to internships. She is an ambassadress for equality who travels through Europe strengthening the combat against racism.

Sabrina



Sabrina is active on all fronts, working to develop the European project at La Maison des Potes – Maison de l'Egalité. She's keen to shake up the old continent of Europe by mobilizing all its movements.

Translate by Lea Moreau

Appeal : United for equality

Europe now counts 30 million non-European foreign citizens (6% of the whole population). They take part in the demographic renewal of the Union, in its cultural and economic dynamism.

With the crisis context, many governments narrowed migrants' rights and decided to close the borders of a "Fortress Europe". Far-right parties, by spreading their hateful speeches, against Rom population, Muslims, Jewish people generated racist crimes.

In the whole of Europe, we are standing up, all different, all equal, united against fascism and racism to say "Never again!"

Whereas disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind (Universal Declaration of Human Rights), we ask the European Parliament to defend the founding equality principles of the European Union :

- **We claim a European legislation that will ensure migrants rights to enter and reside. We want that every undocumented worker be granted residence.**
- **We demand the right to vote in local election for foreign citizens in every country of the Union**
- **We want equality in the right to work for both non-European and European citizens**
- **We claim for Justice to punish racist actions, everywhere in Europe. We ask for testings and Class Actions to be legalized, in order to fight discrimination more efficiently.**

Together, let us make Equality a Reality, for a fraternal and solidary Europe that will be victorious tomorrow!

Translate by Dipaolantonio Aude

European organisation who whork for « Making equality becomes a reality »

For making this « Pote à Pote », we asked for our partner associations, which come from twelve european countries. Thanks to our european network with antiracist associations, we try to create « The Europe of the Equality ». Political parties, youth organizations, antiracist or public-spirited which have participated to this issue, took part to 2012 and 2013 seminaries of La Maison des Potes (Equality's Meeting). In the future, lots of european projects could be created. At 2013 autumn, we are going to

Austria : VSSTÖ



VSSTÖ is the Union of Socialist Students in Austria. Their main concern is to fight against injustice and social inequality in higher education:

They militate for a free University, free and open to all regardless of gender, social or ethnic origin, nationality or financial

resources. They fight against all forms of discrimination, whether based on nationality, origin, social class, gender, etc

Belgium : Kif Kif



Kif Kif is an intercultural movement that fights for equality and against racism. Kif Kif is involved in the construction of a solidary, democratic and intercultural society. They regularly organize critical, sensitizing, interactive and educational initiatives; and offer instruments to make listen another voice on

the intercultural living together. For this purpose, Kif Kif supports individuals and discriminated or excluded groups from fundamental rights. They help them to strengthen, so that they can fight themselves for their rights. We will be welcoming activists from their organization



Belgium : MRAX



MRAX or Movement against Racism, Anti-Semitism and Xenophobia, aims to fight against all the problems related to these three causes. It calls up for unity and action to all those who intend to oppose discrimination, hatred, prejudice based on race, language, origin, religion or philosophical affiliation. It aims to ensure the triumph of

friendship and peace among people and equality and brotherhood among men. We will be welcoming activists from their organization

Czech Republic : KONEXE



KONEXE is a Czech anti-racist organization with which we share the same antiracist values. We will be welcoming activists from their organization

Denmark : SOS mod Racisme



SOS Mos Racism is an organization that heighten awareness of the issues concerning discrimination and immigration. They have different regular activities in order to broadcast their message: « all men are born and remain free and equal regardless of

skin color, language, nationality, ethnicity, cultural origin or religious beliefs ». The organization taught us that antiracist movements are rare in their country when compared with the many radical movements

France : Fédération Nationale des Maisons des Potes



The Maisons des Potes are popular education organisations committed in the fight against racism and discrimination. The Fédération Nationale des Maisons des Potes brings together community organisations, elected representatives, union activists involved in the popular districts on the side of immigrants, their children to defend their right

to employment, culture, education, housing, secularism, security and justice.

Around ten demands in order to «Make Equality a Reality », 300 neighbourhood associations participate at actions, at the «Tour de France of the Equality » and at citizen Universities.

We work along with policy makers to Make Equality a Reality, especially through the Pote à Pote magazine, distributed to 900 subscribers and to 250,000 internet supporters. As mouthpiece of the participants of the fight for the equality, it provides benchmarks and considerations.

We take legal action to condemn racial discrimination systems which persist in France and Europe, particularly in areas such as employment, housing...

We fight against discriminations in access to traineeships for high school students of popular districts with the Sos-stage device.

Finally, we are working on the convergence of European anti-racists. This Pote à Pote and our upcoming European seminar witness our willingness to expand this network.

Greece : **KEERFA**



KEERFA (United Movement against Racism and the Fascist Threat) they have also launched an international appeal to make of March 22nd, an anti-fascist and anti-racist action day.

The anti-racist and anti-fascist movement demands an end to the racist policies of the Fortress Europe, concentration camps, closed borders and hedges which cause the death of refugees, women and children from

Lampedusa to the Aegean Sea. We will be welcoming activists from their organization

Germany : **Jungen DGB**



The DGB-Youth is an independent youth organization. As a recognized free bearer of youth services they have encountered an independent educational mission in society. At the same time, the DGB-Youth is part of the German Trade Union Federation. It is equal to the DGB umbrella organization and is also federally structured (country) in

districts, counties or regions. The members of the DGB-Youth are all young members of a DGB trade union in accordance with the statutes of the member unions.

We shall have as a participant of the seminar of April, 2015, Ismail CEBE (member of the same structure) as well as 3 German activists

Ireland : **People Before Profit**



People Before Profit Alliance
A Voice for People, Community and Environment

People Before Profit is an Irish collective

with humanistic, antimilitarist and environmental values. The collective was established in October, 2005 by workers with a very wide variety of campaigns. It brings together different political sensitivities and fights for a free and quality health for all,

against the entry into the war of Ireland alongside the United States, to protect the environment and defend local democracy. We will be welcoming activists from their organization

Italy : **SOS Razzismo Sicilia**



SOS Razzismo Sicilia is an antiracist, independent and democratic organization, which was established in 2008. It leads several actions, as the promotion of human rights and the socialization between Italian citizens and foreigners in order to promote exchanges and

shared knowledge. It also tries to make easier the social integration of citizens descended from immigration, whether adult or youth. We will be welcoming activists from their organization, Fathi HOUAM (President) and Youssoupha THIAM (Vice President)

Italy II : **Razzismo è una Brutta Storia**



Razzismo è una Brutta Storia is an antiracist organization from Milan. It is very active inside the education community where it raises awareness against racism among schoolboys and college students. We will

be welcoming their Vice President Agnese RADAELLI who was also a participant of our November's plenary meeting for Equality «Europe against racism and inequality».

Portugal : **SOS Racismo Porto**



SOS Racismo Porto is a Portuguese organization created in 1990 in order to «provide a more fair, egalitarian and intercultural society where everyone can have the same citizenship rights.» In collaboration with other organizations, either domestically or internationally,

SOS Racismo develops educational, legal and cultural activities with the purpose of fighting against racism and discrimination. SOS Racismo has a nationwide coverage and also militant presence



Poland : **Never Again**



Never Again is the first anti-racist organization in Poland. Its mission is to promote multiculturalism and contribute to the development of a democratic civil society in Poland and in the region of Central and Eastern Europe. Its main concern is the lack of awareness about racial and ethnic prejudice among young people. We will be welcoming activists from their organization.

Spain : **SOS Racisme Catalunya**



SOS Racisme Catalunya is an organization established in 1989 which works in the defense of human rights emerged from the antiracist action, while considering racism and xenophobia as an attack on human rights.

The organization demands equal rights and opportunities, and develops its action by denouncing racist acts and by

heightening society' awareness. It also has a solid working together experience with other social actors and militant circles. We will be welcoming activists from their organization.

Spain : **SOS Racismo Federation**



The Spanish Federation of SOS Racismo was established in 1995. It is a network of organizations from different territories in Spain that fights for the defense of human rights by focusing on the fight against racism and xenophobia. The SOS Racismo action

has been in recent years focused on the fight against immigrant detention centers as well as on the limitation of their rights. We will be welcoming activists from their organization

United Kingdom : **NUS**



NUS is the National Union of Students in the UK. They promote, defend and extend student rights: preserve those that they currently have and gain new ones. They fight discrimination, isolation and injustice. They promote unity among students and

young people regardless of their social or ethnic origins, their gender or their nationality

United Kingdom : **United Against Fascism**

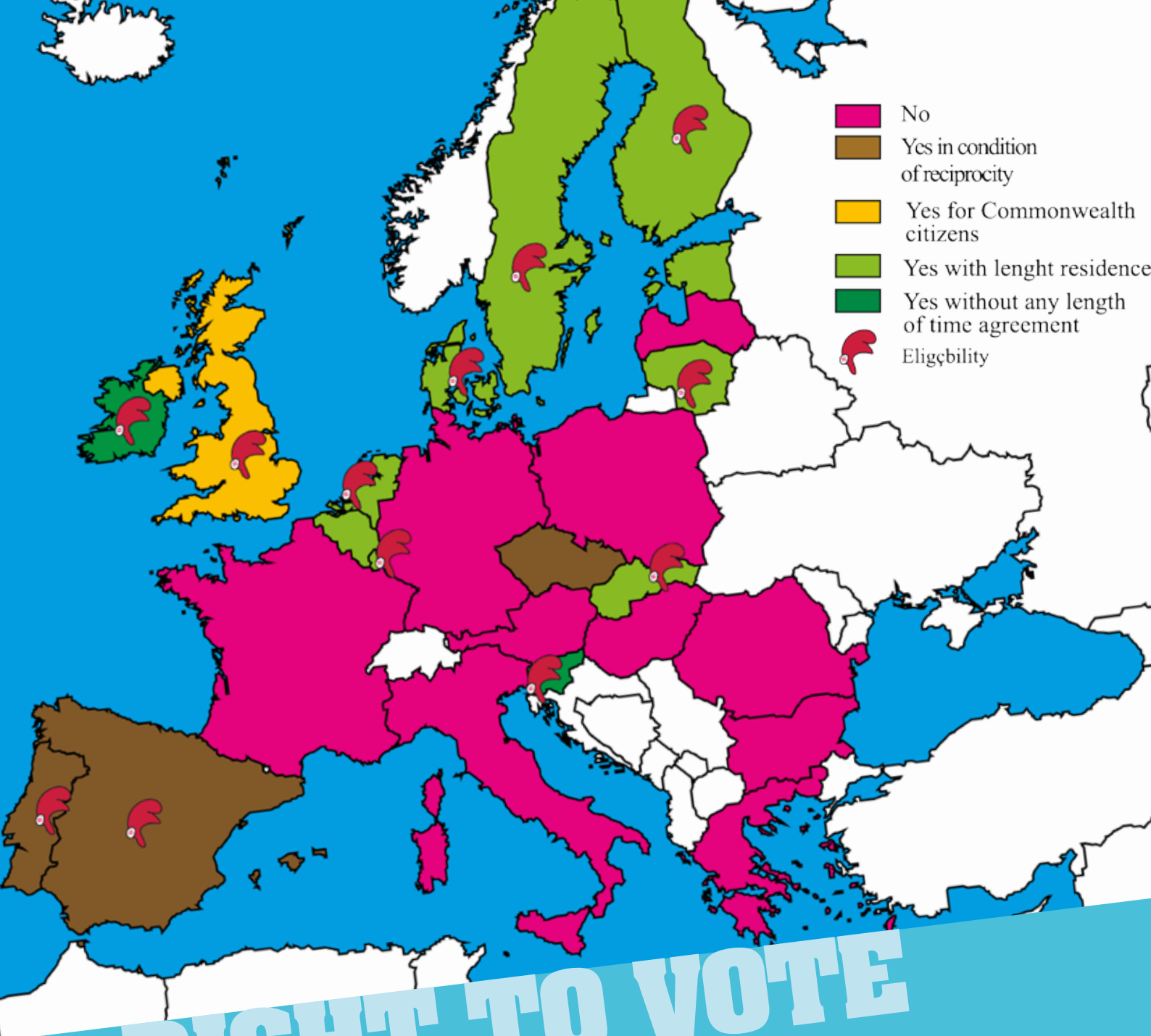


United Against Fascism (abbreviated as UAF) is an anti-fascist NGO with support from politicians of all mainstream UK political parties, including the current Conservative Prime Minister David Cameron. We will be welcoming activists from this organization

**YOU TRUST HIM
EVERYTIME YOU HAVE LUNCH
YOU CAN HELP HIM
FOR HIS RIGHT TO STAY**



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RIGHT TO VOTE

The «Federation Nationale des maisons de pötes» is found to protect the foreigners voting rights. In 1989, The Maison des Pötes with SOS Racism launched the «89 for equality» campaign which resulted 500000 collected sign. Today a majority of French people and the parliamentary system should permit us to get this right which was granted to European people in 1991. Since 1989 a large number of nations have expanded non-European's voting rights hence concretizing equality among fellow citizen. What has been done in Belgium, UK, Spain, Denmark, Sweden and Ireland is a trampoline for the victory in Germany, Italy and France. Jean Louis Borloo and François Hollande is making a huge mistake by postponing

Samuel Thomas
 Translate by Dan Nagamouttou

Voting right for foreigners in Europe : A few examples

François Hollande declared that after the local elections he would submit a text regarding foreigners' voting rights. There has been great progress on the question in other European countries, but is still under debate in France.

Ireland, Norway, Sweden, Denmark and Benelux ahead of their time

In regards to foreigners' right of vote, several European countries stand out from others. First of all, Ireland has been a pioneer. Foreigners have the same rights as nationals when it comes to voting in local elections. This was established in the municipal elections of 1963. In Sweden and Denmark, except for Irish and Norwegian citizens who have the same right as nationals, other foreigners can vote for local elections after three and four years of residence respectively.

Other countries such as Belgium, Luxembourg and the Netherlands have already passed laws allowing foreigners' right to vote without any condition of reciprocity. Foreigners residing in the country for at least five years can indeed vote in local elections. The Netherlands is amongst the first country to have granted the right of vote for municipal elections in 1986.

Reciprocity in Spain and Portugal

It is also important to stress that some European countries give substantial importance to the principle of reciprocity regarding the right to vote. It is a legal principle that allows the application of various legal effects, when foreign countries also accept these effects. This is the case for nations such as Spain or Portugal.

A causal link between the right to vote and foreigners' eligibility

Apart from the case of Belgium, where residents of a municipality have the right to vote but cannot be elected, we find that a certain type of reasoning is globally respected. The countries already mentioned apply, albeit with certain slight differences, the same conditions for the right to vote as the right to stand for election. In the case of Luxembourg, a foreigner must reside for five years in the country; in addition, he or she must reside for six months in the municipality in order to stand for election.

The case of Switzerland

In Switzerland, the conditions for the right to vote and to stand for election are different depending on the canton, with differences ranging from one to five years' residence. However, foreigners have the right to vote in all cantons.

To conclude, numerous countries have granted voting rights to foreigners. Yet founding members of the European Union like Italy, Germany and France do not grant these rights under any condition whatsoever. It remains to be seen whose example France will follow after the local elections of 2014.

Teddy Ambroise
Translate by Lea Moreau





United Kingdom : Full rights for Commonwealth citizens



The citizens of the 54 countries that belonged to the former British Empire are entitled to vote and stand for election for all elections

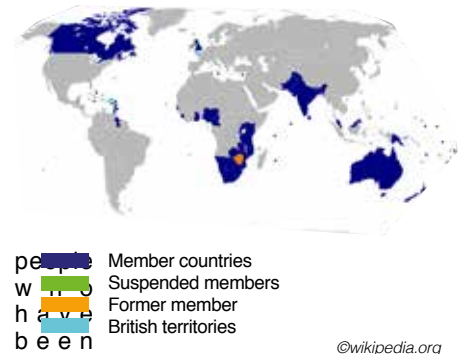
In Great Britain, there is a unique type of legislation concerning the voting rights of foreigners. This is because there is distinction made between two types of foreigners: those who are citizens of the Commonwealth and the others. The difference lies in the rights that the former enjoy and that the others do not. The Commonwealth has 54 member countries, and their citizens have privileged status in the United Kingdom by comparison with foreign citizens of non-member countries. They have voting rights for all elections, with the exception of the European elections, and can, in addition, stand for election for all of them. These rights were established with the aim of organising the representation of minority groups, and are not based on the principle of reciprocity, unlike the case of Spain; not all Commonwealth member countries grant this right.

Each level has its own law governing representation, with the 1983 Representation of the People Act granting eligibility to

Commonwealth citizens. According to the official figures given to the OECD (Organisation for Economic Co-operation and Development) in 2006, 1,162,00 of the 3,353,000 foreigners residing in the UK are citizens of Commonwealth countries. Of this figure, 988,000 are adults from the Commonwealth and are thus entitled to vote in all British elections.

One might think that after the rupture of decolonisation, these countries could not demand the right to vote for their citizens. But the 1918 Representation of the People Act granted voting rights to all British subjects. If the countries gained independence, their citizens would lose these rights. When the Commonwealth was founded, the rights were re-established. After many racial riots, the British government passed legislation on racial equality for the first time 1976 in an effort to combat discrimination.

An essential question now faces the United Kingdom: what is to be done for foreign



residing in the country for many years? There are two possible solutions: extend Commonwealth voting rights to the citizens of other countries, or grant British nationality to foreigners residing in the country.

Alexandrine Yala
Translate by Lea Moreau

Minorities in the United Kingdom : who votes for whom ?

The Labour Party gets the vast share of minority votes. Here we take a close look at ethnic minority participation.

Political parties use various surveys to plan their policies. They use the census for an accurate picture of the population and adapt their ideas according to the results. In 1981, for the first time, the population survey included a question about ethnic origins. It was further refined in 2001 to specify five categories: Whites, Chinese, Mixed-Race, Asians and Blacks. Out of a total population of 55 million in the UK at the time, 3.1 million came from ethnic communities that were not white. The communities were concentrated in the most highly urbanized areas of the country. Ethnic minorities thus represent a significant electorate; political parties have everything to gain by attracting their votes.

Anwar, a specialist in minorities in the UK, shows that in 1974, only 6% of the white population was not registered on the electoral lists; by comparison, 24% of ethnic minorities were not registered. Several reasons for non-

registration by ethnic minorities are suggested: lack of certainty about their residential status, and even of their voting rights; the language barrier; fear of racist reprisals by far right groups who might recognise their names on the voters' register. During the 1997 general elections, 60% of Asians and 92% of Blacks voted for the Labour Party. Anwar's analysis establishes that one of the reasons that explains the tendency of the minorities to vote Labour is the perception that the party is more sympathetic to ethnic minorities and supports the working class. This is because of the various laws passed by the Labour Party against forms of discrimination.

It is Asians who, proportionally, have the highest rate of participation, even higher than that of whites. In 1998, 31% of the Asian minority group stated that they were certain to vote in local elections, in comparison to 28% of whites. The democratic ideal is based on the

idea that political power only has legitimacy if a sovereign people makes its choice. There can be no democracy without the involvement of citizens, and that is why political citizenship stems not only from enjoying civil rights relative to nationality, voting rights and eligibility, but also from the duty to engage and participate in political life.

However, the extent to which ethnic minorities can so engage seems to be limited by constraints imposed on their participation and political representation. The explanations of inequality in elected representative institutions often reflect social inequalities based on class, sex and gender, and play a direct role in under-representation of minorities.

Lamia Dzanouni
Translate by Lea Moreau

1918 United Kingdom 1963 Ireland 1971 > ... Portugal 1975 Sweden 1978 > ... Spain 1981 Denmark ...

Despite voting rights of foreigners in the UK, political representation is not a success



To amend the inequalities of the political representation of women, minorities and disabled people, the Speaker's Conference, a committee of members of the House of Commons, was entasked in 2008 to make recommendations

An extraordinary enquiry: a parliamentary commission provides responses

The latest Speaker's Conference, held on 12 November 2008 at the House of Commons, focused on the theme of how to reduce differences in the representation of minorities to combat voting abstention. A Speaker's Conference is presided by a speaker and its members are drawn by lots from all the political parties represented at the House of Commons. It is a form of enquiry that is rarely used: the first was organised in 1917 and since then only five have been held.

The Speaker's Conference states that the integration of these currently under-represented groups at the House of Commons would make a positive contribution to British democracy. If the House of Commons were more diverse, it could base its work on more diverse experiences. This would enable it to resolve problems and propose more effective new laws. The Conference expressed concern about the situation, and fears that Parliament might lose its legitimacy.

The objective of the Conference was not only confined to ethnic minorities, but dealt with all minorities: women, the disabled, gays, lesbians, bisexuals and transgender OR TRANSSEXUALS? Its aim was to define the reasons why these groups were under-represented and find a solution to the problem. Thus it was essential that dialogue between MPs and the people they are supposed to represent be reactivated.

The difficulties of true representation

« The Speaker's Conference advocates a policy of mandatory quotas that political parties would have to respect, firstly for women and then for ethnic minorities. »

The Speaker's Conference identified two types of problems. The first, termed "supply side barriers", inhibits under-represented groups from stepping forward, mainly because of the high cost of electoral campaigns. The Conference recognises that ethnic minorities are more likely to occupy jobs with low pay, and consequently cannot afford the costs of standing for election. The Conference made an appeal to launch a Democracy Diversity Fund at party level to fund the costs of campaigning for members of under-represented ethnic groups, a fund which was hitherto non-existent.

In the rare cases when promotion effectively took place, the Conference noted that it in no way promoted the candidate to a position of responsibility. This obstacle was identified as a "demand side barrier". The Speaker's Conference advocates a policy of mandatory quotas that political parties would have to respect, firstly for women and then for ethnic minorities.

It is clear that since 2008, there has been no progress. Preoccupation with the legitimacy of the government with respect to under-represented groups has been expressed, but the solutions put forward by the Speaker's Conference are inadequate. Recognising that ethnic minorities are gaining more advantage from their influence on conventional politics now than 20 or 30 years ago in no way precludes the fact that the Labour Party can do more to take into consideration both the concerns and the promotion of interests common to all minorities. In fact, the minorities tend more and more to participate in less conventional ways. The Speaker's Conference provides pointers and recommendations, but has given nothing substantial to improve fair representation.

Lamia Dzanouni
Translate by Lea Moreau



The Irish example : Full citizenship for all foreigners



In Ireland all foreign residents have the right to vote in municipal elections and have been doing so ... since 1963!

Driving force of progress

According to the diverse testimonies and studies on the subject, this measure currently generates barely any controversy, with the role of foreigners in the construction of society now well ingrained in the collective imagination. Moreover, since 1992, no minimum length of stay in the country is required. A trailblazer in Europe in this field, Ireland turned out to be the driving force of progress of northern European countries. Focusing on the Irish model would allow us to get rid of certain reluctances. The situation is certainly not identical in France, because to establish foreigners' right to vote in France would require a constitutional amendment. This development was achieved in Ireland without leading to major structural reforms. Nevertheless, for this country with barely more than 250 000 foreigners, approximately 7 % of its population, this was a major step in its political life, as well as a major evolution towards progress.

Integration and recognition, a step towards equality

The benefits of this measure are multiple and focuses mainly on the corresponding issues of what it means to live together. The foreigners' integration in the life of their municipality of residence has indeed greatly facilitated the fight against communitarianism; it leads to socialization through commitment to public life, focusing on common values rather than those of their cultures of origin.

But what should really inspire us from the voting rights of foreigners in Ireland is the fact that fighting for the voting right of the



© Óige Phoblachtach (Republican Youth of Sinn Féin, August 2011)



foreigners is also a question of equality and recognition. This implies the recognition of immigrant workers who pay taxes to the French state.

When taxes are paid, when local residence taxes are settled, it is legitimate not to be excluded from a democratic process that would allow their voices to be heard in the running of their municipalities. We can only hope that our leaders draw inspiration from this country.

S.V.

Translate by Lea Moreau

“A trailblazer in Europe in this field, Ireland turned out to be the driving force of progress of northern European countries.”

Voting rights in Spain : Reciprocity



In 1978, the first step towards equality for all citizens was taken. However, for 30 years, the dominant foreign community, Moroccans, were excluded.



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Spanish public and political life were led by the authoritarian and military regime of General Franco (1935-1975). After his death, there was a period of 'democratic transition' that followed and it was during that period that the Spanish Constitution was written, adopted and validated by the 1978 referendum. Spain had already included the right to vote in local elections for foreigners on the basis of reciprocity in its Constitution.

To be more precise, article 13 of the Fundamental Law states that "Only Spaniards shall have the rights recognised in article 23 except that which in keeping with the criteria of reciprocity may be established by treaty or law for the right to active and passive suffrage in municipal elections."

The right to vote is part of 'the rights acknowledged by article 23' which specifies that 'citizens are entitled to participate in public affairs, either directly or through representatives freely elected at elections at universal suffrage'.

Finally, the Spanish Constitution was adjusted (following the Maastricht Treaty in 1992) adding to the right to vote the right

to stand for local elections; this is reserved for citizens of countries that recognize these same rights for Spanish citizens.

The reciprocity principle

As stated above, the foreigners' voting rights in Spain is possible only if the principle of reciprocity with third-country nationals is respected.

Moreover, these citizens should hold an authorization of residence; they should be resident in Spain on a continuous basis for the five years preceding their request to register for electoral lists and vote in the municipality in Spain where they have their primary residence.

This principle of reciprocity was relatively restrictive because José Maria Aznar's right-wing government and José Luis Rodríguez Zapatero's left-wing government's first mandate (period marked by mass regularization of undocumented workers) were both opposed to recognizing this right to all foreign citizens.

According to Hervé Andrès, Spain requires not only that states grant Spanish citizens the right to vote, but also that this agreement should be based on a legal framework (treaty, convention, exchange of diplomatic notes formalising the agreement).

Moreover, from 2008, José Luis Rodríguez Zapatero led an offensive foreign policy with the help of an ambassador responsible for implementing the reciprocity agreements and acquire new ones.

Low participation rate

Progress has been achieved because one-third of foreign citizens who meet the conditions of majority and residence have been granted the right to vote.

However, during the 2011 local elections, the enrolment rate on special electoral lists was very low (14% of the potential electorate, according to certain sources). There were 46,000 non-EU registered electors, ten times less numerous than EU electors. In conclusion, we could say that Spain could go even further because this accumulated progress in the area of equal opportunities is acquired and irreversible. This country shows us, French citizens, that change to include new rights is possible, and has no negative consequences on social and civil life, even in a country that has fought against the ghosts of totalitarianism.

Slimane Tirera

Translate by Lea Moreau

«Moreover, from 2008, José Luis Rodríguez Zapatero led an offensive foreign policy with the help of an ambassador responsible for implementing the reciprocity agreements and acquire new ones.»

**1978 > ...
Spain**

**1981
Denmark**

**1986
Netherlands**

**1993
Estonia**

**1996
Finland**

...



In Spain, Moroccans can now drop their ballots in the box



As a farewell gift, the Spanish Prime Minister Jose Luis Rodriguez Zapatero, in office from 2004 to 2011, granted the right to vote to Moroccan nationals living in the country.

According to a Senate report, "Under the principle of reciprocity, Spain had, before enlarging the right to vote to nationals of the European Union, concluded agreements in 1989 and 1990 with the Netherlands, Denmark, Norway and Sweden to allow the citizens of these four countries to participate in local elections after three years of residence in Spain.

Since directive 94/80 was transposed, only the agreement reached with Norway remains applicable.

Spain has signed friendship and cooperation treaties with a number of Latin American countries, according to which each of the two parties undertakes to give the right of vote in local elections. Spain signed such treaties with Argentina in 1988, with Chile in 1990 and with Uruguay in 1992.

It was only in 2011 that more than 500,000 Moroccans gained the right to vote and stand for local elections, according to article 30: "Foreigners have the right to enjoy fundamental freedoms, a right that is recognized for Moroccan citizens, in accordance with the law. Moroccan citizens

residing in Spain can participate in local elections by virtue of the law, application



© « Aqui vivo aqui voto », A collective of associations for the right to vote for foreign residents

of international agreement or principles of reciprocity." Therefore Moroccans can participate in local Spanish elections, and even stand as candidates to be elected to positions as councillors in municipalities

with large Moroccan populations.

Morocco became the 121st country whose citizens could enjoy the right to participate in Spanish political life. "It is a major step forward for our integration in our host country," stated El Hassane Jeffali, president of the Catalan non-profit organisation Adib Biladi, on this occasion, following the publication of the constitutional project and long before the referendum of the 1 July. "We can defend ourselves better in this new context. Racist and xenophobic parties will have second thoughts before singling us out or blaming us for economic insecurity and decline."

61% of the French population would like to hear these words by foreigners living in France. Let's wait for developments in 2014!

Nadjib Sellali

Translate by Lea Moreau

Switzerland : foreigners can vote in some cantons



In the cantons of Neuchatel, Fribourg, Jura and Vaud foreigners benefit to right to vote. The confederal system of Switzerland allow cantons to regulate this right.

In some cantons (Switzerland is a confederation of cantons), the right to vote is given to foreigners at local level. The constitutional disposition gives them the right to be elected. Four cantons (the federal States of the confederation) give to foreigner the right to vote and be elected at regional level. There are the cantons of Neuchatel, Fribourg, Jura and Vaud. The conditions change among the cantons but in most of them you must stay for a minimum time and have a residence permit.

The canton of Jura, for instance, presents a particularity: the right to be elected is restricted to Parliament. In Vaud, the foreigners can participate in the local elections and be elected at the city council. They can also sign the initiatives and local consultations with the only condition to be of age; to have the residence permit and to have lived in the canton for at least 3 years. The right to vote and be elected at regional

level is not yet granted but some political actors fight to make it change. Raphael Mahain, lawyer and member of the council of Vaud and vice-president of the Greens in the same canton, defended in 2011 this position. Despite a defeat at the popular consultation he doesn't give up.

In Appenzell Rhodes-Extérieures, a demi canton, leaves since 1996 to the cities councils the right to give or not political rights to foreigners. In Fribourg, since 2004, foreign residents with a permit C have the right to vote and to be elected at the local level. In Geneve, in April 2005, the inhabitants approved by a 52.3 % vote the right to vote to foreigners living in Switzerland for more than 8 years. In Grisons, since 2003, is allowed to city councils to give to foreigners the right to vote and to be elected (today, 15 of the 186 city councils give these rights). From its creation in 1978, the canton of Jura gives

the right to vote and be elected at local level and only the right to vote at regional level. In Nauchatel, since 1949 the canton gives the right to vote to foreigners at local level. In 2000 the canton also gave the right to vote at regional level for foreigners living for a minimum of 5 years.

Pierre Beaupère

Translate by Lea Moreau

David Cordonnier, President of the Socialist Youth Movement : “Europe can be a pioneer”



In 2004 in Belgium, Socialists convinced the liberals to grant the right of vote to foreign citizens.

How did the debate leading up to the right of vote in Belgium go?

This kind of proposition is always subject to debate in society, although it is a debate that must be refocused. The issue here is granting the vote for municipal (local) elections to foreigners residing in Belgium for at least five years. For me, the essence of this right resides in the participation in local community life. For the Socialist Youth it was obvious that when one lives in a place, has his or her children in the local crèche or school, uses public services, pays his or her taxes, etc., one can express his or her opinions and choose how and by who the community will be run. The issue does not go any further than this. In debates surrounding this project, I was worried by certain reactions against the right of vote for local elections for foreigners. These reactions bring to the surface hateful racist comments that we absolutely need to fight.

What were the initial demands, and what compromise was made to build an alliance in favour of the right to vote?

It took lengthy parliamentary debates to achieve the law of 19 March 2004. To gather a sufficient majority, an agreement needed to be made between the socialists and the liberals. Debates were complex but the law was passed. Nonetheless a compromise had to be found. The liberal partners had many demands: they insisted that foreigners expressed their attachment to the values of our country. Even though this is a completely abstract concept, the stipulation that all non-UE foreigners voting in Belgium would sign a declaration of respect of the national constitution, Belgian laws and the European convention of Human Rights was nevertheless integrated into the law. It is, however, a mere formality.

Do you think restrictions to this right might change ?

For the moment, the debate seems closed. However, the condition regarding the length of residence was subject to lengthy debates even if the final consensus was widely shared. Extension of the right to vote for

foreigners to other levels of power is not on the agenda, even if, in my opinion, there is some serious thinking to do regarding this issue. Today, people settled on a long-term basis can always make an application for naturalization and if this demand is successful, they can enjoy access to civil and political rights, granted to all citizens. It is an additional step that some foreigners do not take because they do not want to cut all ties with their country of origin or because



Posters for municipal elections in Molenbeek, on the 5th of October, 2006 (Yves Herman/Reuters)

« In Belgium, the right to vote is mandatory and everyone is registered on the electoral lists. »

they do not see the need to it. However these people are excluded from the democratic debate because they are not given a voice. Unfortunately, granting the right to vote on a local level was already such a traumatic debate that it is not simple to re-open it – this would be like opening Pandora’s box for latent racism. However, debates on democracy shouldn’t avoid these issues.

Soon after the first local elections where foreign citizens could vote, we now have to deal with the issue of how to improve participation. As you know, in Belgium, the right to vote is mandatory and everyone is

registered on the electoral lists. Once they are on these lists, they have the obligation to vote. Unfortunately, on 14 October 2013, only a few foreign citizens were signed up. We need to continue raising public awareness so that they take interest in the democratic debate and that they sign up on electoral lists. Unfortunately, this is rarely a priority during electoral campaigns. We have six years to discuss it again.

How to give new impetus to this right at a European level?

Europe could be a pioneer in this regard. We must remember that it thanks to the European Union that progress concerning the right for foreigners to vote was first made, since it claimed the right for European citizens. We can definitely say that it was a success for Belgium, especially in Brussels, where many candidates and elected representatives are non-Belgian but are European citizens and are committed to and involved in local affairs. The status of Brussels as a European capital and the large presence of European political staff is certainly a significant reason for this success. It was also a success for villages located in border areas where trans-border issues are crucial. The issue is more complex elsewhere, I agree. Having said that, Europe must continue to encourage democracy not only at a local and European level, but also at a regional and national level. However, the rise of conservatism and identitarian closure in Europe is frightening and does not bode well for democracy. It is thus our duty as citizens to oppose, at a European level, any type of extremism and identitarian closure based on so-called national values that, in some cases, only conceal extremism redolent of racism.

Statement collected by Julien Vanhée
Translate by Lea Moreau

2000

Rep. Czech

2002

Lithuania / Slovakia / Slovenia

2003

Luxembourg

2004

Belgium ...



Debate and convince : the determined Tour de France of Julie Hollard

The Parti Radical de Gauche (Radical Party of the Left, PRG) has organised a tour of France to discuss voting rights for foreigners. Julie Hollard, who initiated the tour, tells us about it.



Montpellier, in the south of France. In the midst of a very concentrated audience, a young girl with big round eyes lifts her hand, just like at school. "What's a foreigner?" she asks. From the stage, Julie Hollard answers her gently, "We're all on the same planet. No one is a foreigner." But behind this gentleness lies a resolute determination, she tells me, to ensure that everyone has the right to vote.

Julie Hollard is a lawyer. The thirty-year old is a member of the executive committee of the PRG, in charge of justice and new rights, and a candidate for the 2014 local elections in the 19th arrondissement in Paris. She was the person who convinced the leaders of the PRG, a party that always spearheads combats for freedom, to organise this tour throughout France to debate voting rights for foreigners. With a smile on her face, Hollard recalls herself when, much younger, class representative at the age of 11, then again the following year, but beaten in the elections for two years after that, only to be re-elected in Year 11, and who, in the middle of a class council, ardently defended one of her classmates to the teachers, saying, "No, it's impossible. He can't possibly fail and repeat the year!" Today, with just as much ardour but even more methodically, she is striving for French society not to fail.

And it works, with one debate after another. From east to west, from north to south of the country, "not a single debate is like any other", she says. At Aulney-sous-Bois, in the north-eastern suburbs of Paris, where the touring debate began on 28 February 2013, 300 people crowded into the hall. "We even had to turn people away. There were meaningful contributions from councillors, communists, greens, players from NGOs, like Samuel Thomas of the Maison des Potes, and Pierre Tartakowsky of the Ligue des Droits de l'Homme (League of Human Rights, LDH)." Prior to Villeurbanne near Lyon, and Paris, Caen, Laval, Chalons sur Saône, Nîmes and Dunkerque this year, she

went to Blois, "where all the political parties of the left attended; Nice, with the centrist party, the Modem; Strasbourg, where the youthful audience were most spontaneous, and Agen; where, with the LDH, our approach was historical and philosophical."

Countering the argument for citizenship reserved for nationals

Without even going back as far as the French Revolution, which gave voting rights to all, let us go back to February 1992, when, under the impetus of the Maastricht Treaty, the French constitution was modified in the following September.

« At the tribunal
elections, there is non
community vote. »

It now proclaims that "the right to vote and stand as a candidate in municipal elections shall be granted only to citizens of the Union residing in France." As an administration site summarises, "nationals of European Union countries were able to vote in the European elections for the first time in 1999 and in local elections in 2001. The foreigners' right to vote in these elections was incorporated into the Charter of Fundamental Rights of the European Union in 2001. For Hollard, "the link between citizenship and voting rights was made. This means that citizenship is not tied to nationality."

Of course, when she hears the right wing parties arguing that "they should just apply for nationality," she understands this as a way of refusing the right, and even more, of not making any progress in a debate that already pitted philosophers Rousseau and Sieyès against each other. Rousseau advocated popular sovereignty

and therefore universal suffrage, by which all residents of a country are citizens and therefore all have the right to vote. Sieyès advocated national sovereignty, whereby only some members of the population are selected to enjoy their rights, just like in the system of suffrage by census, with money being the criterion for the right to vote. It was popular democracy versus selective democracy.

"The arguments put forward by opponents to voting rights and eligibility of non-EU residents, according to which citizenship cannot be dissociated from nationality, no longer appears to be founded now that the Maastricht Treaty has dissociated French nationality from European citizenship," as the vie-public.fr site reminds us. Hollard returns to the argument for application for nationality put forward by the right. "For us, members of the PRG, asking for nationality is a freedom. If you live in Canada for 15 years, even if you like it, you may not necessarily want to acquire Canadian nationality." It's your choice. It's your freedom.

The other major argument put forward by conservatives is one based on community identity: if foreigners acquire voting rights, they will use it to further community preferences, whether real or imagined. This is completely false. "At elections for industrial, professional and health insurance tribunes, as well as for other elections where foreigners are entitled to vote, there are no partisan or religious votes. There is not even any politically-oriented voting. They vote in the interests of their profession: foreign waiters vote for the interests of waiters, foreign bakers vote for the interests of bakers, and so on." Here, one could talk of social citizenship. The same is true for the stereotype that all foreigners are left wing. "They vote as much for the left as they do for the right." Lastly, these arguments are reminiscent of those brandished long ago against soldiers, French people from overseas territories, and then against women. "Women do not have a soul. They should concern themselves with private matters and not with politics. Women would be too heavily influenced by the Church." The argument based on community preferences sounds just like a backward-looking repetition of these remarks.

Dolpi

Translate by Lea Moreau

Fanelie Carrey-Comte, member of French Parliament for Paris :



« The only losing battles are those we don't even try to fight »

Fanelie Carrey-Comte is one of 75 Socialist members of parliament to sign an appeal asking the French President to keep his promise. By giving voting rights to foreigners, she hopes to increase voting turnout. She points out that in Ile-de-France (the metropolitan Paris area), only 20% of the population voted in the last municipal elections.

The commitment made to establish voting rights in local elections for non-EU foreigners must be implemented. In my opinion, it is essential and non-negotiable.

The main arguments and issues are already known:

- Universal suffrage is not frozen in time in France. In fact, it has undergone numerous changes, with the right to vote granted to women and to EU citizens for local elections. Today, a further step must be taken.

- It must be borne in mind that more than two million non-EU foreigners reside in France. They are involved in daily life in their municipal districts and pay taxes. Is there any justification for these people, residents in the country, not to participate at this level by voting for their representatives?

- Such a measure does not – contrary to what is said on the right of the political spectrum – aim to foster separate community interests, but to combat them. It is the inequalities of treatment between individuals that can drive a society further organised into separate communities.

- A commitment that goes hand-in-hand with a vision of citizenship that is not systematically linked to nationality. This vision is important for several reasons. Firstly, many of the individuals concerned are themselves related to French citizens. The fact that parents do not participate in elections means that the younger

generation is influenced: do they sign up on the voters' rolls or not? Do they vote or not? These questions arise even when they have the right to vote. Secondly, the degree of representation in the municipal districts and departments with high immigrant populations is distorted by this limitation to universal suffrage. As an example, if we take into account the abstention rate in Ile-de-France, it transpires that only 20% of the population participated in the local elections.

“The only losing battles are those we don't even try to fight.”

“It is impossible for me not to see this initiative through to the end.”

- The arguments in favour of the French President's promise during his electoral campaign are, in my opinion, compelling. Today, I do not underestimate the difficulties in implementing them. They are tied to an unfavourable balance of power in Parliament concerning a revision of the constitution; furthermore, the outcome is not guaranteed if the question were put to



Concert for The Right to vote for foreign residents, at Bastille's place, on the 23rd of May 2013
photo, @Steevy Gustave

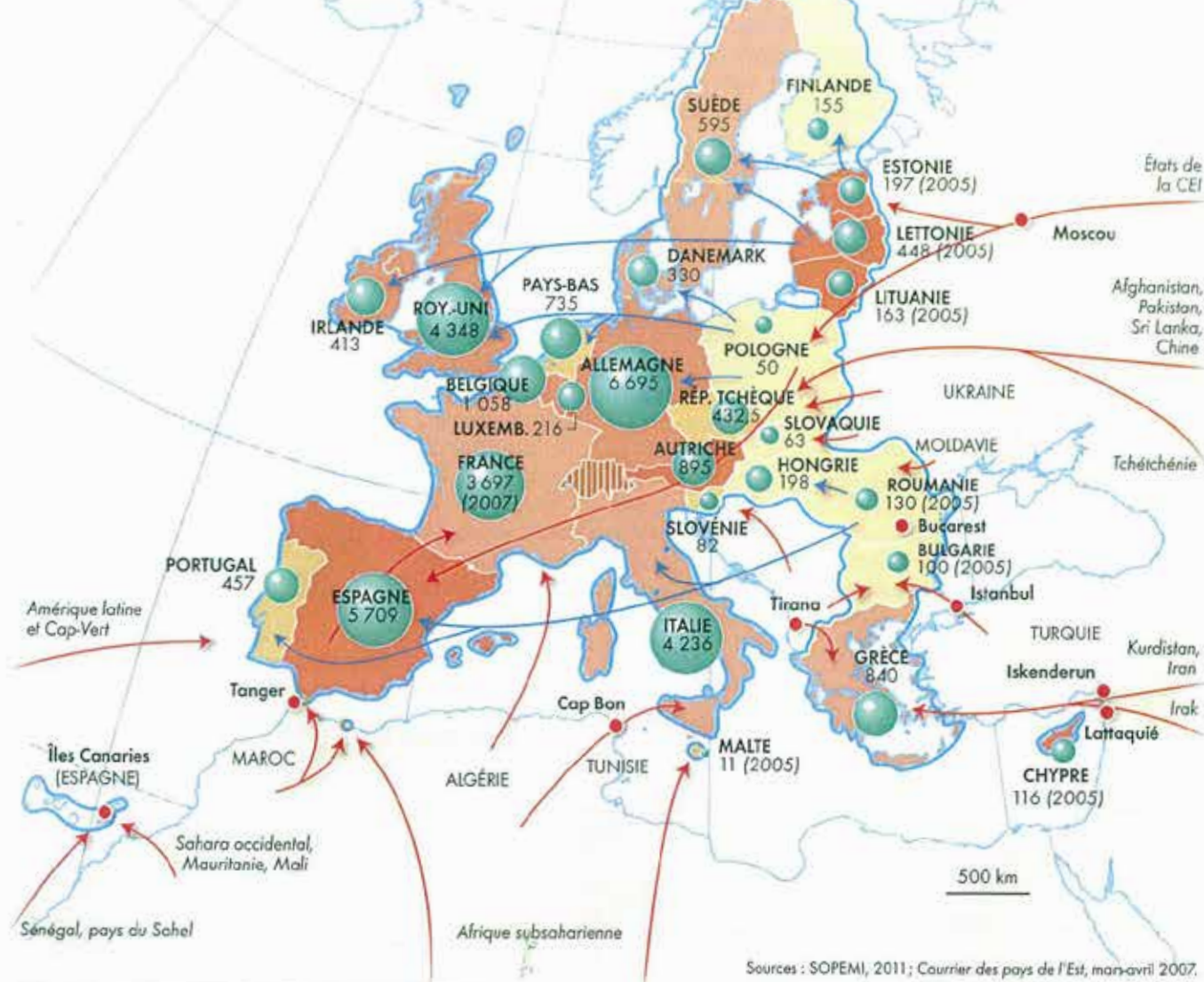
voters through a referendum. However, at a time when many countries, both in the EU and elsewhere, are showing the way, we are duty bound to act. On countless occasions it has been said that this promise is just an old chestnut, a long-running story of the left, and is never implemented. We responded that this time “it will be implemented”. It's impossible for me not to see this initiative through. I am in favour of undertaking the battle immediately, and developing the conditions for a balance of power that will lead to a majority of citizens supporting the project.”

Translate by Lea Moreau



FANELIE CARREY-CONTE

Fanelie Carrey-Comte is a young and committed socialist member of French parliament for the Paris' 20th district, who was an activist and member of the student organization « UNEF » before. She was the alternate member of George Pau-Langevin during the 2012's legislative elections and she replaced when George Pau-Langevin became minister for the government. She says, within the parliamentary majority : « I commit to fight for justice and equality, and to defend subjects which count for me : social and solidarity economy, for which I'm militantly in favor of, for access to healthcare for all, for as well as the access for social inclusion, against disability, for a strong and solidary social protection... »



IMMIGRATION

We are all immigrant children, the first, second and third generation of the French melting pot. The renewal phenomenon of the population is no longer a French specialty, step by step every European country's becoming an immigrant country. Even if immigrant workers without papers are still exploited by the capitalist politics, we should note the improvement of some country like Italia, Spanish for the massive regularization. With the union of all Europe, we can unite solidarity worker with immigrant worker who are, most of the time, exploited and clamming regularization.

Samuel Thomas
Translate by Daniel Martinez Sotelo

Immigration in Europe

In 2011, Europe counted more than 502 million inhabitants among whom approximately 30 million were not European foreigners. These people are scattered all over Europe, but not equally. As illustrated in this map on page 25 realized by Catherine Withol de Wenden for the Atlas of the migration in 2012.

Europe has an annual migratory balance of 854.000 people, this figure is the difference between the number of people leaving the country and those who enter. The first European country in terms of immigration is Germany, 7 of its 81,7 million population are foreigners. France is the fifth country of immigration to the world with 3,7 million foreigners on its territory in 2007. One of the most represented nationalities in France is that of Algerians, 92% of Algerians living in Europe are in France. In Germany, Turks are more than 1.7 million living in the country. Some European countries have an important share of foreigners, allowing rejuvenation and renewal of the population. In Luxembourg, foreigners account for 40% of the 524,853 inhabitants and the national population increases by 10,000 people each year, according to Eurostat.

Several other countries count a percentage upper to 10 % of foreigners within their population: Spain (12 %), Austria (10 %), Latvia (21 %) and Estonia (15 %). Nine countries have a foreigners' percentage between 5 and 10 %: France, Belgium, Germany, Italy, Greece, Denmark, Sweden, the United Kingdom and Ireland.

The rest of the European countries has a foreigners' rate lower than 5 %: Portugal, the Netherlands, Slovenia and the Czech Republic are all the four above 2,5% Then the other countries have near-zero scores, in Poland, there are only 50.000 foreigners on 38,5 million inhabitants (0,12 %).

These countries are rather transit ones for immigrants coming from Russia and Asia who want to reach Western Europe.

Immigration is a necessity for Europe because it lacks of hands to work in many areas and without immigration, the European working population would be insufficient.

Julien Grégoire

Translate by Daniel Martinez Sotelo

Italy : Regularization Waves



During the past 20 years, mass legalization of undocumented workers have helped give residence permits to hundreds of thousands of illegal immigrants who came to bring their working strength for the economic development of the country.

Italy has 3 million foreigners on a global population of 60 million. Among these, 1,5 millions are settled regularly for over 5 years.

The undocumented immigrants have been the object of several waves of regularization. So every 5 years, 200000 workers without papers are settled (218000 in 1990, 234000 in 1996, 250000 in 1999 and 700000 by the government of Silvio Berlusconi during 2000s).

Most recently, in November 2012, there were 134,516 identity document applications that were accepted, while the government was expecting between 350,000 and 500,000. According to the Union of Italian workers, this weak number of requests is due to the fact that the employers have to settle a 1000-euro fine and six months of national insurance contributions to settle their

workers without papers. In the past, the fine was only 500 euros.

However, the policies of regularization in Italy are more profitable than in France when we compare with the precise criteria of Manuel Vals's circular of November, 2012 which required between 18 and 30 months of payment of social security contributions to regularize undocumented workers.

Samuel Thomas

Translate by Daniel Martinez Sotelo

« The policies of regularization in Italy are more profitable than in France. »

Italy : Immigration under control



Youssoupha Thiam, spokesman of SOS Racisme Sicily, speaking at the Autumn Universities of the Maison des Potes, specifies the laws in force in Italy regarding right for the residence of foreigners.



André Faber, © lemonde.fr 11 mai 2008

The Turco-Napolitano law, which bears the name of the current President of the Republic, Napolitano (reelected for seven years last April, ed.) merged several legislative texts among which the law of March 6th, 1998 on the immigration and the situation of foreigners. Integrated to Legislative Decree number 286 of July 25th, 1998, and known under the name of «single text », this law planned the programming of the work's input flows, for illegal immigration.

It has also favored the creation of permanent and temporary centers (in Italian that is called «chipiti »), that means that an illegal immigrant can be taken to the center to be identified and

for a period of three months. This law clarified the conditions of eviction and liberation of the residence permit, the school integration, the right for the Social and sanitary Security, as well as the jurisdictional protection and foresaw another act of regularization. The requests were among two hundred and fifteen thousand.

Then, we had the law Bossefini. Its principal points are: more border controls, a strengthening of the powers of the police, aid to states which collaborate to fight against the immigration and human being's traffic, the immediate eviction of the illegal immigrants, the extension of sixty days for the treatment period in the permanent and temporary centers, the increase of the punishment for the traffickers of the immigrants. Previously in Italy, fingerprints were not taken. It is with the 2002 law that this stage of fingerprinting foreigners for identification was established.

**Youssoupha Thiam, Sos Racisme Sicile
Compiled at Universités d'automne des
Maisons des Potes**

Translate by Daniel Sotelo



Welcome to Portugal



According to Vasco Malta, lawyer and member of the High Committee for Immigration and Intercultural Dialogue, the immigrant must be properly welcomed in Portugal. Speaker during the Autumn University of "La Maison des Potes" in 2012, he specifies what are the systems that have been introduced in order to insure such welcome.

Portugal is currently going through a very severe economic crisis, as a result many Portuguese leave their country to settle in other countries such as France. That's why a lot of us feel that the immigration isn't a problem in Portugal, we need immigrants. As proof, I can explain through some basic points what is done in Portugal in order to attract the immigrants. Our formula is called "second plan for the integration of the immigrants in Portugal". It is a governmental plan consisting of 112 measures, developed by the thirteen Ministries of the government. It has known a lot of success in the country. This plan allow many specialist of various fields to set objectives and measures that intend to make the immigrant's integration easier. The plan is divided in subdomains like education, health, housing etc... Each ministry assumes its objective and has to apply the measure announced.

"One Stop Shop"

Concerning the immigrant's employment, the portuguese government has put in place two measures:

One program called "the immigrant entrepreneur" which aim is to foster companies creation.

The second program is called the "One stop shop". It consists in bringing in the same place all the services and administrations the foreign citizen needs to get integrated and obtain a job in Portugal.

This system exists in three cities in Portugal: Lisbon, Porto and Faro. These three centers are equiped with cabinets and offices needed to help new comers. These programs come with a intercultural mediation project in public services. It is an overall project that allowed us to gather 28 mediators from different nationalities working within public bodies. The mediators have been working in various domains such

as education, health and the national police.

An immigrant in Portugal is like a banknote. Why ? Because even if we crumple and crush it, the banknote doesn't loose its worth. A banknote worth 20 euros and an immigrant remains a human being.

**Vasco Malta Compiled at Universités
d'automne des Maisons des Potes
Translate by Linda du Roy**



Greece : The migrants are between a rock and a hard place



Within a Greece characterized by an economic austerity, the undocumented migrants are caught between a repressive european migratory policy and a local context of hostility towards new comers.

While Greece is sinking into crisis and prospects to live decently seem to move away day by day, the constant flow of immigrants increases the number of people in a precarious situation. If the high number of legal and illegal immigrants – respectively 800 000 and 400 000 in 2011, although estimates vary - can shock in a country in crisis it should be qualified by the fact that very few have chosen to settle in Greece. In 2011, most of the entries in Europe transit by Greece.

In Turkey visas are rather cheap, and easier to get comparatively to the rest of the Union. So, from there, groups made of political and economic refugees attempt a dangerous travel to enter the fortress Europe. Once on the Hellenic territory, risking their lives, migrants are generally detained by the police, caught in the act or denounced by riparians. They will then be kept in precarious conditions in camps built for that purpose. Uncertainty, lack of informations about their rights, the fact that they ignore why they are kept into internment camps as well as the poor hygiene in the overcrowded

cells where men, women and kids are melt, are sources of all factors that make difficult to preserve mental balance. Due to lack of means, the migrants are released after some days or months. They refuse a document obliging them to leave the territory during the month, which allow them to travel without being arrested until that time. But soon they face the hardness of the european migration policy.

The European inconsistency

In addition, the situation is aggravated by the inconsistent attitude of the European Union and together with the states members of the Schengen area. The Dublin II signed in 2003 stipulate that all illicit immigrant caught in a country of the European Union will be transferred in the first state in which he or she was registered, thanks to Eurodac, a data base which contains the biometric informations of the persons caught at the gates of Europe or those who applied for asylum. The aim of this mechanism is to prevent candidates from applying in several member states. In

reality, this amounts to expel them to the countries of southern europe, leaving them the task of managing the issue discreetly. In the case of Greece, where are recorded most of the new entrants this transfer causes obvious problems.

Except for Sweden, member states of the Schengen treaty area continue expulsions to Greece, often with little regard to humanitarian considerations when it comes to stemming the flow of refugees. Although the recent decisions of the Court of Justice of the European Union (CJEU) and of the European court of Human Right (ECHR) have led some Member States to provisionally suspend expulsions to Greece, these continue to put pressure on the Hellenic Republic so that it reinforces its controls.

**Grégory Mauzé
Animator of the Cultural Association Joseph
Jacquemotte (ACJJ).
Translate by Linda du Roy**

Spain : What about regularizations ?



In Spain, in 2000, a first regularization had been opened. With this first regularization, the files of 226 570 people were studied and 137 454 were approved.

The last massive regularization of illegal immigrants living on Spanish soil was conducted in May 2005. More than 700,000 applications were filed, Madrid, Catalonia and Valencia gathered more than 60% of these requests. The needed documentation to have access to regularization was in conformity with: a registration certificate showing that he or she lived in Spain before August 2004, an employment contract and the lack of any previous convictions. This meant that the Government chose to legalize on the basis of some advantageous minimal criteria for the immigrants, but thus refused the automatic legalization of all the illegal immigrants. The new public documents which allowed immigrants «to register by omission» should be shipped or be enrolled in a Spanish Administration to identify the applicant before August 2004.

To be registered, the immigrant had to present at least one of the following documents: a copy of an unresolved or rejected registration certificate, an inscription in the municipality;

the health map of a public health service in which the date of inscription is established, or, in certain cases, a certification that states the date of seniority of the registration, a copy of the demand for schooling of children and either a certification report of social or a notification of perceived social support.

This measure was decided by the Government of the Spanish socialist party, the rest of the parliamentary groups as the PNV (the Basque nationalist Party), IU-ICV (left and ecologist Coalition) and Nafarroa Bai (Coalition of two Basque nationalist parties) have agreed on the positive of the process, but considered all the same that this one could have been done earlier and better.

The text approved to define the standards of this regularization was the result of a wide consultation between social agents, labor unions, entrepreneurs, local councils, autonomous communities, immigrants' organizations, NGOs, the Economic and Social Council, the Social forum for the

integration of the Immigrants, the General Council of the Judiciary, a Council of State, as well as the significant participation of all the ministries required by the Ministry of Labor in charge of the process.

Many NGOs like SOS Racisme and the Commission for Aid to Refugees, neighborhood associations, the USO union and political parties like IU and PNV, acknowledged in 2005 that the process was «a positive step» but «unsatisfying and with many errors». Unsatisfying because according to them, a million foreigners will remain excluded from the process: some because their employers do not want to settle their status and others because they come from countries where they have many significant problems obtaining certificates of clean criminal records.

**SOS Racisme Catalunya
Translate by Daniel Sotelo**

Spain : a retrograde step after regularisations

In 2005, Spain and more precisely the government of Zapatero set up the fifth and the more important of massive regularizations. This process allowed the regularization around 700000 foreign workers.

Candidates to this regularisation should be identified in a Spanish municipality, in a situation of employment at least superior to 6 months and not to have a criminal record to get a Work permit. Concerning demands of «social rootedness», the immigrant had to bring the proof of an anterior residence of 3 years, an employment contract of 1 year and to have family members disposing of a residence permit or a municipality report proving the social insertion. Only 11,5% have been refused.

In December 2009, the Spanish Parliament gave the green light after a vote of 180 agree, 163 disagree and 3 abstentions. «Rafael Hernando has announced in November 2011 that it would be impossible to regularise foreign immigrants for social reasons»

« Rafael Hernando has announced in November 2011 that it would be impossible to regularise foreign workers for social reasons. »

a new immigration law less tolerant than before... The law has been criticized by the Spanish Commission helping refugees about one aspect: the period of retention by the police of irregular immigrants has passed from 40 to 40 days.

However, this law propose news as the protection for immigrant women victims of violence, the ability for ONG to assume the legal supervision of unaccompanied foreigner minor, recognition of reunion rights, demonstrations, education, organization and judicial help until 18 years old. The new law reinforce also abilities of independent countries. These ones will be able to deliver permits of unemployment or residence.

After this law already toughly contested, the spokesman of Popular Party, for immigration Rafael Hernando has announced in November 2011 that it would be impossible to regularise foreign workers for social reasons. The goal is to finish with massive regularisations and to limit regularisations. So the law on foreigners had been modified on the 15th of April 2011. Indeed, the law oblige foreign immigrants to prove 3 years of residence on the Spanish territory, a

contract of employment of one year, a clean criminal record and proved familial links with other foreign residents. This new law also forbids the use of a touristic visa to obtain the social regularisation.

Enacted the first of July 2011, the executive claims that this new legislation bring positive news as the fact to grant more protection to immigrants victims of conjugal violence in irregular situation and to their children and to victims of «immigration mafias» and to facilitate a privileged return for all migrant to unemployment who had chosen for a volunteer return to its country of origin. However, it's not the opinion of organizations of defence of migrants who see a step backward on the migration questions in Spain..

**Sabine Mallet
Translate by David Zennou**



Greece :

The undocumented minor's nightmare



Among the migrants detained against their will in a Greece that became the buffer zone of the fortress Europe, one category is in a really difficult situation: the unaccompanied children.



This country that was supposed to be a crossing to the European Eldorado has now become an open – air prison for many. If few share the same language or come from the same country, all have in common that they came without their parents, often in the idea of joining relatives in Europe. Arrested by the police after a perilous crossing of the Greek-Turkish border, the isolated minor migrants are then released - Greek law prohibiting the expulsion of unaccompanied minors- or sent in hosting structures.

Many do not understand they are in a situation that forces them to «grow up faster», points out a secretary of a social care home. In order to overcome the lack of resources, adolescents who want to seek for work are encouraged to do it. This is problematic because many are still in school age. These teenagers can't have access to a professionalizing education (it is

« Upon their arrival in Greece, children are detained in the same crowded rooms as adults and sometimes find themselves separated from their families.. »

prohibited), therefore, they are condemned to thankless jobs.

Despite the problems, foster children are aware to be part of the privileged ones. They know that they are in a way better position than their companions in misfortune who haven't been registered and wander in Greece without any legal status, rights or juridical protection.

Migrants or children ?

Although the international and EU law calls for a consideration of the «best interests of the child» in the implementation of national policies, (which implies that the child status should take priority over the migrant status) it is not always followed strictly. Upon their arrival in Greece, children are detained in the same crowded rooms as adults and sometimes find themselves separated from their families.

The Greek government implements intensive efforts to recognize the status of unaccompanied minors in very few cases even if it means disguising the reality. We often see that juveniles are registered as adults or considered the «cousin» of a person without any real family tie.

European guidelines to ensure the access to asylum for minors were enacted in 2003, 2004 and 2005, but they were largely ignored by some member states including Greece which does not have to date specific asylum procedures for minors. In the end, very few unaccompanied minors begin these administrative steps.

What lasting solutions can be envisaged ?

In order to put an end to this situation, the European Commission set up in 2010 a five-year action plan for unaccompanied migrants. Organized around the goals of «prevention, protection and lasting solution», the plan aims to harmonize European policies and thus make them converge towards a practice that prioritises «the best interests of the child, independently of its migrant status». Nevertheless, any lasting solution involves a thorough review of asylum policies at the European level. Today, the principle of the best interests of the child remains largely theoretical in Greece.

Grégory Mauzé
Animator of the Cultural Association
Joseph Jacquemotte (ACJJ).
Translate by Linda du Roy

Hungary : The fear of others



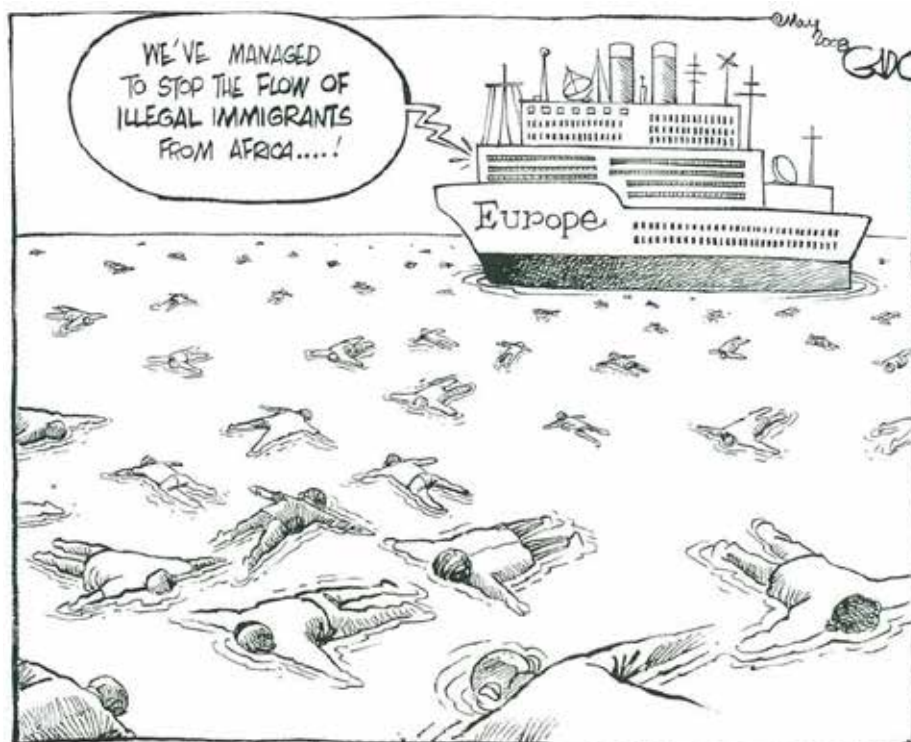
With 198,000 foreigners in a country of 10 million inhabitants Hungary is far from being a country of massive immigration. To increase its influence, the extreme right makes immigrants the scapegoats for the crisis.

Hungary has about 10 million inhabitants and has opened its borders to international immigration in 1989, after the end of communist rule. On 21 December 2007, Hungary joined the Schengen space. But even if they were some positive developments in the fields of retention and access to the labor market, the directive has not been fully transposed into the national legislation yet. As a result, many existing provisions of the right to asylum don't meet the minimum standards required by the EU directives yet.

In addition, because of its vague wording, the few changes that have been made by the Hungarian Parliament so far have not significantly improved the lives of asylum seekers and refugees residing in Hungary.

A negligible illegal immigration

In 2007, there were 166,600 legal immigrants residing in the country. Estimates of the number of irregular migrants vary between 30 000 and 50 000. It is supposed that among the migrants with a residence permit, the proportion of men is very high (and may even reach up to 80%). 90-95% are aged between 20 and 59 years. Between 2000 and 2006, 31,450 asylum applications were made, that is to say the vast majority of asylum seekers who have arrived illegally in Hungarian territory. The greater flow of irregular migrants in Hungary consists of people who arrive legally, but extend their stay beyond the time limit allowed. No reliable estimates exists but the number of offenses peaked in the mid-



Gado (Kenya) ©Daily Nation de Nairobi may 2008 taken from the «Cartooning for peace»
«We managed to stem flow illegal immigrants from Africa ... !»

1990s, with 27 000 to 30 000 migrants apprehended. Since then, a significant and consistent downward trend was observed, resulting in an annual average of about 8 000 to 10 000 people crossing the border illégalemment. Today, compared to neighboring countries members of the EU, irregular border crossings in Hungary are negligible. The immigration of Central European countries, China and Vietnam is primarily a labor migration, often based on seasonal or temporary jobs. It is mainly a transit immigration.

Xenophobia

The political discourse on illegal immigration is strongly influenced by the Office of Immigration and Nationality and border police which recently merged with the police, and arises primarily in the context of the penal policy (eg the fight against smuggling and trafficking), security (eg measures against forgery of documents and the protection of human rights (eg the right to family regroupement)). The political discourse on illegal immigration is strongly influenced by the Office of Immigration and Nationality and border police which recently merged with the police, and arises primarily

in the context of the criminal policy (eg the fight against smuggling and trafficking), security (eg measures against forgery of documents) and the protection of human rights (eg the right to family reunification). The absence of public debate on an overall migration strategy that would take into account the interrelated social, economic and political life related to the phenomenon of migration is obvious. In addition, an increase of xenophobia and nationalism in Hungary is clearly visible through the results of the last parliamentary election (the far-right party Jobbik received almost 15% of votes). The right-wing media campaign against migrants. Despite a declining birthrate which creates shortages in the labor market, migration policy in Hungary is mainly oriented towards the Hungarian communities in neighboring countries (diaspora policy). Hungary's migration policy is short-term thinking and focused on safety through defensive measures against migrants, without any overall strategy.

Matyas Benyick
President of Attac Hungary

THE IMMIGRATION IN HUNGARY IN FIGURES

In late 2007, there were 166,693 foreign nationals (1.6% of the total population) living in Hungary with a residence permit for a period exceeding three months. Two thirds of foreign citizens residing legally come from neighboring countries. 12% is from an Asian country (of which 8% are from China or Vietnam) and 12% of European citizenship. Since 2000, the number of people getting annual Hungarian citizenship varies from 3,000 to 10 000. The annual number of foreigners varies between 20 000 and 23000.



Naturalizations

In France, there were 3,714,500 foreigners in 2008 and there were also 4,959,000 immigrants. A part of the immigrants is thus incorporated into the national population through citizenship applications in various countries of Europe. The requirements for obtaining the nationality vary among states and evolve to facilitate the acquisition. In Italy, on August 4th 2012, the number of years required for naturalization went from ten to five. In Germany, it was not until 2000 that the access to citizenship was granted to the children of immigrants who were born in Germany. Some countries such as Germany and Spain give priority to foreigners who have distant ancestry.

In many countries, immigrant rights organizations denounce the criteria for naturalization favoring populations of European origin at the expense of other populations.

amuel Thomas

A point system to get the british citizenship



In Britain, one has to “earn points” to obtain the citizenship. With the Border, Citizenship and Immigration Act, passed in 2009 by the British Parliament, immigrants have to deal with a point system that is based on skills, work and knowledge, to become british citizens.

This point system is not clearly defined and remains unclear because the exact criteria are still unclear. If the amount of money brought during installation, the career and voluntary service are all elements that enable to earn points, other criteria may cause their loss. One of the most striking examples is that the applicants for naturalization can be removed from the list if they show «bad behavior» such as demonstrate. Indeed, these people no longer have the right to protest against the government action because it would deprive them of access to nationality. Those who demonstrated against the military intervention of the British armed forces in the world have borne the cost of it. Clearly, to have access to citizenship, applicants must curb their freedoms, particularly their freedom of speech.

Parliament. This rule was put in place to encourage minority representation. It marks a break with the policy applied between 1962 and 1981, during which time the Commonwealth Act greatly restricted the granting of work and residence permits to citizens of the Commonwealth. This law was passed in November 1961 by the British government to satisfy the public opinion, which was concerned about important influx of immigrants.

In 1981, the British Nationality Act replaced the Commonwealth Immigrant Act. This new law established three levels of British citizenship. There were the British citizens, the commonwealth citizens and the overseas citizens (the Falkland Islands, Gibraltar ...). The last two categories could get the citizenship after five years of residence on British soil.

a qualitative survey, three criteria determine if a person is a “real British”. The first one is, of course, the citizenship, the second is to have British ancestors. The third criterion is based on the culture, values and lifestyle that should match the British style.

The obtaining of the British Nationality is now reduced to a point system that gives only a limited value to nationality. It is unfortunate that the UK, one of the «best in class» in Europe thanks to its policy against discrimination set up in 1976, is now reduced to this.

Alexandrine Yala
Translate by Linda du Roy

Several systems tested one by one

In this new system, Commonwealth citizens have a special status, they are already voters as well as eligible for all elections in the UK. In this new system, Commonwealth citizens have special status, they are already eligible voters in all elections in the UK. For example, a Commonwealth citizen who is not British and therefore not European can be elected to the European

Social differences remain real

Once applicants to nationality finish the point system and the various stages they had to face to obtain the citizenship, they still have to face the gaze of a part of the population. The distinction is clear between the “britishness” and citizenship. The “britishness” is a kind of hard core which is exclusive and closed. According to

Spain : Latinos are privileged



Generally, a 10-year residence time is required for naturalization. However there are exceptions.

The political asylum seekers have to live in Spain for at least 5 years to obtain the citizenship, but only 2 years are required for the natives of Latin American countries,

Andorra, Philippines, Equatorial Guinea and Portugal.

People who were born in Spain, married to a citizen, born of a father or a mother from Spain only need 1 year of residence in the Iberian soil to get the nationality. SOS

Racism Catalunya denounced an institutional racism.

SOS Racism Catalunya
An extract brought by Julien Grégoire
Translate by Linda du Roy

Germany, what right to nationality ?



In Germany, with the law of July 22nd, 1913, it was the right of blood which prevailed. Since 2000, under the influence of the German Greens, led by Cem Ozdemir, the *jus soli* made its appearance. The naturalization of foreign nationals has been allowed subject to renounce to their original citizenship.

The law of 1913 based the German nationality on several criteria, namely: the sense of belonging to German «people», linguistic affiliation, adherence to the German values. According to this principle, every person having at least one German parent could acquire the nationality by birth, this independently of its place of birth.

Subsequently, the law was hardened under the Nazi regime. Indeed, the criteria of «blood» and «loyalty» were added. In other words, the 1913 Act provided the acquisition of German citizenship by birth for children born to German parents regardless their acquisition of nationality's mode.

However from 1933, the acquisition of German citizenship by naturalization could represent an exclusion criterion for obtaining the German citizenship of children.

This basic design has remained unchanged for several decades. Between the 70s and the late 80s, this concept of *jus sanguinis* (right of blood) began to widen.

Indeed, the growing number of people of foreign origin and the growing number of immigrants «of German origin» arriving from Eastern Europe are forcing politicians to take further action.

First, it should be noted that foreign residents in Germany falls under the Foreigners Act (*Ausländergesetz*). To start with, on December 15, 1977, a limiting instruction on naturalization (*Einbürgerungsrichtlinien*) was adopted.

It provides that the acquisition of German citizenship by a person of non-German origin has to remain the exception. Sections 2-2 and 2-3 consider granting of the German citizenship only if there is a «public interest», issued by the state or society.

Then, a new amendment to the Foreigners Act came into force on 1 January 1991. It created a new category: the nationalization by rights and by this fact to facilitate the integration of foreigners living and working in Germany for many years.

On January 1st, 2000, a new nationality code came into force. It established not only the law of blood but the *jus soli* too.

Citizenship is automatically granted to second-generation children of immigration, if one of their parents has his usual legal residence for at least 8 years in Germany and an indefinite residence permit.

In addition, the child will have the obligation between 18 and 23 years old to choose definitively between the two nationalities. The preservation of the nationality of origin as well as the oversight to inform the authorities of his or her wish to retain the German

« Although the acquisition of German citizenship for the foreigners has been facilitated by the Act of 1 January 2000, the abandonment of dual nationality is still a problem. »

citizenship, leads to the abandonment of German citizenship.

The new code also provides the naturalization of foreigners who were not born in Germany but who live there permanently and legally.

For this, the requirements are: owning a residence permit or an authorization of

harm to the person, in particular regarding inheritance.

The example of Turkey. The Turkish population in Germany represents approximately 1.6 million people knowing that a quarter of them possess the German nationality.

This high number is linked to the arrival of Turkish immigrants in 1955 to help in the reconstruction of Germany after World War II. This people were referred to as «guest workers» (*Gastarbeiter*).

The State through this designation declared that foreigners were welcomed by a time limit. According to some authors, the end of the recruitment by the government of Willy Brandt in 1973, have encouraged immigrants to remain on German soil for fear of not being any more able to return to Germany.

Today, the presence of this population is stable and definitive. That is why the issue of nationality and integration remains fundamental.

Although the acquisition of German citizenship for the foreigners has been facilitated by the Act of 1 January 2000, the abandonment of dual nationality is still a problem. Indeed, Turkey is among the countries mentioned above in which there is a strong nationalism and where the abandonment of nationality may be detrimental.

However, there is a very limited exception to this principle. When the abandonment of the original nationality is impossible or difficult, dual nationality is permitted.



Cem Ozdemir is co-president to German Green Party. photo: ©DPA

residence, to be a legally resident for at least 8 years, to receive neither unemployment benefits nor social benefits to earn a living and to those of his or her family, have a good knowledge of the German language, agreeing with the constitutional order (*freiheitlichdemokratische Grundordnung*) so do not exercise unconstitutional activities, not having been convicted for any offense or crime and to give up their original nationality.

**A major and longstanding problem:
The abandonment of their original nationality**

The main obstacle for foreigners seeking German citizenship is the principle of the abandonment of the original nationality. Indeed, for certain countries, the abandonment of nationality may cause

In fact, the ruling party of the parliamentary right CDU / CSU sees no reason to change the law from 1 January 2000, causing criticism from opposition parties (SPD Social Democratic Party and the Grünen).

Some such as Volker Kauder, CDU's party politician, think that this reform would lead to many problems such as the extradition of offenders.

Others see through the prohibition of dual nationality a way to send back the Turks which would not want to give up their original nationality and so to limit the number of foreigners to obtain the German citizenship.

**Justine Franco-Février
Translate by Daniel Martinez Sotelo**

Isabelle Carles, Sociologist : European story about discriminations

The fight of all the organizations against racism, of the faculty members and jurists engaged against discriminations, have contributed to impact the European parliament and commission. European directives have been produced. But the concept of diversity seems to have overshadowed to the fight for diversity.



All different All equal. A campaign of the Council of Europe against discriminations.

The fight of all the organizations against racism, of the faculty members and jurists engaged against discriminations, have contributed to impact the European parliament and commission. European directives have been produced. But the concept of diversity seems to have overshadowed to the fight for diversity.

The idea to carry out a big European project against discriminations was born in the eighties. Internal borders are cancelled. The central point of European politic of migration and integration of migrants carry on the shoulders of the fight against the discriminations. This theme will be introduced by European deciders by two ideas. First, the demand of transnational studies which will invite European teachers to think about the problem. Secondly, a political action with a number of declarations, of recommendations based on rapports of the European Parliament dealing with the situation of racism in Europe. These instances will recommend for a common framework of fight for equality in Europe.

Two directives to start

Protection granted to victims of racial discriminations will be larger than the others. At this moment far right access to government in Austria and European countries want to claim their opposition to this access. A political agreement is created and facilitate to the acceptation of directives. In the other hand, directives will be rapidly accepted because of the will to create European Free Market but also for fighting against social exclusion. Thirteen years later, the review concerning the fight against discriminations is mitigated. An efficient judicial tool has been adopted, particularly direct or indirect discrimination and the principle of burden of proof lightening have

been introduced. At this period, a number of organizations, of lobbyists, of information campaigns, have been established with the will to encourage transnational trade. Some judicial experts, organizations against racism have been extended to European level. In 1997, the observatory of racism is created in Vienna. It is going to participate to spread information and strategy of fight

« Organizations have to make sure that countries apply their own laws against discriminations. »

against racism by publications and lobbying actions.

A set aside fight

Nevertheless, discriminations don't seems to constitute the priority for the European political agenda. Year after year, the antiracist theme has been replaced by a diversity fight. The Observatory against racism has been replaced by the Agency for Fundamental rights. This agency has larger responsibilities and is no more focused on racism. The first European program of fight against racism is called "Progress". This evolution was maybe inevitable: the antiracist base was ever associated to other patterns of discriminations.

The next step is to question the "multiple" fight against racism which could cross is on the judicial plan rarely dealt and ignored on the national level. Furthermore, some national directives have been falsely or slowly traduced in other countries. The number of registered complaints remains limited to employment sector. The level of knowledge concerning the legislation against discriminations remains limited.

In the context of breathlessness of the European fight against discriminations, it is necessary that organizations make sure that countries apply the legislation. The next combat must be composed of directives promoting merits of equality. The finality would inform on opportunity to get to a change of attitude. Some discriminations could be eliminated.

**Isabelle Carles*,
Compiled by par Julia Moumon aux
Universités d'été des Maisons des Potes
Translate by David Zennou**

**In charge of organizing the fight against discriminations at the european level, she is doctor of law.*



Does Europe still want to fight discrimination ?



To understand racism and discrimination in the UK, you have to realise what changes deriving from political action, grass-roots organisations and academics, heightening public opinion and informing people of what is going on on the streets, have been the result of the struggle against racist attitudes and movements.

In the UK, two things have a strong impact : due to our history of colonialism, a large part of the population, who are entitled to vote and to stand for elections, have their origins in South Asian or African countries. Moreover, double nationality is open to many people : e.g. one of our European MPs has Sri Lankan/British nationality. The fact that these people are entitled to vote encourages politicians to be more receptive to their requirements.

Our modern history of racial relationships goes back to the 70s. To be specific, the law on relationships among races might be considered to be a reaction to the appearance of the extreme right-wing part BNP (British National Party). At that time, the Labour government attempted to introduce laws concerning equality, rather as an answer to housing problems and relations with the police.

Anti-racist policy began to emerge in schools. For example, children were taught what attitude they should adopt when faced with racism in school.

Then the children learned about the history of negroes during what was called Black History month, when the history and the demands of that community were discussed.

At that time we decided that what we needed most of all was quantified data of the numbers and ranks of the people employed in public service and in various firms. The Commission for Racial Equality had extensive representative and investigative powers.

« I believe that the U.K. has brought a sort of positive attitude towards equality, even if it cannot be denied that a great deal more still remains to be done. »



It's after various manifestation (Bristol bus boycott in 1963 - photo above) that the British legislation has adopted the first laws of race relations Photo: ©BBC

Another event was influential in the struggle against discrimination : the murder of a young 18-year old black man called Stephen Lawrence. The police played down the incident to such an extent that an enquiry was opened. It was the first time that many white families saw the reality of a black family's viewpoint. The enquiry brought to light the institutionalised racism of the police, which is the reason that the victim's family never obtained justice.

This led to many changes within the police force and in its recruitment methods. In particular, the police was to be more representative of the community it served. Other public institutions also had to make changes. Nowadays under British legislation it is a public duty to defend equality and good relationships within the community. It is far from perfect, but at least the duty exists by law. Organisations able to set up enquiries following racist happenings were also needed. All of the foregoing has had some influence on E.U. legislation. There is an on-going debate as to the European Union and the United Kingdom : in what ways can the E.U. be profitable to the U.K. ? And what can the U.K. bring the E.U. ? I

believe that the U.K. has brought a sort of positive attitude towards equality, even if it cannot be denied that a great deal more still remains to be done.

Jean Lambert, deputy Green Party of England and Wales, Compiled at Universités d'été des Maisons des Potes by Julia Moumon

United Kingdom : What's wrong with equality ?*



Trevor Philips, President of the Commission for Racial Equality, established in 1976 and recently renamed the Commission for Human Rights, headed this major British institution that combats discrimination. He criticizes ethno-racial categorization, which leads to discriminatory behavior.



Trevor Philips in a debat. photo : ©wikimedia commons

«Inequality is based on the fact that we do not accept to say we can be trapped in categories. It is a belief that fundamentally believes that race, class, etc. are side effects. This is not true.»

For me, the real challenge of modern societies is a good community life, and I wish to emphasize on «good community life», which is not solely living together. At the moment, I spend a lot of time abroad and it is clear to me that class, ethnicity and gender distinctions mark splits and create more and more modern societies, which makes a good community life more difficult. In our societies, this phenomenon is increasing. Globalisation means that, more and more, we need different people all the time.

The hazards of birth

When it comes to politics, it is impossible to know whether it is about individuals or groups. I mean that true inequalities arise when one gets trapped by the hazards of birth. The origin determines the destiny. This is the real problem when it comes to equality and inequality and the worst part is when class, geography, race and gender determine our future. Some years ago, in order to fight against fraud, Pizza Hut made people pay before they consume. In some places, they started to make people of a certain origin prepay. One day, four black men came in. They were asked to pay upfront and they

agreed. They ate and then they realized that the white people in the next table paid after their meal. What is interesting about this story is that the people who paid after their meal are ordinary people like you and me. The four guys who were asked to pay in advance were professional footballers and, they would have probably been able to buy the restaurant with their pocket money. What is most striking in this story is that their ethnicity, the way they looked, trapped them in this particular situation. I think the issue that must be addressed about injustice and inequality is not an abstract issue. The issue arises when the category in which we are stored traps us in a place where we do not want to be. The economic crisis and the globalization exacerbate these issues. I think the key for us now is to be able to understand these issues. The problem is that the politicians have not helped us.

Inequality is based on the fact that we do not accept to say we can be trapped in categories. It is a belief that fundamentally believes that race, class, etc. are side effects. This is not true. And the abandoned problem is an over-investment in the idea that categories are victims.

Trevor Philips
Compiled by Christine Chaliar
Translate by Lea Moreau

** : What is the problem with the equality, a title from a debate held in 2012*



Bulgaria : A very long road to equality



Though Bulgaria is not a model in the fight against discrimination, it is nevertheless endowed with an authority, the protection commission against the discrimination, which, as explained by its project manager Margarita Spasova, leads a thorough work to estimate the situation of the foreigners in the labor field.

To work for a national organization working for equality in a country in transition and new member of the EU, supplies interesting and stimulating thoughts on the concepts and the realities of the equality, the non-discrimination and the tolerance.

The Commission of protection against Discrimination in Bulgaria is an independent and national European body in terms of European legislation against discrimination. It was established and operates in accordance with the Paris Principles of the United Nations (commitments related to the protection of children, ed.) and the ECRI's General Policy Recommendation N° 2 (An European Commission against Racism and Intolerance).

Complicated

Contrairement à la plupart des lois antidiscriminatoires européennes qui limitent leur champ d'application aux six motifs protégés (genre, ethnie/race, âge, handicap, religion ou convictions et orientation) Unlike most European anti-discrimination laws that limit their scope to six protected grounds (gender,

ethnicity / race, age, disability, religion or belief and sexual orientation), the Bulgarian law lists 19 protected grounds. Moreover, the Commission emits legally binding decisions and performs many outreach efforts to eliminate the causes and consequences of discrimination, a phenomenon with deep social and psychological roots which contradicts the most democratic societies. In his training and information campaigns for magistrates, police officers, educators and young people, the Commission seeks to expose prejudices and stereotypes.

However, discrimination against the people belonging to ethnic minorities persists in many areas of life. Even more complicated, the challenges faced by women and girls from ethnic and religious minorities.

According to the National Statistical Institute, Bulgaria ethnic groups account for 14.2% of the population of the country with a dominant Turkish (8.8%) and Roma (4.9%). The number of women outweighs the number of men in Bulgarian society (women outnumber men in the age groups above 40

years), while the number of men is more important than the number of women in traditional Turks and Roma's ethnic groups.

Unbeatable

The Malpractice of openly discriminatory job advertisements is not visible any more. However, for a person belonging to an ethnic minority, it is very difficult to hide its origins during a job interview. The name's sound or the skin color, revealing of a membership in the Roma community, can become an unbeatable obstacle.

In 2012, the Commission of protection against Discrimination orchestrated a national survey on the representation of ethnic minorities in public administration. The results will supply a clear image of the situation in the different layers of the public hierarchy.

Margarita Spasova
Translate by Daniel Sotelo

Unions dealing with Bosses



To Joseph Burnotte, head of the «Anti-discrimination fight and diversity» CEPAG-FGTB in Belgium, unions should be strengthened to combat racism and discrimination in the job world.

European legislative tools have significant limitations because they are enrolled in a capitalist economy. The laws have a certain educational effect on people who want to move forward and fight, but miss a part of their goals because the European policies, in terms of migration are based on repression and stigmatization of foreigners.

When we go to court, it is not easy to evidence discrimination in the workplace, we must look more closely. Witnesses are difficult to find because they are afraid of having problems with the boss. Even if they are protected, the boss can fire them by paying six months of salary. We must fight against discrimination in a collective way in order to have more strength in front of business leaders.

In Belgium, there is an increase in discrimination

complaints: they passed from 1649 to 4226 files. In most of the cases, people come to us because they are afraid of being fired if they try to assert their rights directly with the heads. Unions are doing a

« We must fight against discrimination in a collective way in order to have more strength in front of business leaders. »

process of listening to individual complaints but also legal follow-up in partnership with the Center for Equal Opportunity. To fight against discrimination, unions attack the boss, but they also set up training days for

the employees of the company to avoid discrimination between them.

European laws stigmatize immigrants because they are only discussed by EU policies and not by the unions. The laws create a «fortress» Europe that develops illegality and allows the mafia to grow rich. To prevent this, it is necessary to create labor-union networks to fight against European countries laws which are racists towards immigrants.

Topic researched by Julien Grégoire
During the Conferences for Equality
On July 11th 2013
Translate by Daniel Martinez Sotelo

Sweden : the integration policy called into question



Several human rights organizations in Sweden denounce the xenophobic statements of the far right and maintain their fight for equality.



Manifestation against the extreme-right at Stockholm
photo: ©AFP

At the end of December 2013, the leader of the Swedish Social Democrats, Stefan Löfven, made a remarkable output. He said, in the press, that he considered that the massive arrival of non-European nationals, for economic reasons, was a mistake. «It is not this kind of measure that will allow us to resolve the battle against unemployment. To make come cheap foreign labor force without thinking of their integration is not worthy of Sweden. »

This strategic position should be connected with the entrance to the Parliament, two years ago, of the Sweden Democrats (SD), a far right-wing party. This movement, which achieved 5.7 % of the votes cast in 2010, is credited today of about 10% of approval rating.

If the declarations of Stefan Löfven were strongly surprising, it can be explained by the Swedish tradition since the post-World War II period. According to Haleh Chahrokh, researcher on the Western Europe at Human Rights Watch, this tradition has made of Sweden to be renowned as the most opened European country towards immigration. «Sweden has, since the end of the war, one of the most ambitious foreign integration policies when compared to the other European countries. This is part of the Swedish welfare state's logic. The country's goal is to achieve, eventually, the equality of status between immigrants and Swedish citizens. All of this while allowing immigrants to maintain their culture of origin. «Swedish intensive courses, internships, very common family reunifications ... Sweden practice a proactive policy so that the newcomer succeeds in becoming integrated on his

territory. The country is also one of the few European countries to allow foreigners to participate in some of the national elections, since 1975.

But this policy has not prevented the development of social exclusion for the immigrants. Kitimbwa Sabuni is the president of Afrovenskarnas Riksförbund, an association which fights against discrimination towards African immigrants currently residing in Sweden. He estimates that significant differences of treatment exist between the Swedish called «natives» and the Swedish of foreign origin. «Currently, in Sweden, the economic and social marginalization is strongly bound to the color of your skin. The more you have dark skin, the more difficult it will be for you to get something.» Employment, housing, education ... Swedes of foreign origin are regularly victims of ethnic discrimination in various areas of the everyday life.

Integration policy in Sweden

For Haleh Shahrukh, this can be explained by a paradox in the Swedish integration policy. «The country has adopted the

« The fight for equal rights in Sweden «is still far from over. »

multiculturalism but at the same time, it seems to preserve an assimilationist logic. The country refuses a too big cultural diversity. Policies encourage even sometimes an alignment on the Swedish values. In front of this paradox, overflowing takes place. Some question this integration policy of the country. «

During the general election of September, 2010, the debate on immigrant's integration was carried by the Sweden Democrats. The far-right party has focused its campaign on islamophobia and the supposed link between immigration, the increased crime

and the current economic problems. All this in a country where 18% of the population is of foreign origin, according to the data of the Swedish Institute of Statistics.

Despite a rhetoric which aims to be careful in a country marked by 50 years of social democracy, language scandals burst around this party. During this ballot, one of its slogans was as follows: «The Muslim immigration is the greatest danger in Sweden since Adolf Hitler!» Their campaign video, imagining a race for state money between a female retiree and women in burqa, was also controversial.

Kitimbwa Sabuni denounces a growing xenophobia on the part of Swedish politicians. And not just in the far-right movements. «The children of immigrants no longer accept certain discriminations as their parents could have tolerated. Equal treatment and some of the requirements of the population stemming from ethnic minorities are considered by some politicians as revolutionary and threatening. Personally, I think that these demands are the sign of a positive and necessary development. It is a stage towards achieving a society where rights and success opportunities will not be any more defined by the color of your skin. « After having worked with schools to teach children the history of Swedish slavery and groups of women to fight against sexual harassment related to stereotypes, the organization works at the moment on the integration of handicapped immigrants in Swedish society. But for Kitimbwa Sabuni, the fight for equal rights in Sweden «is still far from over»

Teddy Ambroise

Translate by Daniel Martinez Sotelo



Sweden : conciliatory spirit



The anti-discriminatory policy of Sweden has much in common with Sweden: it is avant-gardist, autonomous, collectivist, and is based on a conciliatory spirit. But a lot rest to be done.

It is simple. In Sweden, the prohibition of racial discrimination is inscribed in the constitution. The Office of Ombudsman, in charge of ethnic discrimination issues, which was set up in 1986; monitors the application of the laws intended to combat racism, laws which punish the spread of racial hatred and the refusal to provide a service to a person because of his ethnic origin. Its budget is controlled by the Parliament. Each year 1,000 cases succeed. Defense of minorities, prohibition of ethnic discrimination at employment, or in the exercise of authority. For any racist offense, the penalty is increased. Whether racist motivation is the predominant factor or not. The Swedish chart is a masterpiece. But everything is not so pink. Until 1999, there were some thorns: the provisions of the Swedish Penal code were «very difficult to invoke» in court for the victim who had to prove everything---until the legislature expanded the European directive of 1997 against sexual discrimination and all cases of discrimination at employment. It is this generalization the one that the European Commission will impose on its own from 2000. Unarguable proof that a member state can have influence on the evolution of the community law.

The Swedish turning point of 1999 frames «the recruitment methods, the working conditions and the harassment issues bound to racism». Corresponding perfectly to the collectivist logic of Sweden (i.e. it possesses a unionization rate of more than 90 %), the alleged victims of discrimination have access only to the common law if they wish «to conduct the process independently». To access the specialized work court, victims must be accompanied. When they are accompanied by the Ombudsman (mediator), a union or a professional organization, «the complaints do not generate any expense» whether the victim wins or not, the procedure will cost him/her nothing.

Objective Consensus

Even if it has every right to obtain information about the company in order to arrive to a successful conclusive survey

on this one, Ombudsman will prefer mediation rather than the Court. Anyway, even if we can sentence to jail, as the law says, this penalty has never been applied. The consensus is the goal. The Swedish society goes as far as rejecting the method of the testing. This method, consisting in highlighting such or such discriminatory practice, calls into question the company, and in fact moves away from the conciliatory spirit, according to the Swedish society.

In 2009, following the critics of antiracist intellectuals such as Paul Lappalainen, claiming «the lack of modernity of the legislation», the mediator's status was improved. The Discrimination Act has created a new oversight body: the mediator for the Equality.

In fact, «the laws were merged, and the gaps filled» says pleased the researcher and lawyer Paul Lappalainen in the alternative report that he led in 2008 to the ENAR (European Network against Racism). But much remains to be done in relation to the police, the housing or the employment, the report concluded. The chart is not finished.

Dolpi

Translate by Daniel Martinez
Sotelo



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«NO HATE» a poster the council of Europe against discrimination.

« To access the specialized work court, victims must be accompanied. When they are accompanied by the Ombudsman (mediator), a union or a professional organization, «the complaints do not generate any expense» whether the victim wins or not, the procedure will cost him/her nothing. »

Employment and Discrimination :

The EU imposes a path, the states impose their rhythm

Since the treaty of Rome in 1957, Europe fought discriminations committed in the various states against European nationals. This had resulted in the treaty of Maastricht in 1991 with the opening of all the non-sovereign jobs for the foreign members of the European Union, and the issuing of voting rights of the community residents.

« The alleged discriminator is guilty until proved otherwise »

Since 2000, the European Union requires member states to take an anti-discriminatory policy in the access to employment. The bad pupils are Germans and Spanish, contrary to the Swedish, Belgian and British precursors.

Adjustment of the burden of proof

In 2000, the Treaty of Amsterdam marked a genuine desire to lead a European policy regarding fight against racial discrimination. Article 13: « the Council (...) can take the necessary measures to fight any act of discrimination based on sex, race, ethnic

origin, religion or religious convictions, handicaps, age or sexual orientation ». The treaty was quickly followed on June 29th by the 2000 / 43 / CE directive, relative to the principal implementation of equal treatment between people regardless of race or ethnic origin (selection criteria, conditions of recruitment, promotion). It is for the accused party of discrimination to prove that there was no violation of the equal treatment's principle (Article 8.1). The alleged discriminator is guilty until proven otherwise.

That's not all! With the 2000 / 78 / CE directive, the victim is not alone any more! This one concerns the creation « of a general framework in favor of the equal treatment at employment and occupation with a possibility for associations, organizations and moral persons to bring civil actions and to get engaged in legal proceedings with the agreement of the alleged victim » among

others. But the European road remains a path which on one hand needs to get cleared and on the other hand spread everywhere. To be discovered below, besides the Rhine, the community law has not yet managed to make bend the German laws.

The directives 2000 were not able to be voted at the time when the social democrats were in power. The German society prefers in general that the foreigners and their children reach the German nationality to better intervene, via... the vote. Become national to vote? Is this the same road, or another way of moving backwards on the path of Equality?

La Rédaction

Translate by Daniel Martinez Sotelo

Discrimination on the job market : Germany does not make it work



On the matter of the anti discrimination policy, Germany resists to apply the European directives. The fight against racial discrimination is now relegated to the second place, behind the fight against gender discrimination.

With its anti discrimination rules, the European Union has been evolving since 2000, in a progressive and equalitarian way. May be is it too slow, may be is it not strong enough, but it is on its way.

The problem is Germany is not going he EU's way. In Germany, if you manage to get a job you get social protection, but barely. Yet you have to have access to a job. Germany does not do much against discrimination towards foreigners.

Article 36 of the 3rd book of the German code of social protection forbids public job offices to obey the employers' demands regarding candidates' selection criteria when they are not justified by the nature of the job to be given.

Yet, once you have been hired, starting a justice procedure against you discriminating employer is not a right for the employee.

Migrants have a subsection : they may ask for a union to step in but they cannot demand it. Here it becomes difficult: victims of racial discrimination have to rely on common law

procedures. Non government organizations cannot be civil part in the trial to support the complainant.

Victims cannot make the employer prove there was no discrimination, but they have to prove they were victims of a racial discrimination, unlike in a trial for gender discrimination. In Germany, and independent organism that specialized in the promotion of treatment equality only exists since 2006. Yet, it is not that much involved in the fight against discrimination on the job market. The social peace in Germany relies on the dialog between employers and unions.

A report by the Center of Research on Studies and Observation of Life Conditions said the migrants matter is judged auxiliary. This is the reason why recognizing foreign diplomas has been such a revolution in Germany.

On October 18th 2010, Rainer Bruederle, German ministry of Economy at the time, said "We have to have a welcoming attitude" since the active population in Germany will move back 6.5 million people in 2030, so "counting on the national reserves is not enough

« Victims have to prove they were victims of a racial discrimination »

anymore" says Philipp Rösler, the current and neo-liberal Ministry of Economy, today. Bogged down in their demographic renewing problem, the Germans are still far from the beginning.

dolpi

Translate by Camille Meza



The Roma people, a European Population

The situation faced by the Roma in Europe is serious. The «Roma Chronicles» told in these pages show that the passage from racist words to racist acts has happened in Central Europe. In Hungary, Roma people benefiting from the social minima are forced to do arduous work. This measure has been created for them, against them and against their dignity, because of a strong State Racism. In Czech Republic Roma have to deal with Pogroms and TV spots in favor of a «final solution against Gypsies». There is a real lack of knowledge about this population. In reality, the Roma are not nomads or associable.

But how to fight against these misconceptions when even a French president blasted Roma in a notorious speech, pointing the human trafficking they suffer as a «cultural practice»? Although the President Sarkozy's «Grenoble speech» made Europe react, the 17 billion allocated for this population are hardly used deplores the european MP Karim Zéribi. In France, the media fall into the trap of the extreme right caricaturing these populations emphasises Senator Michel Billout.

There is a lot of exaggeration and amalgams. According to a report of the Interior Ministry there are at most 20,000 Roma in France. Although the worst seems to come, it is possible to improve the situation, because now we know what they live throughout Europe, and because we can be more vigilant. When the MP and Mayor of Cholet, Gilles Bourdoux said: «Hitler did not kill enough Roma» the association «la Maison des Potes» has taken legal action against him for «inciting racial hatred». Racism has to end now.

MEP Karim Zéribi proposes a «trptych»

The MEP of the Greens / European Free Alliance group has a solution about the Roma communities: firmness, humanity Cooperation. For Pote à Pote magazine, the very media Green MP unveils his plan to shake Europe.

The MEP of the Greens / European Free Alliance group has a solution about the Roma communities: firmness, humanity Cooperation. For Pote à Pote magazine, the very media Green MP unveils his plan to shake Europe.



Is this community held in hostage ?

Karim Zéribi : I believe that in times of crisis, there has always been reactions of exclusion and rejection towards scapegoats populations. Today this rejection crystallizes around Roma people. It is therefore necessary to provide concrete and lasting solutions. On the right wing, Estrosi wants to «put down the Roma» as if it were a militia, while the left wing offers a single answer: firmness.

Do you have a concrete proposal ?

Karim Zéribi : I propose a triptych: firmness, humanity and cooperation. «Firmness» means that the Republic has rules: one cannot settle in any place regardless of these rules. «Humanity» means that we cannot let people live in the streets. I clearly see that in my town, Marseille, (where I stood as candidate for the mayoralty) people aren't satisfied with the exclusion policy. The third aspect of the project is the cooperation: the Roma aren't stateless (they are from Bulgaria, Romania etc...). We have to take that in account. More specifically, if I become mayor, I would invite the mayor of Bucharest. We also have an idea of European Foundation of positive initiatives for Roma.

A foundation because Europe cannot do it ?

Karim Zéribi : We are 500 million but we are not able to take care of 6 million people! If we are not able to do that, then we aren't able to build Europe either ! The European Union is not just to reciprocate the goods. Europe has officially committed 17 billion euros for the «stabilization» of the Roma community, «and only 2% are actually spent: nobody wants to use this budget ! Can you imagine that !

A touch of hope ?

Karim Zéribi : Hope comes from Sweden and Spain. Up to us to learn from what has worked. Just like these countries, we should involve the associations, NGO as well as the civil society to find appropriate solutions.

Dolpi
Translate by Linda du Roy

Roma aren't nomads

An unknown european population.



©Réseau Romeurope

It may be hard to believe but it's true: Roma aren't nomads. Victims of persecution for ten centuries, they just flee the repressive and discriminatory laws against them. Yes, they are rarely nomadic, otherwise 10 to 12 million Roma would not represent 10% of the population in various European countries: 10,33% of the Bulgarian population, 9.59 in Macedonia, 8,32% in Slovakia, 8,32% in Romania, 7,5% in Hungary. The historian Henriette Asséo points out that «80% of European Gypsies did not move from their respective countries for 2 or 3 centuries.»

In France, an interministerial report in May 2013 stated that the migration of Roma in European countries «begins to appear in the early 90s, when the European construction takes a new dimension with the principle of free movement of people» while the dismantling of the former communist bloc

opens the borders in eastern Europe.

Subsequent accession of some of these countries to the European Union has not resulted in massive population movements. In France, the Roma people represent about 20 000 people and they are not nomads.

The problem is that prevailing thought in our modern society rejects any form of nomadism. These populations are discriminated because many people think that they don't want to «fit» or adopt our laws and way of living. Roma are seen as «rebellious» or «antisocial». According to the association Phuu Romani, 250 000 to 500 000 Roma were exterminated in Nazi camps, yet these people didn't had the right to be defended at the Nuremberg trial ! Genocide recognition will come in the early 1980s.

A strong caricature

However, as with all forms of discrimination, there is ignorance or contempt, this disease whose symptoms are mediocrity and above all the pretension to be persuaded to know everything. For example, I thought that Roma were all Catholics, but it's not the case. Some people are baptized Orthodox and buried Muslim. The Roma are not criminal by nature pilferers or whatever. For Oszkar Juhasz, the far-right mayor of Gyongyospata in Hungary «the Gypsy crime is a scientific concept. If Gypsies breed horses, not by love of animals but to dissolve the bodies of those that they have killed». Nonsense. As a report on the issue signed by Senator Michel Billout points out: «it is necessary to find that there is very little existing data to conclude at a higher crime rate among the Roma community in particular.

In France, for example, there are no data on ethnic grounds. Yet the media often make amalgams without being contradicted by the government or politicians». Caricature and intolerance are thus well present. A 2011 report by the European Roma Rights Centre and the NGO people in Need entitled «Breaking the Silence, informs us that «Given their vulnerable position in terms of exclusion, discrimination and poverty the Roma are disproportionately affected by human trafficking».

Movies such as Tony Gatlif's were made to move the minds but it is not enough. After the International Roma Day on April 8, we hope that a museum dedicated to the Roma people history will be created.

dolpi

Translate by Linda du Roy

« Yet the media often make amalgams without being contradicted by the government or politicians.»



Hitler, the anti-roma's idol

Roma population is victim of an alarming situation in Central Europe. Unlike France, in Czech Republic and Hungary, verbal abuse towards this population has turned into action: forced labor, molotov cocktails and pogroms prove it.

«Finish Hitler's work !» we hear that threat more and more against Roma. Anti-Roma climate of hate is strong in Central Europe, explains Senator Michel Billout, the author of the report «Roma integration: a challenge for the European Union and its Member States». In Hungary, the photographer Alain Keler saw the police supervising Roma in order to oblige them to perform forced labor (see article Horror in Hungary). «The Roma in Hungary are the most integrated Roma of Europe», explains Michel Billout. In Czech Republic TV spots criticize this population, referring to the Nazi ideology ! The Czech Republic TV spots criticize this population, referring to the Nazi ideology! The Czech National Party proposed a campaign spot for the 2009 European elections with the slogan «a final solution to the Gypsy question».

Actions...

This spot has been removed from the public campaign, but the message was clear: the extremists have dared to disseminate their sickening ideas. The photographer Alan Keler saw neo-Nazi «with flambaux» against Roma. He saw Roma narrowly escaping pogroms...

In Hungary the legalization of their treatment has started in a small town the size of vitrolles «with military parades, manhunt and hunt for Roma». A far-right commando carried out attacks and killed six Roma. Then the mayor, labeled far right, made compulsory work for the unemployed. In his town, this represents 80% of the Roma. «It is not a legal provision, but instead of attacking it, the government has taken this measure to their account» explains Michel Billout.

The Amnesty International report intitled «aggression against Roma in Hungary» shows that in this context, Roma have been victims of attacks with molotov cocktails.

... Words

Impossible not to mention the words of the Alpes-Maritimes MP and Chairman of the metropolis Nice Côte d'Azur: «I have subjected others, I'll subject you». The mayor of Nice Christian Estrosi, amalgamating Travellers and Roma, arrogantly said:

«The first thing I'll do is put cameras everywhere to monitor your actions in the

next few hours. We will note who comes in and out as well as what you do in the city, in the metropolis, etc ... «.

A few days later, the 21st of July, the politician Gilles Bourdouleix got noticed. About Travellers, he said: «Hitler has perhaps not killed enough of them.» In reaction, his party (UDI) excluded him and the Interior Minister has taken legal action for «apology of crime against humanity.» La Maison des Potes filed a complaint for «incitement to racial hatred». It's time to wake up, between racist words and acts of nostalgic Hitler, borders are increasingly blurred in France and Europe.

dolpi

Translate by Linda du Roy

Italy : Dolce Vita isn't for ROMAS



In the past few years, immigrants and especially Roma, coming from the east endure a lot of racist attacks...even the government was again them.

Roma are living in bad living conditions and special segregation. Immigrants face discriminating and violent treatment, but this violence against them is not punished. Like this immigrant couple who was living in the small village of Calabre, who was victimised in 2008, by a mafia group of Ndrangheta. They were constantly fired and stoned until they complained because of serious injuries. This act increase attacks much more violent from the mafia group, even citizens begins attacking them. Any kind of action was taken by Police officers. They just evacuated the immigrants from the village.

The Roma are also victims of inhuman treatment. For example in may, 2000, Paolo Fringerio, who was the mayor of the city of Cernusco Sul Naviglio in the province of Milan, declared publicly that he would give 2006€, from the cash of the council, to every farmer who would vaporize fumier voluntary on Roma living in the city. He explain his initiative by declaring that «a bath of fertilize is the only way to face Roma and chase them from our grounds.

This population is living in the middle of this horrible situation. International organizations are shocked by that situation, like Amnesty International. It's extremely bothered by the



Thibault Roy ©Journal Europa

discrimination climate developing in Italy. Foreign medias, like BBC, talk about an expanding «Wave of racism». The European Union and the UNO are also troubled by the situation that face immigrants and Roma who are coming to Italy. Two years ago, the European council and the international organization of workers, notified to the Italian government about the xenophobia and discrimination faced by foreign workers.

This situation is still critical because of the political situation about immigrant questions. This situation makes the government increase

sanctions against illegal immigrants. Racist and discriminative opinions are used as propaganda by the government against Roma and immigrants during election campaign. We can see it on the flyer for the campaign of Umberto Bossi, leader of the North League, who has distributed during the regional election «If you don't want Gypsies, Moroccan and other troublemakers in your house, be the master of your own house living in a pleasant city and vote for the North League «.

We can see how much immigrants and Roma live in a hostile and critical situation in Italy. It's for these reasons that associative actors are engaged to fight against discriminations and racism like SOS Razzismo Sicilia.

Alexandrine Yala

Translate by Linda du Roy

The horror in Hungary : They have put the Roma in camps !



Hungarian autocratic government has set up a socio-economic blackmail, forcing 300,000 Roma to do forced labor. This racism of State takes place in front of Europe.

The current Hungarian government decided to put the Roma in labor camps. What? Eventually, this measure is going to affect 300 000 people! 300 000 Roma people because they are Roma.

In September, 2011, the Hungarian government fell into the unspeakable. Basically: «As an unemployed, go straight to these camps, and if you do not carry out the hard labor, we shall remove your minimum social benefits for three years.»

On paper, this does not apply to Roma, but in reality, it is an obvious racist measure. The German newspaper Die Tageszeitung reported «This measure aims mainly to the Roma: about 50% of them, low-skilled and discriminated in hiring, would be unemployed. Many families so live on the social assistance.» It is an unfair and discriminatory measure.

Sandor Szöke, leader of the «Hungarian Civil Rights Movement», went to Gyöngyöspata: «Of the 40 construction workers, 39 are Roma.» Arithmetic speaks louder than the troubles

No barbed wires but flying camps

Gyöngyöspata is a village in the North of Hungary. It is also in Europe, right? When we ask Stella Méritxel Pradier president of PATIV (European association for the respect and dignity of the Gypsies and the Roma) But what is Europe doing? She answers: «nothing». No, you're not serious. The sociologist insists. The associations for the defense of Roma populations are addressed to the European Union, and the EU answered: «we are not aware ». What interests the Union, is the autocratic character of the functioning Hungary. Meanwhile the U.E. wakes up, what does France do?

«There are no Roma camps in the sense we might imagine.» Michel Billout is the senator of Seine-et-Marne, member of the Friendship Group of the France-Hungary Senate. In the light of the events, this group almost disappeared. For he adds: «But there is a reality ... They are flying camps. A little as when the boss comes to look for seasonal workers, fetching one such day, and such other elsewhere. But in the Hungarian case, there are no «seasonal workers», they are all Roma and the boss does not always come looking for you.



*In a caravan, children are holding placards against the deportation policy of the french government.
(© AFP PHOTO / ANNE CHRISTINE POUJOLAT)*

The senator is well placed to speak about it. He is the author of the «The integration of the Roma» report: a challenge for the European Union and its member states, released on December 6th, 2012.

« Some of them must do more than 7 kilometers to get to their required sites. No water, no toilets, no shelter against the sun, moving on ten working hours a day »

Michel Billout already knew Hungary in 1976 where he lived his «first shock», he heard: «the Hungarian Gypsies are gypsies, not Hungarian» Even so, at the time people worked together, etc., «there were no differences between Roma and Hungarian after all» but times have changed. Today, the police monitors the Roma so that those work much like convicts who break stones by the roadside of the imagination.

The incentive for hard labor

But it is not a dream. It is a social nightmare. The authorities say that it only affects the Hungarian Roma who live on social welfare benefits.» Except that when we accentuate reality, every time that there is a hard labor

to do: it is the Roma who do it» noted the senator.

For the current Minister of human resources, Balog Zoltán, prime contractor of social policies, it is normal: «The Roma are indebted to society, and it is a way to reinsert them into it ». The idea that Roma are a population of loafers is deeply rooted in the popular unconscious. «From a policy of employment insertion, we pass to a work incitement policy...» Dangerous. Is there a fine border between productivism and slavery?

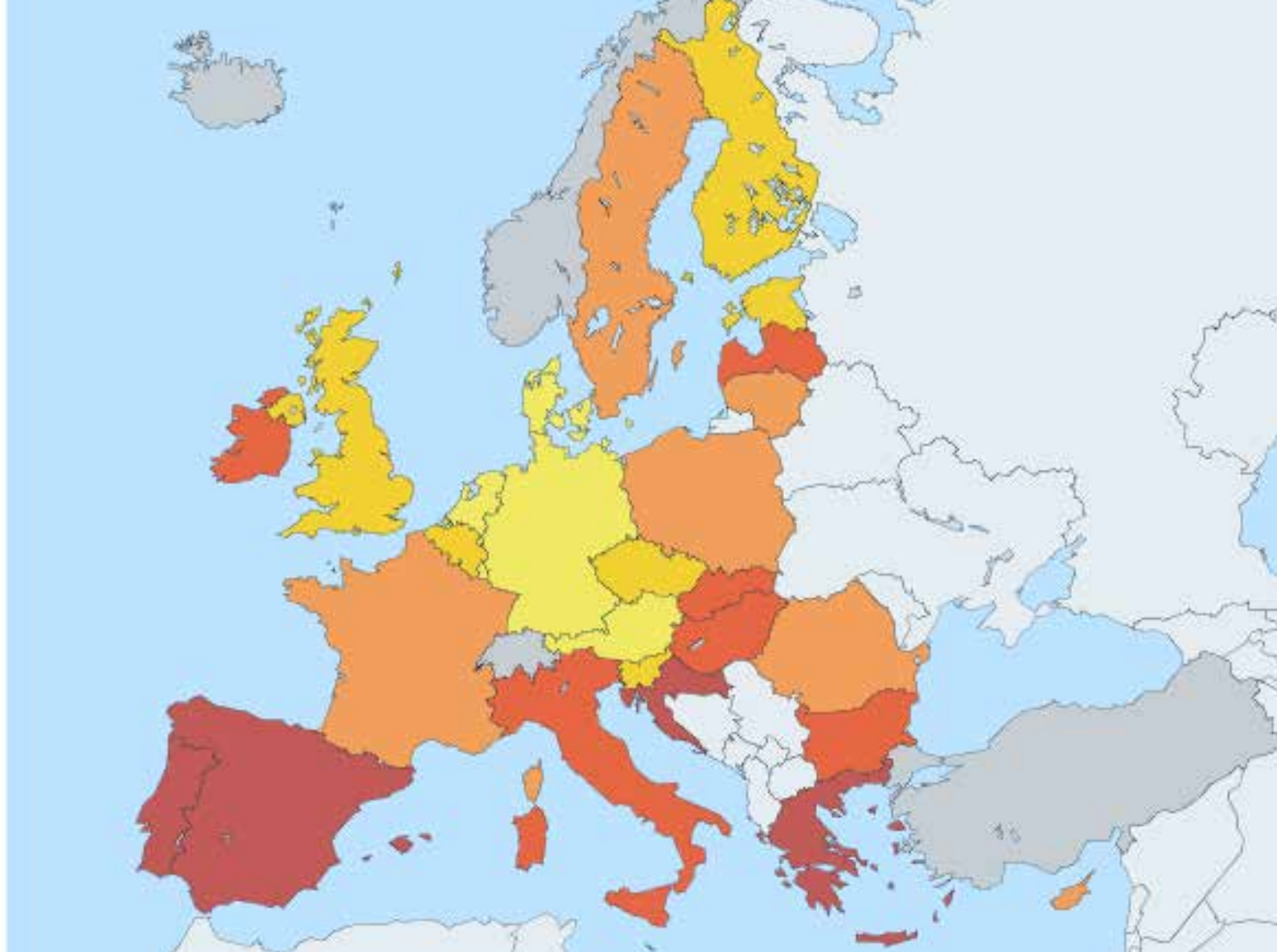
In the meantime, the border between the U.E and Hungary widens. To see who tries to break these walls of intolerance, Michael Billout, who is also, at the Senate, the Vice President of the Committee on European Affairs, assures to us that it is necessary to look not only on the EU side but also on the one concerning Europe's Council. The international organization responsible for the European Convention on Human Rights, has reacted to President Sarkozy's «Grenoble speech» (summer 2010), an insulting speech particularly for the Roma. The organization has set up, during the autumn 2010, one strategy which requires each state to produce a document about its national policy towards the Roma, and conducting an annual meeting.

«On the European level, it is almost a revolution» said Michel Billout, also a member of the Republican Communist group and Citizen. The strategies were presented for the first time during the autumn 2011, and the European Commissioner for justice, fundamental rights and citizenship, Viviane Reding, has created during the autumn 2012, a follow-up group. But there is an emergency.

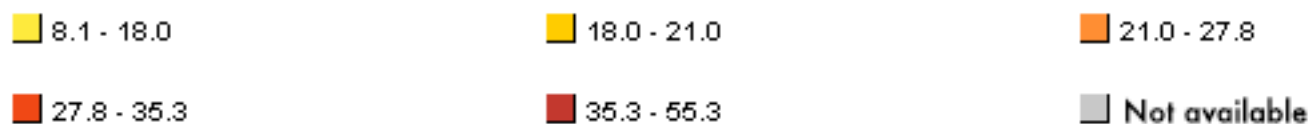
Indeed, some must do more than 7 kilometers to get to their required sites. No water, no toilets, no shelter against the sun, moving on ten working hours a day, they are forced to work in fields, getting up buildings and even a police station. This enslaving device based on a socio-economic blackmail, is supposed to reach 300,000 people. To get started.

dolpi

Translate by Daniel Martinez Sotelo



Un unemployment rate under 25 years old



Minimal value : 8.1 Maximum value : 55.3

source and map : Eurostat

ECO EMPLOYMENT

In Spain like in Germany and in the most countries in Europe, foreign workers who aren't part of the European Union and women are the first victims of employment flexibility. When the economic crisis occurs, they are the first to be unemployed. In Britain, even David Cameron plans to reserve unemployment benefits only to British nationals. The use of temporary workers (instead of stabilizing permanent employees) hits first place the foreigners and unfortunately this policy is not only concerned in the private sector but also in others. The state, in most European countries, such as France, provided stable employment in the public sector to European and grants to foreign non-European people a contractor's job. In 1991, Europe had forced all EU countries to open the majority of established posts in the public service and public enterprises to European nationals, who until then they were only entitled to temporary staff jobs. In the name of the fight against discrimination, it is necessary that Europe claim the States that all things who has been given to the European workers are also given to non-European workers.

Samuel Thomas
Translate by Vinni Panglipuringtyas Zulfahmi

Is Germany racist on an interim basis ?



The famous German competitiveness is built at the expense of temporary worker. Sweat is the foreign currency.



©Charb

Christine Lagarde, former Minister of the French Economy, and current director of the International Monetary Fund, declared, in March 2010, her love for the German model: «It is clear that Germany carried out an excellent job over the last decade, improving competitiveness, putting a great pressure on its « labor costs ». But what magic wand was it used a decade ago on the «labor costs»? In fact, rather than a magic wand, it was a whiplash called «Agenda 2010». It is the Christian name of the big structural reforms led in Germany by the SPD-Les Verts coalition between 2003 and 2005.

The 2010 Agenda reformed the labor market (Hartz reformes mainly) under the leadership of Chancellor Gerhard Schröder. The goal: to deregulate the labor market, specially temporary work, Arbeitnehmerüberlassung more often called Leiharbeit, in other words: «loaned» work.

Result of the reforms: an explosion of precarious, part-time and temporary jobs. Everyone is working in precarious conditions, just a little time and at any price: for the same car, « An employee with permanent contract makes 15 euro an hour to take up the left gate, and the temporary worker who takes up that of the right-hand side 8.50 euro ». « Astonishing » this surprises the German economics business newspaper Handelsblath. Nevertheless, that gives ideas. In 2010, 43 % of the new jobs were temporary.

From the viewpoint of employees, why go towards that? Because at first glance, there is not much else to do. Germany, with its 80 million inhabitants, has almost 3 million unemployed. Proportionately less than in France.

But according to the Duisburg Work Insti-

« Germans have
5.8% of unemployed,
foreigners are 11.8% »

tute, the German socio-economic model, touted by liberals who are out of touch; accounts «6.5 million working poor, earning less than 10 euros an hour ». That's not all. « Two million people earn less than 4 euros per hour; that is 720 euros a month for a full-time job ». In Germany, 70 % of the unemployed persons live under the poverty line compared with 45 % on average for the whole European Union.

Ach so... find a job more rapidly, even if it is «loaned». Today, Germany exploits nearly 1 million temporary employees.

Precarious work increases

This figure is steadily increasing. According to the Federal Employment Agency, the number of temporary workers in Germany « increased by 13 % in one year, reaching 910 000 people in June, 2011 ».

The Agenda 2010 has allowed the golden age of precarious work to come: Hartz reforms have split the shield of a 1972 law, a law that prohibited the repeated use, and the use of the interim in some branches such as construction, and requiring equal treatment of agency and employees. A law which forbade repeated use, the use of temporary jobs in certain branches such as construction, and required equal treatment for employees and temporary workers. That's all over. Before these reforms, it was at most 24 months. After the Hartz reforms, more limits for the duration of missions. So in all the temporary contracts, only half lasted less than three months. Stable workforce recoils and precarious work is constantly rising notes bitterly Detlef Wetzel, vice-president of the big labor union of the metal industry and the automobile IG Metall. His word is not harmless: the German metal industry hooked 200 000 temporary employees. Huge, and as him, we can be bitter: the monthly income of the interim sector is 30 to 40 % lower than that of the employees under permanent contracts. 30 in 40 %! Most low income amounts to 1900 euros a month. For the same work, on the West, the temporary employee contents himself with 1200 euros, and east of 1063 euros.

30 to 40%! The lowest income amounts to 1900 euros per month. For the same

position, and the same work in the West, the temporary employee contents himself with 1200 euros, and only 1063 euros in the East. Almost half! But, as you have guessed, who are proportionally the most affected?

When we add the 7.5 millions of «mini-jobbers», with jobs to 400 euros for 60 hours per month “ in sectors as varied as distribution, industrial cleaning, cares for the elderly ...” when we add that about 12 million people live under the poverty line... then the sarabande seems very sad, especially for non-European workers: there, where they were 135000 temporary employees in December, 2011, they are 150000 in June, 2012. The figures of the Federal Agency are very accurate: 135 736 on December 31st, 2011 and 149 878 on June 30th, 2012. This is an increase of 14 142 temporary employees in six months.

Foreigners are over-represented

The jolt of the Agenda 2010 is the boost that enabled the famous German competitiveness carried on the backs of temporary workers, where non-European ones are strongly represented; as in other cases.

There, where German nationals, the Germans are themselves 5.8% without job, for foreigners it is twice more: unemployment represents 11.8% of their population, according to Destatis, the German Statistical Office. And for the temporary worker, inequality is even more striking: the foreigners are there increasingly over-represented with, taking into account all temporary workers, about 15%.

So, perhaps tired, foreigners began to start businesses at a frantic pace that is not ready to stop. «People who come from immigration constitute 11% of the new entrepreneurs as they represent only 9% of the German population.»

A study by the Association of Chambers of Commerce and German industries in 2010, immigrants have created 150,000 jobs. Or on all jobs created: 1 of 3 new jobs.

According to a study conducted by the Association of Chambers of Commerce and German industries, in 2010, immigrants have created 150 000 jobs. That is, on the set of created jobs: 1 of every 3 new jobs.

dolpi

Translate by Daniel Martinez Sotelo



Germany, the first immigration country does not know how to open its market to foreigners

Germany is the 1st host country of Europe. Paradoxically its labor market remains closed to foreigners.

Germany is the number one country of immigration in Europe. "At the end of the 80's and during a fair part of the 90's, Germany became the second main immigration country in the OECD". The Organization for Economic Cooperation and Development covers the whole of Western Europe and the United States, from Japan to Turkey, through to Mexico and New Zealand. Out of all these countries, Germany is in number two position as a land of refuge among developed countries after the United States! Closer to us, it occupies the number one position in the European Union. Its labor market, however, does not prove to be very welcoming.

"The situation of immigrants in the labor market has deteriorated sharply in [recent] years", says Odile Chagny, researcher with the Centre d'Etudes & Prospective du Groupe ALPHA, who led the monitoring program related to European labor market employment and reform policy at the Commissariat général du Plan (State Planning Commission) from 2004 to 2007.

Precarious work to foreigners

"The evolution of employment rates by population category shows a sharp deterioration of the immigrant's situation in the labor market in the last few years" she explains in the publication of *Politiques comparées d'intégration en Europe*, appeared in 2005 and published by Profession Banlieue editions. If long-term unemployment affects both Germans and foreigners, for the researcher: "the relative deterioration of immigrant's situation in the labor market has been one of the most important when compared on an international scale, foreign populations are proportionally more affected by the reforms of the labor market ...". These structural reforms have contributed to the explosion of precarious work (see article "Is Germany racist on an interim basis?").

Yet, it is the peripheral countries of southern Europe who are ready to sign precarious jobs to non-European residents. The champion is Spain, a temporary contract champion. As recalled by Florence Lefresne, Doctor in Economic Sciences and researcher at the Institute for Economic and Social Research "to save payroll taxes on the weekend, the contract of employment



«Fuck jobs at 1 € per hour» ©Reuters

is signed on Monday and the employee ends it on Friday night". The most serious studies indicate that in Spain one in two migrants work with a temporary contract: 49% according to the International Labor Organization. 43% in Germany. But these studies date 1999. That is to say before the «crisis», and especially before the impact of the structural reforms consequences led by the Chancellor Schröder between 2002 and 2005.

The Revolution in slow motion

« The situation of immigrants in the labor market has deteriorated sharply {in recent} years. »

Last year, Germany adopted a new immigration law which emphasizes on language proficiency and knowledge about life in Germany, via «integration courses». Seeing the fall of its demography, the ideology of the productivist use of foreigners in Germany

prompted the federal government to be more flexible regarding the recognition of foreign qualifications. Yet these incantations do not translate into reality: the revolution of minds does not seem to work.

With the legislative elections of September 22, 2013 approaching, the German Chancellor, nicknamed "Mutti" (mom in German), has moved on to the turf of her leftist opponents in terms of ideas. Angela Merkel now speaks about minimum salary and limitations on rent amounts. But on the topic of immigration, no surprise: the current Chancellor remains vague, and "only immigrants qualified and fluent in German" seem to be taken into account. This is without counting on the striking OECD study published on June 13th. The study shows that "if Germany is attractive, it does not retain immigrants". There is no question about the interest generated by Germany. "The problem is with the language". Regarding the validation of their diplomas, "foreigners [still] feel discriminated against".

dolpi

Translate by Dann Martínez Sotelo

Jobs in European countries reserved for nationals : state xenophobia is not the same everywhere



Germany

Member of EU since : 1957
Total population : 82 314 900
Foreign population : 7 138 000

Constitution : the fundamental law, article 33 (2) ensures equality for all German citizens to access jobs in public service, but is not an obstacle to foreigners.

Contract employment : no criterion of nationality

Jobs reserved for nationals : depending on the region

Remarque : since a 1993 amendment, public service is open citizens of Member States and third countries who have an agreement with the EU concerning mutual recognition of qualifications. On an exceptional basis, access to these jobs can be limited to nationals "if the tasks require so". The federal minister of Interior can make exceptions to this restriction that is to recruit foreigners, in the event of urgent needs.



Belgium

Member of EU since : 1957
Total population : 11 116 243
Foreign population : 1 169 064

Constitution : only Belgian citizens are eligible to public employment, however exceptions can be made.

Contract employment : no criterion of nationality

Jobs reserved for nationals : finance inspectors, diplomatic service...



Bulgaria

Member of EU since : 2007
Total population : 7 364 370
Foreign population : 37 000

Constitution : no data

Contract employment : no criterion of nationality

Jobs reserved for nationals : administration, judiciary, and Interior ministry

Not everyone has the same right in Europe. Although the European Union has received the Nobel Peace Prize, on the contrary it will certainly not receive the Prize for equal employment opportunities. Many Member States continue to discriminate non-Europeans, institutionally legitimising discrimination against foreigners, preventing them to access to certain jobs. This state xenophobia is not the same in every field. In France, 5.3 million jobs are reserved to nationals.

Everywhere in Europe, "European legislation obliged States to open administrative competitions of public servant to all citizens of Member States of the European Union. These competitions remain closed to other foreigners; they can however hold certain positions". This difference is the rule in most

Member States.

In France, European legislation brought about the law of 26 July 1991 that distinguishes two types of foreigners: Europeans from other Member States on one hand, and foreigners from all around the world on the other. This law opened public service to citizens of the European Union, allowing nationals of these states to join the army, the police, the judiciary, public diplomacy and tax administration; as well as the professions of lawyers, doctors, architects, pharmacists, holders of liquor licence, professions of guardians, amongst others. All these professions remain closed to non-Europeans in France. The French Observatory of inequalities specifies: "In total, more than 130 000 annual recruitments are closed to

non-Europeans foreigners looking for a job." Legal xenophobia in France is not a cultural exception; what are the facts in other Member States?

This information is taken from the "Free Movement of European Union Citizens and Employment in the Public Sector" report for the European Commission



Denmark

Member of EU since : 1973
Total population : 5 529 888
Foreign population : 328 000

Constitution : public servant jobs are limited to Danish nationals.

Contract employment : no criterion of nationality

Jobs reserved for nationals : judges, police leaders, prison governors and vice-governors, and prison guards

Remarque : A foreigner can be a probationary employee as a prison guard, if he is expected to receive Danish citizenship



Spain

Member of EU since : 1986
Total population : 44 474 600
Foreign population : 5 218 000

Constitution : no data

Jobs reserved for nationals : foreigners residing in Spain and Spanish nationals have the same rights concerning access to jobs in public service, in accordance with its constitutional principles of equality, merit and competence. Thus foreigners can apply to positions in public service.



Ireland

Member of EU since : 1973
Total population : 4 312 500
Foreign population : 428 000

Constitution : no data

Contract employment : no criterion of nationality.

Remarque : the minister of Finance is responsible for issues concerning recruitment in public service, including "criteria of admissibility". There is no indication on the specific method or criteria used to decide whether or not a position should be restricted to nationals.



Italy

Member of EU since : 1957
Total population : 59 131 300
Foreign population : 4 562 000

Constitution : Italian nationality is required to access jobs in public sector.

Jobs reserved for nationals : key positions in State administration, positions in independent branches of State administration, judges, lawyers and prosecutors, civilian and military positions in the Prime Minister's office, positions in Ministry of Foreign Affairs, Ministry of Interior, Ministry of Justice, Ministry of Defence and Ministry of Finance

Remarque : citizens of Member States can access positions in public administration, as long as it does not directly or indirectly involve the exercise of official authority or protecting the interest of the nation



Luxembourg

Member of EU since : 1957
Total population : 476 200
Foreign population : 216 000

Constitution : Luxembourgers alone have access to civilian and military posts, although legislation can in some particular cases, make exceptions.

Jobs reserved for nationals : jobs that require exercise of official authority and the protection of general interest of public state officials.

Remarque : Until the 1st January 2010, access to public service had been limited to Luxembourg nationals, with the exception of sectors of education, health, transport, telecommunication, as well as water, electricity and gas supply



Netherlands

Member of EU since : 1957
Total population : 16 358 000
Foreign population : 586 000

Constitution : no data

Jobs reserved for nationals : judiciary, police, positions in the military, with the exception of temporary appointments of jobs such as translator; high-ranking positions in government offices, such as the national Ombudsman and members of the Council of State.

Remarque : since the law of 1988, access to public service is not subject to nationality criteria, except in cases prescribed by law.



Rep. Czech

Member of EU since : 2004
Total population : 10 190 213
Foreign population : 113 000

Constitution : no data

Contract employment : no criterion of nationality

Jobs reserved for nationals : police, security (firemen, counter intelligence), judges or prosecutors who attend the Constitutional Court and High Court

Remarque : Czech citizenship is not needed for municipal authority positions, however they have to reside in the country permanently.



United Kingdom

Member of EU since : 1973
Total population : 60 816 700
Foreign population : 4 735 000

Constitution : Great Britain does not have a written Constitution, but fundamental constitutional principle is established

Jobs reserved for nationals : 95% of jobs in the public sector are currently open to non-nationals.

Remarque : Job descriptions indicate whether or not non-nationals can apply. There is no indication on the specific method or criteria used to decide whether or not a position should be restricted to nationals.

British social rights : A trend towards the exclusion of all foreigners



Immigrant workers, the scapegoat for British social problems



Jonathan Portes ©Sunday Times

In April 2013, the current Prime Minister, David Cameron, announced restrictive measures concerning public aid that benefit both nationals and immigrants. Social rights for immigrants will now be limited. They will not receive their unemployment benefits after six months if they cannot return to employment because of limited ability to speak English.

A key question arises at this stage: how do you identify the criteria for refusal of an

application? Jobs seekers will also need to provide proof that they have been of being recruited. In times of major economic crisis, why blame workers for insecurity, whether they are nationals or not? Jonathan Portes, director of the National Institute for Economic and Social Research, describes Cameron's speech as a "minor entertainment". He further indicates that this speech denies reality: "Most immigrants to the European economic zone are young, they work and contribute to the national economy". According to Euronews, "when Romanians and Bulgarians received the right to work freely across the European Union in 2014, this raised concerns."

Cameron's government also plans on making unemployed immigrants pay for health-

care in hospitals. He mentioned the need for them to purchase private health insurance. The measures concerning health care are in addition to the contributions they were already paying. These policies are controversial in the UK, including among sympathizers of Cameron, causing disagreement in the conservative party. Ryane Shorthouse, director of Bright Blue – a group close to the party – declared, "The political developments concerning immigrants are politically, economically and socially risky. This country urgently needs strong economic growth." So it seems odd that the government wants to reduce the number of productive workers and consumers who contribute to our economy."

Lamia Dzanouni



Spain : Where do immigrants work ?

In Spain, it exist a certain number of jobs which are opened to foreign people. These posts must be characterized by the inability to find people corresponding to the sought profile on the Spanish market.

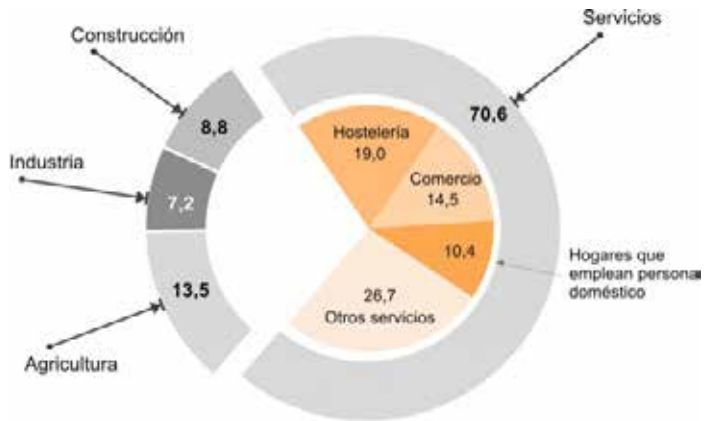
The quota of non-EU foreign workers during the 2002-2008 period, reached a total of 98,604 continuing posts. The Autonomous Communities with greater concentration of stable work in 2008 were Catalonia and Madrid.

For the whole Spain, the economic sectors which increase most their weight in the quota between 2002 and 2008 are, mainly, the hotel business and trade; while in construction and services it is the opposite. Three quarters of the foreign members affiliated to the Social Security are working, and do so since 2002, at construction, domestic service, farming, hotels, trade, and in a lesser degree, industry. We can see in the composition 2010 a major crisis in the construction sector.

In total, foreign affiliates, 13.7% work at freelance, with regard to 19% of Spanish workers. This percentage has come down gradually from 2000, when it reached 17.1% In the graph, we can observe that the construction has experienced a strong growth until 2007, when 21.1% of the workforce employed in this sector. Then, the number of workers in the construction tends to decrease. The industrial sector experiences a similar situation to the construction.

It also draws the attention on what might be called «niches of market»: domestic service, farming and trade. The first one had a negative trend between years 2002-2004, then a strong evolution in 2005 and began to descend again until 2007. Since last year, it has grown steadily. Farming follows a similar trend to the domestic service. In these two cases, it is about extremely hard jobs with unattractive remunerations, which are used to being abandoned when employment opportunities appear in other sectors with better working conditions.

Immigrants seek to work in the trade because the jobs which can be released in this business sector are varied regarding responsibility and qualification. Finally, the hotel business seems to have remained despite the crisis. In this case, we can consider Spain as a safe tourist destination.



Distribution of foreign workers per activity sector. 2011
© Elaborated by informe-Espana from the data of the SPain ministry of Labor and Immigration.

SOS Racisme Catalonia
Translate by Daniel Martinez Sotelo

MOROCCANS IN SPAIN

In 2003, Moroccans represent around 1,1 % of the active population in Spain. More than 200000 Moroccans workers are integrated to the labour market in Spain. On these 1,1%, 171000 are in a legal situation and 40 000 are undocumented.

Because of the economic crisis which has stricken Spain, Moroccans lost 60% of seasonal jobs. Construction Sector and farms have been weakened by that crisis. National Institut of Statistics pointed a spectacular decrease of the number of foreigners in Spain. They were 5,75 million in 2011, they are now 5,71 million this year. Moroccans immigrants are also affected by the crisis precisely thus working in the construction sector and farms.

On 758.000 Moroccans living in Spain, 239.000 were unemployed last year, for El Pais. Their situations will be much harder. Indeed, the new Spanish government lead by Rajoy decided to limit healthcare granted to illicit immigrants. Furthermore, thousands of Moroccans in irregular situation won't be able to benefit of a medical care. Only pregnant women, children or licit immigrants will be accepted at the hospital..

Abby Faye
Translate by David Zennou

DISCRIMINATIONS AND EMPLOYMENT

A lot of migrants are not fortunate enough to find a job cause to discriminations. Banks also have difficulties to grant loans to foreigners. Part time jobs granted to foreigners strip away them of dismissal allocations.

Sectors of construction, agriculture and restaurants are more employed. However, caused to the economic crisis, 119 309 work permits have been delivered in 2009 against only 7050 in 2010, between January and September. The number of new immigrants coming to Spain strongly decelerated these last years. In 2009, he knew a growth of 1,07% against 7,21% before the beginning of the economic crisis.

Abby Faye
Translate by David Zennou

WAGE DISCRIMINATION BETWEEN MOROCCANS AND SPANISH

Wage discrimination between Moroccans and Spanish.

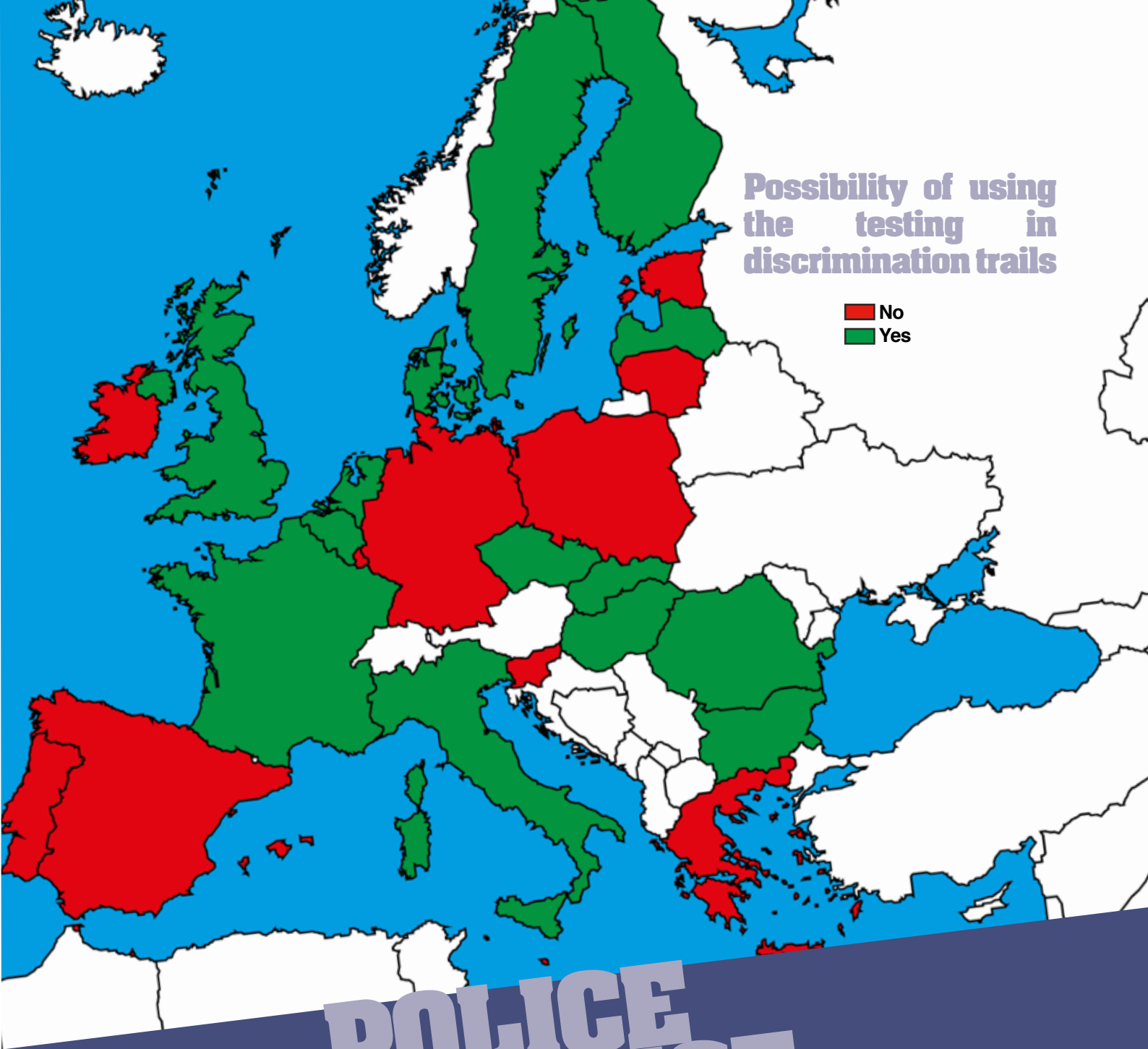
A study published for the World day of fight against racism, 21 march 2012, shows that foreign workers receive less salaries than Spanish. In Spain, the salary depends on origins of the worker. If he is a foreigner, he will receive around the half of what a Spanish earn each month. Foreign workers men have earned 40,53 % of what Spanish had.

The difference of wages is also between Spanish women and foreigners, even if she is less higher: 9123 euros against 16778 per year, so 51,3% of Spanish wages. The UGT denounce these discriminations and claim for equality between Spanish and foreigners. They contribute to the Spanish economy as others.

Abby Faye
Translate by David Zennou

Possibility of using the testing in discrimination trails

■ No
■ Yes



POLICE JUSTICE

In all European countries courts and police should apply laws against racism and discriminations. To perpetrate an act of racism against someone because of his nationality, origin or religion not only threatens national cohesion, but of all Europe. However, in many countries this legal battle against racism and discriminations is not conducted by the prosecution service and the member States encourage the individuals just to apply to civil proceedings in order to be compensated for the damage suffered. In the United Kingdom, the State has financed a "Commission for racial equality" in order to support individual civil actions conducted by victims of racial discrimination. In front of a long and expensive procedure, the issue of financial means to hire a lawyer arises inevitably. In certain countries, as Germany or Italy, these individuals have the right to receive a financial help 2 or 3 times more elevated than in France. However, the number of legal proceedings against racism is still a paltry amount. The legalisation of class actions, as in the USA, could allow this combat to have a new breath.

Samuel Thomas
Translate by Dann Martinez Sotelo

Discriminations : a social or an individual problem ?

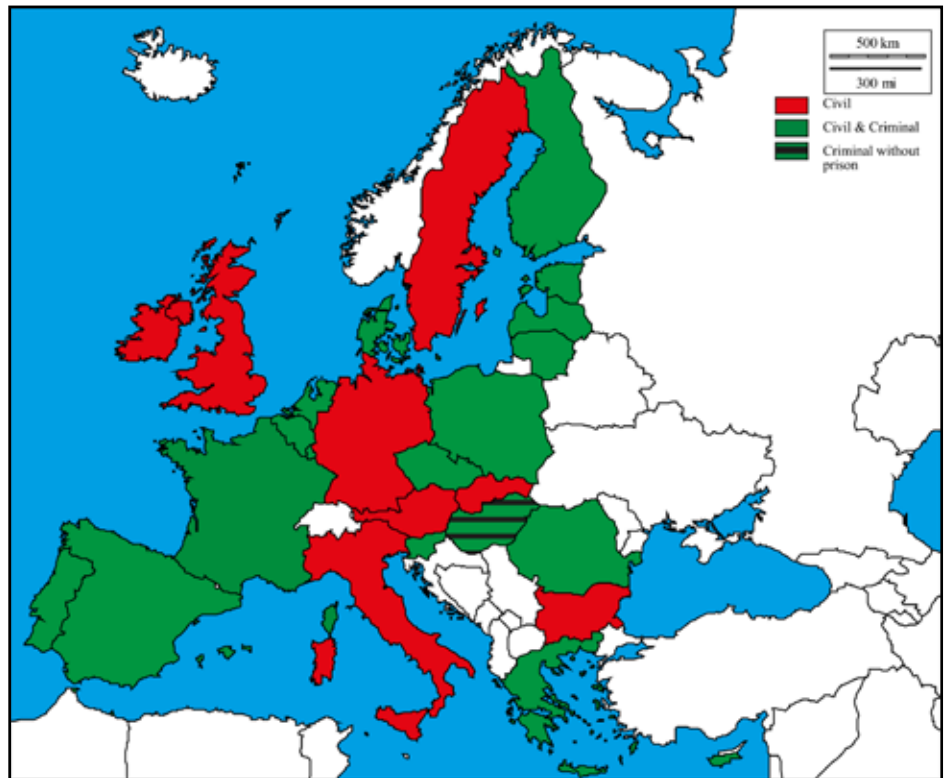
In Europe, unanimity reigns over the administrative procedure, but opinions are divided between civil and penal procedure. If certain countries have legislated about the both procedures, other ones have only chosen the civil one. The crucial difference between these two procedures is based on the social impact of the penalty.

There are three ways to fight against discriminations at a legal level: penal, civil, or administrative prosecutions.

To penalise an act of discrimination is a way to reflect a thought, it is a view of society. In fact, when this act is liable to prosecution and penalisation, it means that it is an abuse against the State and not only against an isolated victim. The State expresses also a moral condemn of discrimination. Through the recognition of this abuse the State wishes to impose a stigma on discriminations, to educate citizens and to make clear that society should share republican values.

On civil procedure, the State considers that discrimination is a conflict between individuals. The judge plays a role of arbiter between the parts about the amount of damage to be awarded. In this kind of procedures, resources as mediation or conciliation reduce the conflict to silence without condemning the discriminator. The fact of decriminalise discrimination privatises the conflict and misleads to show that it is not about a social problem but individual. This vision dangerously contributes to its trivialization.

Regarding the administrative procedure, it allows to enter institutions or local administrations in order to obtain a quick penalty (closure of an establishment during a short period of time) or a court decision if the action is done by the administration or one of its representatives.



Map of possibilities for civil actions or criminal in Europe.

The asymmetry of prosecutions among the different procedures discourages victims to initiate a procedure. "No one should ignore the law", yet the laymen who want to use them to defend their rights, are facing legal nebula which only anti-racist associations are able to give a

concrete answer.

Lamia Dzanouni
Translate by Daniel Sotelo

Criminal

Benefits:

- The financial burden is smaller : the public authority conducting the investigation and committed its own funds. The victim only needs a lawyer to prove the effectiveness of its damage but not for the commission of the offense itself.
- The role of anti-racist organizations is important. They allow some ways to compensate for a failure due to laxity or lack of training of judges.
- Freedom of proof for victims and associations: The testing is used by a dozen countries in Europe ; it has even become a legislative tool in France, and in Hungary and to some extent in Belgium.

Disadvantage:

- Criminal proceedings may only be used in the context of direct discrimination. If it concerns indirect discrimination, the victim may only continue in civil.

Civil

Advantage:

- The burden of proof is lighter on discrimination. The victim must bring elements of doubt and the defendant must prove that these elements are not discriminatory.

Disadvantages :

- The proof is not free: the victim may bring only faithfully collected evidence, testing is not considered as a faithful method of proof.
- Justice does not engage the public authority to investigate these cases. The victim finds herself responsible for providing these own items to support its claims : inequality settles in financial terms. The financial burden incurred by this procedure - such as lawyer's advice to know the evidence to be provided - imply that justice does not seem to be accessible to all.

Direct discrimination / indirect discrimination.

The distinction lies in the intention. Refuse to employ someone on a racial criterion pattern is treated as direct discrimination : there is a preference in a person than in to in a belonging to ethnicity.

If a person who claims himself as an aggrieved person because the meetings are always held on a Wednesday, this person is being told that it is because of his part-time, this element is a priori objective. Yet 90% of part-time are women : the indirect discrimination is blatant.

Translate by Vinni Panglipuringtyas Zulfahmi



Legal fight against discrimination : The history of the UK



Since the end of the 70s, the Labor Party played an important role in promoting policies at local and national level which particularly benefit minorities. These integration policies result in a number of laws enacted between 1965 and 2000.

Laws integrating minorities and limiting immigration

In 1965, the first Race Relations Act reflected a consensus: restrict the immigration and implement an integration policy. It was the first law forbidding racial discrimination in the United Kingdom in public areas. This law set up the creation of an institution called Race Relations Board in 1966 to examine the complaints which would fall under this law.

This law allows to address discrimination as a civil wrong and not as a criminal offense. At first sight, it is estimated that it reduces the gravity of the discrimination offense, however, an ineffective justice is a justice that runs to ruin. The effectiveness of the prosecution of the offense by means of the criminal court was not convincing, it was necessary to make a more simple prosecution for any victim of discrimination; hence the requalification in civil offense: more accessible and less burdensome regarding evidence unlike the French system.

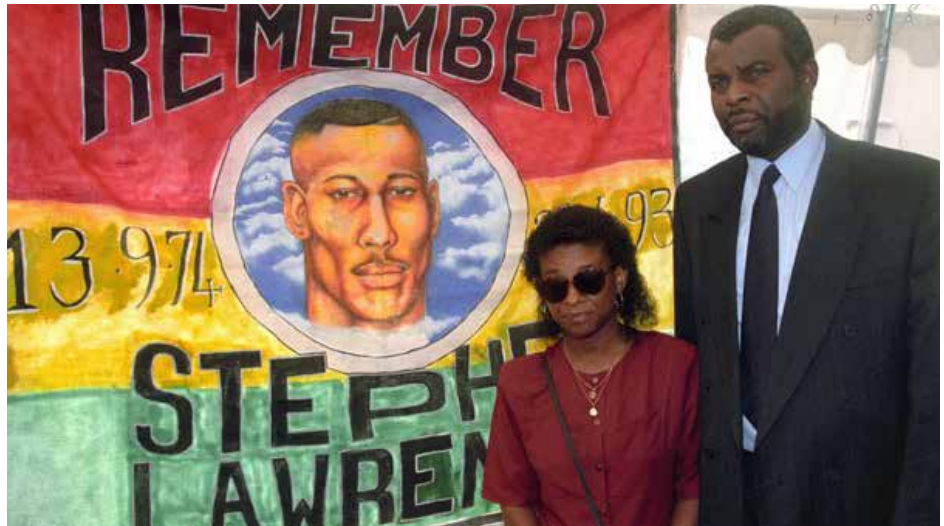
Nevertheless, anti-racist associations were excluded from this judicial process and can in no case proceed on behalf of victims as is the case of France. However, this law does not apply in Northern Ireland.

A step by step legislative progress

The law has since been strengthened with the second Race Relations Act of 1968 which extended the prohibition of discrimination in employment and on boarding houses –room's locations in houses (ed.) It made illegal to deny housing, employment or access to public services to a person regarding his skin color, ethnicity or nationality.

It also created the Community Relations Commission to promote harmonious relations between communities. It has been further strengthened by the third Race Relations Act of 1976, which saw the creation of the Commission for Racial Equality - called Equality and Human Race Commission since the enact of The Equality Act in 2006. This independent administrative authority needs to promote and enhance equality and the fight against discrimination in England, Scotland and Wales.

The fourth section of the Race Relations Act 2000 is an expansion and strengthening of anti-discrimination policies. It follows several confrontations between the police



In 1995, Stephen Lawrence's death, followed by a botched British police investigation, created a stir that reveals unequal justice. An institutional racism which will be marked by a government report in 1999. Photo: © Mirror

and the residents of certain districts on several decades. The racist attitude of the police has often been denounced. It was not until the racial murder of Stephen Lawrence, age 18, of which the police investigation has been corrupted by the racist attitude of the men in charge of the case, that the legislator reinforced the Race Relations Act

The police and institutional racism was recognized in the Macpherson Report of 1999, which after having very badly received this analysis, led to a major reform of this administration. An unprecedented consensus was found in these legislative texts: on one hand, the conservatives applauded the quota policy, while on the other hand minorities rejoiced in new obtained protections.

« The Muslim community no longer feels represented by the Labor Party »

Indeed, from 1965, The White Paper was a way to justify their quota policy «without integration, control is inexcusable, without control, integration is impossible» The White Paper reduced the number of work permits from 20,000 to 8500 per year and at the same time promised to create positive measures aimed to ensuring a place in the British society for immigrants and their children.

However, like any immigration law, the consensus cannot be total. Therefore, we

can point out the limitations or incompleteness of such legislation as well as a situation's reversal according to the international political context.

Disallowance and Failure

Two months after the terrorist attacks of September 11th in New York, the Tony Blair's government passed the Crime and Security Act law. The Muslim community no longer feels represented by the Labor Party: the enactment of this legislation aims to facilitate the sharing of private information for example. Following this act, forty mosques were searched without real evidence.

Hence the conclusion drawn by Khizar Humayun Ansari, director of the Center for the Study of Ethnic Minorities at the University of London: «Islamophobia is also generated by the government.» At a more general level, Shamit Saggar-Teacher of Political Science at the University of Sussex explains that the attempt of depoliticisation of race and immigration issues by the Race Relations policy had actually marginalized the people from minority ethnic communities which became objects of public policy rather than actors in this process. Indeed, the policy of the current conservative prime minister continues on this discriminatory line and stigmatizes migrants by announcing the reduction of aid which was awarded to them in the area of health, housing, or unemployment..

Lamia Dzanouni
Translate by Daniel Sotelo

ARES : a security's giant disarmed by the principle of equality

Under the guise of Interior Security, ARES chose their employees based on their nationality.



Source : Publish on <http://guerineau-castres.com/tag/discrimination/>

Mr Hervé Bedou, a security agent, is Beninese. He has lived in France since 1988, and is an experienced agent. As he had been looking for work for a short while, on 7th January 2003 he looked at the Jobs offered section of Le Parisien, in which ARES company had published an offer : "ARES is

looking for security agents for Roissy CDG Airport. (...) apply in person (...) with your CV, Identity papers and social security and elector's cards." That very day Mr Hervé Bedou phoned ARES Company to put in his application. An employee told him that if he was not a French citizen, corroborated by his elector's card, his application would be refused. Mr Hervé Bedou, astonished, contacted SOS racism Association. "After verifying my story by a telephone test, the Association, in the person of Mr Samuel Thomas, the then vice president, again carried out a test to obtain supporting evidence for discrimination," Mr Hervé Bedou informed us in a previous interview, "I went to the ARES Company offices, with a hidden cine-camera, with a team from TF 1. The receptionist, on seeing me, gave the same argument, as though it was quite natural." A complaint was lodged on 9th January 2003 with Créteil Public Prosecutor. At the end of the judicial marathon, Mr Hervé Bedou declared : "It's too easy to let them have their way. It took time, but I won the lawsuit." On 16th May 2008 Paris Court of Appeal sentenced the company's representative to a 1,000 € fine. And the company had to

pay a 5,000 € fine and 3,000 € damages. On 20th January 2009 the decision was confirmed by the Assize Court. "This decision is a leading case which establishes indirect discrimination as being criminal," stated Maître Jérôme Kersenti, the solicitor for Mr Hervé Bedou and SOS Racism. Mr Hervé Bedou, the former victim, is now an anti-racist activist. Through his action, he has made his voice heard and become a committed anti-discrimination fighter : "The French must have their eyes opened. If it hadn't happened to me, I would have thought it was just a story."

Naïla Dzanouni-Brousse de Laborde
Translate by Dann Martínez Sotelo & Lea Moreau

Eurodisney : In Mickey's kingdom, the magic does not operate

The Maison de l'Égalité denounces the actions of our childhood's hero. When wonderland becomes the land of discrimination

"Over 18, interested and a European citizen" : those were the recruitment conditions published by Eurodisney Company on 11th September 2006 in the free newspaper 20 Minutes. The ad appeared in several papers to recruit candidates for parades. Now, writing, publishing and requiring "European citizen" in a job advertisement constitutes an offence, as one of the conditions to be met is discriminatory, since it depends on nationality. Eurodisney, a somewhat unattractive park. The company persisted in its illegal practises by publishing a further series of ads for specific candidates : "Native Language Spanish" and "Native language English" to meet the park's new requirements. This again is discrimination against employment, depending this time on the candidates' origins. Moreover, Eurodisney differentiated between mainland French and Dominion French, and drew up a computer file containing the ethnic

origins of the employees without having obtained their consent, thus being guilty of



the offence of ethnic filing. The cases are pending. A referral order of 17th March 2014 has referred the case concerning nationality

discrimination to Meaux Criminal Court. In the words of Maître Karine De Carvalho, la Maison des Potes' solicitor, "It would have been a scandal if Disney had got out of the lawsuit." "In a long-ago world", Disney took us back to the marvellous enchanted world of childhood. The lost boys of Never Never Land have at last grown up, and the sad facts of life have caught up with fiction. With Disney, it can be dangerous to leave Never Never Land.

Lamia Dzanouni & Naïla Brousse de Laborde
Translate by Dann Martínez Sotelo & Lea Moreau



Biophase : When discrimination tarnish beauty

Biophase practiced discrimination in access to employment and service. Moreover dismissing anyone denouncing their illegal actions: it was doubly sentenced at both labor and criminal tribunals.

Between 1998 and 2000, Eliane Reinsch, secretary of Biophase -a company located



Eliby (illustrateur) sur Journal La Mee

in the Doubs French region- specializing in the sale of cosmetics and facial care services, was ordered by its management to throw away all resume from foreign candidate applying for a make-up artist position. She was also asked to deny any service to foreign customers. She alerted SOS Racisme in June 2000. On a recommendation from the association, Eliane Reinsch vvvvto complain to the public prosecutor. The complaint was filed in the form of a letter listing discriminatory practices perpetrated between 1998 and 2000 under the leadership of the two managers of the family business, Catherine Wisler and Corinne Thiebaud. In addition, Eliane was dismissed when the management heard about the launching of an investigation. She won the case to the Industrial Tribunal for dismissal without real and serious cause. Throughout the proceedings, Catherine Wisler refuted

the alleged practices «I have no knowledge of these facts», she said. Then, she was disregarded. September 4, 2003, after 3 years of legal battle, the Court of Appeal of Besançon pronounced its verdict: both managers were held guilty of racial discrimination and were given a suspended sentence for six months. They were also respectively fined € 5,000 and € 1,500. «Obtaining from the judges a condemnation of discrimination without an identified victim due to the removal of their resume is a major victory for social progress,» rejoiced Samuel Thomas -SOS Racisme Vice President at the time- and assisted by his lawyer Alexandre Bergelin.

Florian Kuan

Translate by Dann Martínez Sotelo & Lea Moreau

Physiominis : Ethnic Aesthetics, condemned

Physiominis, a cosmetics company, invoked the economic criterion and presumed racist inclinations of their potential customers to justify discriminatory measures.

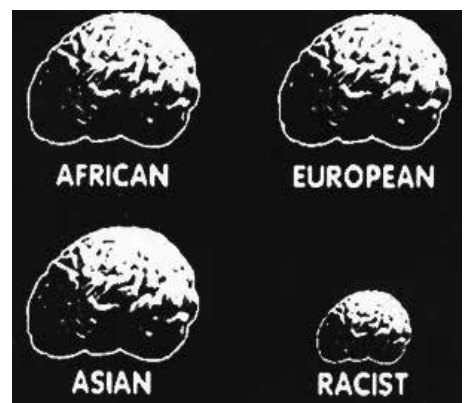
February 14, 2003, Fatima Saadi, a French from the Comoros replied to a salesperson job posting in Physiominis, a Parisian boutique that sells slimming products and beauty treatments. When she applied, Marie-Odile Dossot -the store manager- categorically refused the application of the young woman because of the color of her skin. Fatima Saadi contacted SOS Racisme who recommended her to substantiate her accusation by returning to the shop accompanied by three witnesses to authenticate the discriminatory scope of the manager. The testimonies gathered evidence used when filing a complaint to the public prosecutor. During the proceedings, Marie-Odile Dossot continued to show her astonishment as to the charges against her. «I'm not racist, but the color of her skin was a barrier to the recruitment,» she said. She added: «My customers identify with the staff that sells products for white skins». The defense counsel -Mr. Schwarz- in his oral argument suggested that the color of the skin of the employee would be an economic factor excusing the discriminatory practice.

The plaintiff, represented by Samuel Thomas -SOS Racisme Vice President at the time- and by his counsel Mr. Jacquemin, answered that «the active agent of slimming products does not ethnically discriminate. It attacks everyone's cellulite, either black or white. You don't.» This argument convinced the Court of Appeal as on June 6, 2004, the manager was held guilty of racial discrimination and was given a suspended sentence for one month. The judges did not wish to give the company a fine because of its precarious financial situation, but «to condemn a discrimination conduct is a victory for the fight against racism because many similar cases do not entail the systematic opening of a trial,» says Samuel Thomas.

Florian Kuan

Translate by Dann Martínez Sotelo & Lea Moreau

« The active agent of slimming products does not ethnically discriminate. »



Source : wordpress.com

Daytona : first victory against ethnic profiling

S for sex, O for ethnic origin. In this last column, the figure 1 referred to European-sounding names. The figure 2 corresponded to Maghreb-sounding name. The figure 3 for those of African origin, and the figure 4 for the hostesses and Asian commercial business leaders: these were the hiring criteria grouped in a file within the Daytona company for 5000 contractors.

In September 2002, Mrs. Caroline Housset, Hostess Department Manager of Daytona, entrusted freshly recruited Mr. Karim D. with the mission of maintaining quite the odd computer database. Salespersons were assigned different products to promote according to their origins, with high quality items usually reserved to Europeans. An internal PowerPoint presentation determined the specific profile of permanent hostesses recruited by the company: among other criteria, they were to be of "French nationality and pure white". Many Daytona employees confirm the existence and use of such a computer database file. The hostess recruiting service Director, Mr. François Levêque was perfectly aware of the existence of the document, and of the recording and safekeeping of recruited employees' ethnic-based personal data.

On May 24, 2004, the SOS Racisme association filed a lawsuit against the company, represented by Mr. Cyril Gosset. On October 27, 2008, Daytona, Mr. Levêque, and Mrs. Housset were tried before the Nanterre Criminal Court,

convicted and sentenced to €20,000, €3,000, and €2,000 fines respectively for racial discrimination during the employment process, and recording and safekeeping of illegal personal data without the person's authorization. The first conviction for ethnic profiling was a great step forward in the anti-discrimination struggle. According to the

**« €20,000 in fine and
€20,000 in damages »**

Maison des Potes – Maison de l'Égalité association, "There has not been much change in terms of real practices. The ethnic profiling phenomenon continues. Some companies hire visible minorities but continue to use employment discrimination for other positions", says Samuel Thomas.

In its June 17, 2009 ruling, the Versailles court of appeal finally upheld the conviction for ethnic profiling, but reversed the charge for racial discrimination during the

employment process. The handed down sentence - €20,000 in fine and €20,000 in damages - was considered neither proportional to the crime (5,000 profiled individuals, selected for missions according to their origins) nor deterrent. As a reminder, ethno-racial profiling has been illegal since the Data Protection Act of January 6, 1978. It is liable to 5 years imprisonment and up to €300,000 fine for natural persons and up to €1.5 million for legal persons. It took 30 years for the law to be effectively and jurisprudentially enforced.

Patrick D.

Translate by Dann Martínez Sotelo & Lea Moreau

Miléguy's Affair : No waffling on employment discrimination

Discrimination in employment is often very difficult to prove, the employer does not evoke the real reason for the application's refusal. The testing often turns out decisive in this kind of situation as in the Miléguy affair.

In early September 1999, Mr. Bouamaza was meeting his job counselor, Mr. Lahcine, at the local employment mission. There was good news: the unemployment office (ANPE) had transmitted a job offer from Miléguy, a company which was looking to fill an assistant carpenter position. The ad said that some experience was necessary. Confident in his skills, Mr. Bouamaza applied and made an appointment to meet with Mr. Lafay on September 8, 1999. Once he had arrived at the company facilities, the manager did not bother to see him. Informed of this matter, the job counsellor called the employer in the presence of Mr. Bouamaza in order to obtain an explanation. Mr. Lafay replied: "I do not want any demi-nigger, hajji, rag-head... I want Pauls and Rémis, good old French guys". This prompted SOS Racisme to launch a testing campaign to confirm the discriminatory nature of Miléguy manager's rejection of Mr. Bouamaza's application.

Two other people applied for the position. The first one, Mr. Miled Sieff, a customer representative, applied as the holder of a vocational carpentry training certificate (CAP), and the second one, Mr. Vassaux, a student, applied as having neither training, nor diploma, nor experience. The first applicant was told the filling of the position was not urgent, and the second applicant was asked for an interview on the same day. The testing confirmed the real motivation behind the rejection of Mr. Bouamaza's application. On March 20, 2000, Mr. Lafay was sentenced to Fr 7,500 to be paid to the victim and to SOS Racisme as damages by the Grenoble Regional Court, a sentence upheld on appeal on April 18, 2001.



Teddy Ambroise

Translate by Dann Martínez Sotelo & Lea Moreau

Source : LEPRED THONRON (illustrateur) sur le site antidiscrim.asso-web.com le 17 avril 2012



The Class Actions arrive in France



The European Commission established in a report from 2007 that the use of «class actions» would be a crucial tool in the fight against discrimination. Yet no member countries have followed these guidelines. In 2013, France could become the first European country to introduce them.



Illustration : ©Lau Ka-Kuen

« We should take example on the American legislation, in particular the «class action» device which allows a collective action for all the victims of the same discrimination. »

The «Class-action» allows a group of individuals who feel discriminated on multiple grounds: origin, sex, handicap, age, religion, political and labor-union belief, to be able to lodge a complaint in common. According to Samuel Thomas, president of the Fédération des Maisons des Potes, most of the victims do not lodge a complaint.

Razzy Hammadi, deputy of Seine-Saint-Denis, hopes to encourage with its collective actions the discrimination victims who are afraid to be heard. This elected representative wants to give new life to the fight against discrimination.

According to the bill, the process for a «class action» is as follows: the complaint must be filed in court by the human rights defender, an association or a union. The judge then determines the criteria of the victim's profile and they have six months to join the complainants group.

Forgotten promise ?

L'autorisation des « class-actions » était The «class-action's» authorization was a promise made by the left elected representatives, several years ago.

In the «Pote à pote» of April, May and June, 2009; Harlem Desire, who was then PS chief candidate in Ile-de-France of the 7th June European elections, wanted to introduce them in Europe: «We should

take example on the American legislation, in particular the «class action» device which allows a collective action for all the victims of the same discrimination «.

However, the socialist government only adopted this process to allow the consumers of a product who feel hurt by a professional, to raise a complaint. This law, the law «Hamon», in reference to the Minister of Consumer and Corporate Affairs, was voted July 2nd, 2013 by the National Assembly and will be examined in September by the Senate.

Forerunner in Europe

France is the first country in Europe where a bill, allowing collective actions to fight against discriminations, is filed before national institutions; Several European countries already allow group actions for the affected consumers. Yet in a report from 2007, the network of legal experts regarding nondiscrimination, established in 2004 by the European Commission, explains that collective actions are useful: «To combat discriminatory practices whose elimination would not be otherwise possible by resorting to individual affairs or methods that would require an arduous struggle and a lot of time. «Experts report here that the governments of member states of the European Union have not become aware of the collective action's influence in the fight against discrimination.

«Class actions» are widely used in the United States, where they exist since 1938. Numerous collective actions were led in the 60s by the Afro-American community in the fight against racial segregation. According to France Info, more than 6,300 «class actions» were processed by the American justice system in 2012. The tobacco industry is the most affected by «class actions», in 25 years, cigarette brands had to pay more 370 billion in damages.

In another area, «Pote à pote» published in its issue of July, August and September 2010 that Coca-Cola had been sentenced to a \$ 192 million fine following a complaint of more than 2,200 black workers who were victims of discrimination regarding payment and career development.

Let us hope that the introduction of «class actions» in France is going to frighten companies and to urge them to go into the legality upstream. Big firms attached to their «brand image» would indeed prefer to avoid the media impact of big trials as well as the display of their discriminatory practices

Julien Grégoire

Translate by Dann Martínez Sotelo & Lea Moreau

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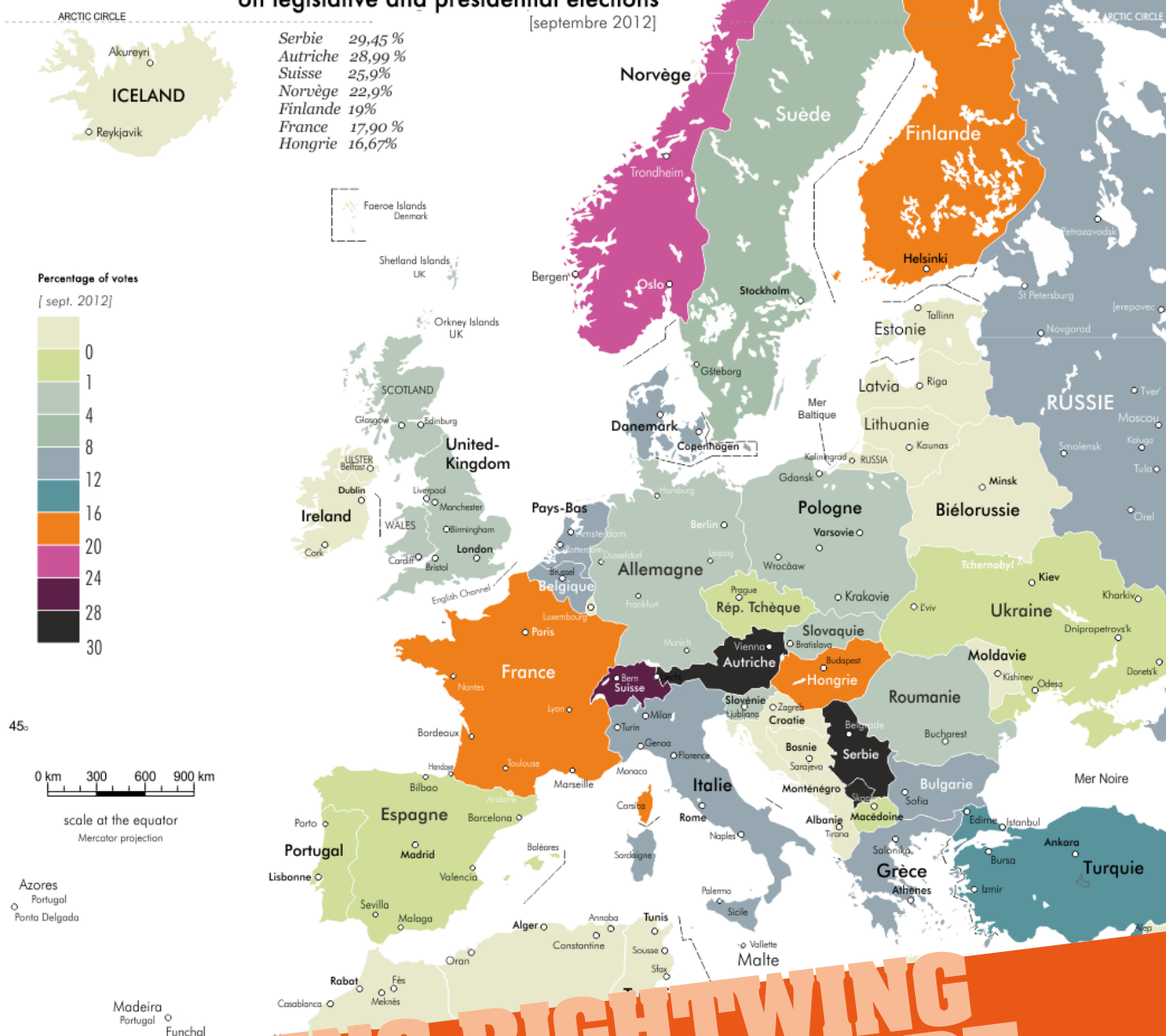
Europe 2012

Laboratoire Urbanisme Insurrectionnel
Septembre 2012

Extreme right party

Vote for the extreme right party
on legislative and presidential elections
[septembre 2012]

Serbie	29,45 %
Autriche	28,99 %
Suisse	25,9 %
Norvège	22,9 %
Finlande	19 %
France	17,90 %
Hongrie	16,67 %



FIGHTING RIGHTWING EXTREMISM IN EUROPE

Rightwing extremism has been on the rise in recent elections in many European countries. As Jean-Marie Le Pen, recently convicted for denying crimes against humanity, right-wing extremism has started rehabilitating fascist regimes by minimizing their death toll: the extermination of Jewish and Roma populations as well as leftwing activists committed by such authoritarian regimes. Swastikas have reappeared in Germany, England, Austria, Greece, Norway, and the Czech Republic; immigrants, immigrant children, Jews, Muslims, and the Roma people have been the systematic target of racist and xenophobic assaults by these far-right extremist organizations. While the media has become the accomplice of dedemonization operations of extreme right parties, associations engaged in fighting xenophobia have not been supported by the European Union or by national governments. This goes to show the extent to which the threat of xenophobic and racist parties' electoral success has not been taken seriously enough by our governments.

Samuel Thomas
Translate by Daniel Martinez Sotelo

Racist crimes in Germany : a failure of the Government ?



How institutional racism has turned a blind eye on deadly neo-Nazi terrorism in Germany.



Manifestation in Munich against Racism

When in November 2011 the series of crimes and murders committed by the Trio Uwe Mundlos, Uwe Böhnhardt, and Beate Zschäpe, previously called NSU (Nationalsozialistischer Untergrund) (National-socialist secret society) became known to the public, it became clear that it was going to be one of the most striking criminal cases in German history.

A neo-Nazi terrorist group spent over 13 years living in the margins of society, committing during this time period 9 racist murders, the murder of a policewoman and attempted murder of her colleague, 2 bombings in shops and streets populated mostly by immigrants, and 14 bank robberies.

Public security services were clearly overwhelmed by these events. Not only did no one suspect the existence of such an active terrorist group, but the trials for the NSU murder series were completely rushed in the last years, and the main suspects were judged without taking into account their racist motivation and neo-Nazi ideology. These should have been taken into account as specifically aggravating circumstances.

The group, presumed to be isolated, proved to be a real network of several dozen activists serving neo-Nazi groups. Civil society, the media, but also politicians were in shock. Trust in public security services was severely shaken.

Since February 2012, the parliamentary investigation committee on "NSU" has been

operational. Among other things, it will examine public security service failures, the role of the networks close to NSU and of secret agents. Similar investigation committees were established in several federal state parliaments.

Following investigation committee discoveries, marred by a number of scandals such as deleted or missing files, four directors

« It never occurred to investigators that the foreign nationality of the victims could be the motive - a result of the taboo issue of racism in German society. »

from the Federal Constitution Protection Bureau and State Federal Offices in Thüringen, Saxony and Saxony-Anhalt were forced to resign.

Many leads to rightwing extremism were not taken seriously into account by investigators or were dropped too early. After a six-year investigation in the wrong direction, a new case was opened to investigate a series of murders in Bavaria, where five of the previous murders had taken place. There was no evidence of the involvement of organized crime. The Bavarian profiler came to the conclusion that this could have been

the act of an isolated criminal, killing out of hatred of Turks, and who could have been linked to rightwing extremism. With this new lead, investigators came closer than ever to the murderers. However this investigation angle was met with opposition from other Federal State investigators and the Federal Criminal Police Office. The lead was therefore dropped. The privileged theory was that victims were killed because of their suspicious activities. The only valid lead not being considered, the criminals thus got away, escaping justice for over four years. Investigators never thought that the foreign nationality of the victim could in itself be the motive – a result of the taboo on racism prevailing in German society.

Public security services constantly underestimate rightwing extremism violence and limit their analysis to the victims' background and entourage. This is revealing of institutional racism.

The Federal Constitution Protection Bureau has become a source of protection for criminals, with the complicity of secret services and source protection. In many cases, Constitution Protection offices have undermined investigations. They covered up the murderous trio lead, satisfied police requests with several months delay, and in one case, even chose to ignore an important witness, who had been the main suspect in the investigation for several weeks.

In Germany, the DIE LINKE party demands the suppression of the Constitution Protection Bureau, however other parties call for reorganization. It is unlikely that more severe sanctions are in the works regarding institutional racism in the country. There is no doubt that this issue should be at the heart of the next election campaign.

**Right-Wing-Extremism/Anti-fascism
Working Group, DIE LINKE German party
Translate by Lea Moreau**

Associations lack political support

Jean-Yves Camus, rightwing extremism specialist, takes stock of the European status of rightwing extremism and provides some insight on how to fight it.

Julien Vanhée: Which forces are currently active against rightwing extremism in Europe, and what are the stakes?

Jean-Yves Camus: In most European countries, the more or less satisfying antiracist legislation respects criteria for a common minimum. It allows prosecution of racist or anti-Semitic crimes. It gets a bit more complicated when one is dealing with rightwing extremist political parties. In democratic countries, freedom of speech is indeed a fundamental value. A party should be allowed to express itself as long as it does not represent a threat to public order. Obvious exceptions are linked to past history. In Germany, Austria or Italy, any Nazi or fascist party reconstruction attempt is forbidden by the constitution. This does not prevent the existence of a number of radical rightwing extremist parties, such as the German NPD, that tries to abide by the law, but which does not change anything to the content of their policies or discourse.

In countries such as Hungary or Greece, the issue is linked to election scores obtained by rightwing extremist parties: 17% in Hungary and 13% in Greece. When these parties obtain enough votes to send dozens of representatives to parliament and to become the 3rd political force in the country, interdiction may be an option, but will not get rid of the problem. From the ashes of one forbidden party, immediately rises another to attract the same voters. Wherever the political world reacts, the police make arrests, and justice convicts, the fight is efficient. Additional efforts by civil society, trade-unions and associations must be done directly with the voters so that those who voted for such parties understand they offer nothing but illusions to deal with the recession. There is an observation to be made regarding the



« Wherever the political world reacts, the police make arrests, and justice convicts, the fight is efficient. »

antiracist movement: organization actions are no longer as efficient as in the 80's and 90's. Traditional forms of antiracism have run out of steam, and in some countries, associations are weak, small in size and devoid of resources and financing, thereby undermining their efficiency.

JV: What strategy should be adopted to better fight against rightwing extremism?

JYC: The only worthy strategy lies in deconstructing the discourse of these political parties and explaining to citizens why exposed problems and presented solutions will not remedy the difficulties linked to the social and economic context. The real ideological motive is secondary. In all European countries, there are people with claimed neo-fascist or neo-Nazi convictions; but evidently, they do not make up 18% of the population. The rest is made of fluctuating voters who will not necessarily reiterate their votes. They come from all political families. For pedagogical efficiency regarding rightwing extremism, political parties must satisfy voters' expectations. The argument regarding the lack of credibility of rightwing extremism no longer hits the mark. Many think they no longer "have much to lose" by voting for rightwing extremist parties and - this is new - by having them come into power.

JV: Is this phenomenon generalized in Europe?

JYC: There is no such thing as a homogenous wave of rightwing extremism in Europe. Neither is there any obvious correlation between the recession and the scores of rightwing extremist parties in Europe. In Spain and Portugal, no rightwing extremist alternative has emerged in spite of

the recession. There are various factors to be taken into account. The memory of the Franco and Salazar regimes, still recent, the fact that no charismatic personality has yet emerged from the far right, and that there are, in these countries, conservative parties with a firm right wing orientation, preempt a number of themes generally privileged by rightwing extremism. Contrastingly, prosperous countries such as Norway or Switzerland have strong rightwing extremist parties.

In Finland, for a long time, xenophobic and ultra-conservative parties occupied a negligible place but have evolved from such a stage to the status of the third political power of the country with a score of 19% in the presidential election. Such evolutions have a number of factors. The existence of a charismatic leader is one, as is the European construction impact and the mistrust it produces. There is also a questioning of multiculturalism conveyed by conservative rightwing parties: David Cameron, Nicolas Sarkozy, Angela Merkel. This has caused, across the European political landscape, a general shift to the right regarding issues such as national identity and immigration.

Interview by Julien Vanhée
Translate by Dann Aude Dipaolantonio



The double face of fear and hatred



The Pote à Pote magazine team met with Aliko Papadomichelaki in May 2012, on the eve of the legislative elections in Greece. As an activist for the current Greek Left Front, she ran an analysis of Syriza's stand on immigration in Greece and Europe.



Illustration: Antiracist demonstration in Greece on September 22d, 2012

We are currently witnessing a rise of xenophobia in Greece. Are immigrants playing the role of scapegoats for the recession?

The neoliberal system as it has been applied in Greece and as it has evolved in recent years has created a widening gap between the various social strata. Its victims are always the poorest and the most disadvantaged parts of the population. And right now, the most disadvantaged part of the European population is the immigrant population, whether legal or illegal. It is mainly made up of non-qualified workers, but also includes a well-qualified labor force. In Greece particularly, however, immigrants are mainly non-qualified workers. They are the product of past wars which prevented a large part of Asian and Middle-Eastern populations to take care of themselves, and they are now the ones who pay the price. I think this issue should be dealt with much more seriously. First, in creating conditions favorable to the integration of these people in society where possible. From an economic point of view, Greece has yet to objectively offer such conditions. We must not allow immigrants to be the scapegoats of the police, rightwing extremism and the mafias. The mafias use the immigrant world as a resource pool, since it

offers no outlet on the job market, reclaiming immigrants for exploitation, transportation and human trafficking...

What is the state of rightwing extremism in Greece?*

Here, rightwing extremism has two faces. There used to be the LAOS party (Popular Orthodox Alert), a parliamentary party which has recently and for a short period participated in the Government with New Democracy, and the PASOK (the socialist party). On a political level, the PASOK is now also a rightwing extremist party in Greece. In the LAOS, there were rightwing extremist activists and even neo-Nazis. With the elections, the LAOS lost many members, but we saw the strengthening of a political group, Golden Dawn (Chrysi Avgi), which reclaimed part of the dissatisfied voters among the population. It is interesting to say it mainly comprises a male population,

decreasing in the polls, but progressing in public opinion. To conclude, I think that the fight against the far right should be an effort by the whole of the Left in Europe. Rightwing extremism starts by holding foreigners as enemies. Then, the unemployed. And then, the people with the wrong skin color. And then, everybody but its elite. Therefore, it is very dangerous.

Does Syriza advocate the regularization of illegal immigrants?

It is a bit particular for us, in Greece, as it is a border country between Europe, Asia and Africa. It is therefore mainly a transit country. But a 2003 agreement, the Dublin II Regulation, forces illegal immigrants to remain in the European country of arrival, lest they be evicted. Syriza advocates that people coming to Greece should be able to go anywhere they chose in Europe. Indeed, very few came to stay in Greece. Most came with the intent of going to a different country. We are absolutely set against the idea of setting them up in camps which would only be enhanced concentration camps. But legalizing every immigrant in Greece, because of its pathway appeal and of the recession, is a very delicate issue that warrants careful examination.

**Interview by Christine Chaliier
Translate by Aude Dipaolantonio**

*** NOTE: THIS INTERVIEW WAS CARRIED OUT A FEW WEEKS BEFORE THE ARRIVAL OF RIGHTWING EXTREMIST PARTY GOLDEN DAWN IN THE GREEK PARLIAMENT.**

« All the left party in Europe must fight a common approach against the extreme right party. »

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FOR HER HIS RIGHT TO VOTE**



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