

# Education and the Fight against Racism



The Implementation of the Educational  
Commitments in the Durban  
Declaration and Programme of Action  
by European Union Member States

United Nations Durban Review Conference  
Geneva, Switzerland, 20-24 April 2009

## **Education and the Fight against Racism**

*The Implementation of the Educational Commitments in the Durban Declaration and Programme of Action by European Union Member States*

Prepared by CEJI—A Jewish Contribution to an Inclusive Europe on the occasion of the United Nations Durban Review Conference Geneva, Switzerland, 20-24 April 2009

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## **Table of Contents**

<b>Preface</b>	<b>4</b>
<b>Introduction</b>	<b>5</b>
<b>Education in the Durban Declaration and Programme of Action</b>	<b>6</b>
<b>Member States' Actions</b>	<b>8</b>
<b>The European Union's Role</b>	<b>12</b>
<b>ANNEX A: A Note on Defamation of Religions</b>	<b>14</b>
<b>ANNEX B: Country Reports</b>	<b>16</b>

## Preface

*“If we can find common ground and unite around a common purpose with courage and determination, we can end cycles of violence and discrimination.”*

Navanethem Pillay, United Nations High Commissioner for Human Rights at the Durban 2nd Preparatory Committee, 6 October 2008

Marred by antisemitism, the World Conference Against Racism held in 2001 in Durban and its accompanying NGO Forum were deeply problematic. A conference that was hoped to make great strides in the fight against discrimination turned into a place where people were physically attacked<sup>1</sup>. Many important issues on the agenda were not given attention due to the hijacking of the conference by organizations aiming to politicize the struggle for equal treatment.

The NGO Forum specifically turned into a venue for hate and bigotry, rather than an opportunity for fighting them. Too many organizations turned a blind eye to the proceedings and to the manifestations of antisemitism, and in the end, a biased document was produced that did not carry the consensus of the NGO community. The contents of this document were indeed so heinous that the UN High Commissioner for Human Rights, in an unprecedented move, deemed the document unfit for transmission to the governmental conference that followed.

The impact of the NGO Forum is still felt in the NGO-community today. Rifts and tensions that were created in Durban still hamper relations between NGOs working to combat racism and discrimination. The very name of ‘Durban’ carries for many a stigma until today.

Still, many NGOs—among them CEJI—have worked hard during the past 7 ½ years to eradicate discrimination in all its forms, and to monitor the efforts of the United Nations, its Member States and other organizations in implementing the DDPA.

It is hoped that this publication can serve as an example of the work civil society does. CEJI is glad to share its experience in combating discrimination, and happy to work with governments, NGOs and other partners at all levels to strive for a more inclusive Europe.

Robin Sclafani  
Director

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<sup>1</sup> For an excellent account of what transpired in 2001, read Joelle Fiss, *Carnet de Route, Durban*, or its English translation, *The Durban Diaries*

## Introduction

CEJI – A Jewish Contribution to an Inclusive Europe believes that education is a crucial tool in combating racism, racial discrimination, xenophobia and related intolerance, including antisemitism, homophobia and islamophobia. The role of education in our societies is not simply to teach and learn skills in mathematics, languages, history etc. The educational experience, especially of young people, is the foundation for the rest of the students' lives, and as such, one of the cornerstones of a healthy and respectful society in which all can flourish and actively participate.

In its 15 years of experience in education, CEJI has found that educating people—children as well as adults—about prejudice and hatred and how to combat these evils, empowers them to go through life in a more proactive manner, and gives them the tools and understanding to lead their lives in society with respect and appreciation for the people around them in all their diversity. Diversity, which is a fact of life in all societies, is then seen as a richness and an added value, rather than a threat or obstacle.

CEJI's activities empower organizations and individuals to deal with a diverse society, and give them the confidence to stand up when discrimination, prejudice and bias rear their heads. Moreover, external evaluations of our programmes have found that CEJI's diversity education work leads to an improved learning atmosphere in schools and other educational environments, allowing the students to better fulfill their learning goals, as the educators involved become more confident and empowered to deal with conflict situations of all kinds when they arise.

This booklet analyses the work that has been done in European Union Member States to combat racism and discrimination through education, based on the Durban Declaration and Programme of Action and on CEJI's experiences in education and advocacy for an inclusive Europe. In doing so it outlines CEJI's reflections on the subject matter relevant to its mission: the role of education in combating discrimination. As it is based in CEJI's knowledge, this report's geographic reach is limited to the European Union, where our work takes place. We are proud to have a long-standing relationship with the European Commission, which has supported numerous CEJI activities and recently awarded us the Gold Star for Adult Education in the Lifelong Learning Awards<sup>2</sup>.

We hope that the European Union and its Member States are able to use this document to strengthen their work in creating a more inclusive union for all. We also hope that the information provided here can be of use for other governments, civil society organizations and international organizations in shaping a world where all of humankind can live together in dignity, peace and respect.

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<sup>2</sup> For information, see: <http://www.ceji.org/press/2008-06-13%20Gold%20Award%20Press%20Release.pdf>

## Education in the Durban Declaration and Programme of Action

Since its inception in 1948, the United Nations has adopted numerous declarations and documents to enshrine human rights and to combat discrimination in all its forms. Many of these instruments reference the right of all children to access education<sup>3</sup>, the need to teach about human rights and the use of education in eradicating discrimination and intolerance<sup>4</sup>.

The Durban Declaration and Programme of Action (DDPA)<sup>5</sup>, as adopted by the UN World Conference against Racism, Racial Discrimination, Xenophobia and related Intolerance in 2001, underlined the importance of education in this regard, with education appearing a total of 67(!) times in the DDPA<sup>6</sup>. Clearly then, the Durban Conference considered education of great importance.

Sadly, this emphasis on education was not expressed in many deeds. While the United Nations Educational, Scientific and Cultural Organization has carried out many worthwhile projects since 2001, it has not included “cultural and educational programmes aimed at countering racism, racial discrimination, xenophobia and related intolerance”<sup>7</sup> in its core activities. This is especially poignant as the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions explicitly obliges its signatories to “encourage and promote understanding of the importance of the protection and promotion of the diversity of cultural expressions, *inter alia*, through educational and greater public awareness programmes”<sup>8</sup>. The UNESCO activity closest to the field of diversity and anti-racism education has been the World Programme for Human Rights Education<sup>9</sup>, which has focused very narrowly on specific human rights. This is a first step towards educating people about mutual respect and diversity, but the World Programme has until now not included specific materials on these latter issues<sup>10</sup>. Neither UNESCO nor other United Nations organizations or the UN itself have, however, integrated education about diversity and against discrimination into their regular activities.

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<sup>3</sup> Universal Declaration of Human Rights, Article 26

<sup>4</sup> For example, Article 7 of the International Convention on the Elimination of All Forms of Racial Discrimination

<sup>5</sup> [http://www.un.org/durbanreview2009/pdf/DDPA\\_full\\_text.pdf](http://www.un.org/durbanreview2009/pdf/DDPA_full_text.pdf)

<sup>6</sup> Paragraphs 31, 33, 34, 42, 51, 80, 95-98, 108 and 118 of the Declaration and paragraphs 3, 5, 8, 10, 16-18, 27, 30 e-g, 33, 39, 48, 49, 58, 59, 74, 78, 89, 92, 100, 103, 104 a and b, 117, 118, 121, 122, 123 c-e and g, 124, 126-133, 135-139, 141, 156, 158, 176, 191, 195, 217 and 218 of the Programme of Action.

<sup>7</sup> As encouraged in paragraph 126 of the Durban Programme of Action

<sup>8</sup> *Convention on the Protection and Promotion of the Diversity of Cultural Expressions*, Art. 10 a. This convention has been ratified by 24 EU Member States: all except Belgium, Czech Republic and the Netherlands.

<sup>9</sup> <http://www2.ohchr.org/english/issues/education/training/programme.htm>

<sup>10</sup> UNESCO did participate in an initiative of the Organization for Security and Co-operation in Europe’s Office for Democratic Institutions and Human Rights, to jointly develop a *Compendium of good practices in human rights education in the school system, including citizenship education and education for mutual respect and understanding*. Other partners in this initiative included the Council of Europe and the Office of the United Nations High Commissioner for Human Rights. Information on the Compendium, which is due to be launched in the late spring of 2009, can be found at <http://www.osce.org/odihr/28741.html>.

CEJI believes this is a missed opportunity: since 2001, we have witnessed waves of all kinds of discrimination, and we have seen the situation deteriorate in various schools and other educational venues and institutions. Intolerance and lack of understanding and respect are taking their toll in educational institutions throughout the European Union and the rest of the world, while the education systems are crying out for a change for the better. Meanwhile, various smaller and larger efforts are being carried out by a variety of actors, ranging from schools to school networks, teacher training institutes, local and national governments (as indicated in the section below). These efforts, though, have not been accompanied by tangible support from the United Nations and its system of organizations and institutions, including UNESCO.

Other international organizations, notably the Council of Europe and the Organization for Security and Co-operation in Europe, have taken steps since 2001 to combat discrimination and racism through education. We note here specifically the CoE's European Commission against Racism and Intolerance<sup>11</sup>, the CoE's *Whitepaper on Intercultural Dialogue*<sup>12</sup>, and the OSCE's activities, especially those of its Tolerance and Non-Discrimination Unit<sup>13</sup>.

We were glad to see that some of the regional and national contributions to the Durban Review Conference again emphasized the importance of education<sup>14</sup>. We hope that this will lead to more concrete statements in the outcome document of the review conference, and to clear, proactive and practical steps both at the level of the Member States and of the United Nations itself.

**CEJI urges the Durban Review Conference to reaffirm its commitment to education as a tool for combating racism, discrimination and intolerance in all their forms, and to involve the United Nations as a whole in this effort.**

**CEJI urges the Durban Review Conference to liaise with other international organizations to create instruments that further the inclusion of education in the execution of the Durban Declaration and Programme of Action, and in the eradication of racism and discrimination in general.**

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<sup>11</sup> In particular its *General Policy Recommendation N°10: Combating racism and racial discrimination in and through school education*, available at [http://www.coe.int/t/dghl/monitoring/ecri/activities/GPR/EN/Recommendation\\_N10/default\\_en.asp](http://www.coe.int/t/dghl/monitoring/ecri/activities/GPR/EN/Recommendation_N10/default_en.asp), and ECRI's country reports, which include sections on education

<sup>12</sup> Section 4.3, pp. 16-18, and section 5.3, pp. 25-26. The Whitepaper is available at [http://www.coe.int/t/dc/files/themes/dialogue\\_interculturel/default\\_EN.asp?](http://www.coe.int/t/dc/files/themes/dialogue_interculturel/default_EN.asp?)

<sup>13</sup> Notably the *Tolerance and Non-Discrimination Information System*, <http://tandis.odihr.pl/>, and the *Teaching Materials on the History of Jews and Anti-Semitism in Europe*, and OSCE decision 11/05, *Promotion of Human Rights Education and Training in the OSCE Area*, and decisions 10/05, 13/06 and 10/07, *Tolerance and Non-Discrimination: Promoting Mutual Respect and Understanding*

<sup>14</sup> Specifically, we want to note the Contribution by the European Union to the Durban Review Conference, paragraphs 64-68, 147 j and 158; the Report of the African Regional Conference, paragraphs 1, 81 h, 91, 95 b and 96; the Report of the Regional Conference for Latin America and the Caribbean, paragraphs 51, 117, 148 and 151; and the Contribution of the Asian Region to the Durban Review Conference, paragraphs 35-38, 100 and 101

## Member States' Actions

The United Nations and its system of organizations, the European Union, the Council of Europe, the Organization for Security and Co-operation in Europe and other international organizations play an important role in combating discrimination and safeguarding human rights throughout the world. The main actors, however, in eradicating racism, discrimination and other intolerance are the United Nations Member States. National and local governments carry the main responsibility for carrying out this task, as they have direct contact with and a direct impact on the citizens, and are directly responsible for protecting them from discrimination. For this reason, it is crucial that the Member States implement the actions envisioned in the DDPA, for instance by creating National Action Plans against Racism (NAPR).

CEJI is sad to see that this national element, the crucial link between the United Nations Organization and the people on the ground, has been taken lightly, even in the European Union<sup>15</sup>. By October 2006, five years after the WCAR in Durban, only 12 of the then 25 European Union Member States had initiated the implementation of an NAPR, and three more were in the process of drafting their plan. This left 10 EU Member States that had not even begun the drafting process of an NAPR<sup>16,17</sup>. While some of these countries had perhaps taken steps to combat racism and discrimination, the lack of an overall strategy expressed in an NAPR shows a lack of political will to make a concerted effort to combat racism. It also hampers civil society organizations' possibilities for monitoring progress. Absent a clearly laid-out approach, anti-discrimination activities are likely to remain incidental and of a local nature, inhibiting replication in other areas of the country. It is also more difficult for other governments to learn from these localized experiences or to compare results between countries.

By early 2009, as the drafting of this document began, some more EU Member States had created an NAPR, though some of them were found to be reluctant in sharing their action plans with the public and with civil society (see Annex B below).

In the field of education in particular, this is a serious obstacle. Diversity education requires a strategic and long-term approach, as does all educational work, especially where attitudinal and behavioral changes are concerned. CEJI has long advocated for an integrated approach to anti-discrimination education and diversity training, especially in formal education systems. Without political and financial support, and without the mandatory inclusion of anti-discrimination education in the standard curricula, the topic will remain in the hands of some good-willing local governments, schools and NGOs. While pilot programmes can indeed be run in this way, impact on

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<sup>15</sup> Based on our research and conversations with various officials and civil society organizations, we can safely state that Europe is not an exception in this regard: too few UN Member States have created and implemented National Action Plans against Racism, and far too many of them still today ignore or deny the various forms of racism and discrimination found on their territories.

<sup>16</sup> European Network Against Racism, *Extended Fact Sheet No. 29, Durban's Legacy: National Action Plans against Racism in the European Union* (Brussels, October 2006), p. 3

<sup>17</sup> It is important to note that in those EU countries where NAPRs were created and implemented, civil society organizations were generally included in both the drafting of the plans and in their execution. As such, the NPARs can indeed function as a positive framework for continued interaction between the governments and NGOs.

a large scale can only be achieved with the constant support of national and local governments.

As shown in the country reports (Annex B below), each European Union Member State that has created an NAPR, has done so in the context of the national needs and requirements related to diversity, inclusion and the fight against racism. Yet in many Member States where NAPRs exist, commitments in relation to education are lacking entirely or very vague. This is rather surprising considering the very frequent mentioning of the topic in the DDPAs, as shown above (note 6). The preparatory reports submitted to the Durban Review Conference are equally vague about the matter. Denmark, Germany, Ireland, Slovakia and the UK were the exceptions to this. Overall, though, and based on the limited information available, we conclude the following:

1. In many NAPRs and reports, education is overlooked or dealt with in the vaguest of terms. This hampers the implementation of the action plans as a whole and of their educational aspects in particular.
2. While each Member State has its own school system or systems, and while the governance of these systems varies greatly in terms of independence; level of government that is responsible for oversight (local, federal, etc.); teaching approach and many other factors, there is not currently a real forum for comparative discussion and analysis. The European Union could fill such a gap at European level, enabling the Member States to share experiences while maintaining sovereignty over their own system. Diversity and anti-discrimination education cannot be implemented in the same way throughout the Union, but there are many ways in which the various Member States could learn from each other.
3. The actions taken in many countries are specifically aimed at particular minorities, such as people of African descent or Roma. Discrimination is too often blamed on economic or socio-economic factors such as integration into the labor market, thereby downplaying the importance of attitudinal change in society-at-large. While not ignoring the need for migrants and other ethnic minorities to learn the local language and to integrate into society, there is also an onus on the larger society to adapt reciprocally. And there is a need for the enlargement of the notion of ‘minority groups’ to include not only ethnic and migrant groups, but groups of all kinds<sup>18</sup>. There is a lack of anti-discrimination, diversity and citizenship education aimed at the general population.
4. Where education is given attention, the NAPRs mostly deal with formal education. While this is important, the non-formal aspect of education and the combination of formal and non-formal approaches is crucial even in the formal education system, especially where anti-discrimination and diversity education is concerned. In CEJI’s experience, the non-formal aspects of these initiatives are central to their success, especially in schools. Anti-bias and diversity education entail attitudinal and behavioral changes that are more easily achieved in a non-formal

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<sup>18</sup> This is especially important in combating multiple discrimination.

setting<sup>19</sup>. A community-wide approach, encompassing students of all ages, parents, youth centers, religious organizations, local businesses, law enforcement and government, ensures that the societal impact of educational programmes does not remain within the schools, but makes the whole society more inclusive.

**5.** Many countries do not give enough attention to teacher training and ways of incorporating anti-discrimination education into national curricula. Especially the preparation of teachers for dealing with matters of prejudice and discrimination is of utmost importance. To be empowered to tackle sometimes difficult matters like these, teachers need to be given the tools, the knowledge and most importantly, the confidence to deal with potential conflicts in an effective manner. Overall, this will also help improve the general atmosphere and the learning environment in the schools<sup>20</sup>.

**6.** Earmarked funds need to be set aside for educating the educators. Consistent training throughout a school or a school network will allow for a more effective implementation of the programmes. To ensure this consistency, governments need to provide the constant financial support and political will to create a better atmosphere in the education system overall.

**7.** A systemic overhaul is needed of the national education systems throughout the EU, if a long-lasting impact is to be achieved in terms of preparing students for life in a diverse European Union, especially with regards to mutual respect, active citizenship and the fight against racism and discrimination. Some countries acknowledge this, some have taken steps towards such a paradigm shift, but many states are creating a patchwork of small measures rather than a coherent strategy for combating racism and discrimination.

**8.** Adult education on racism, diversity and citizenship is not mentioned in any of the NAPRs and preparatory reports (with the sole exception of Slovakia). The training of professionals who encounter a diverse population in their work is an important step towards preventing prejudice and bias. Moreover, it allows for inter-generational cross-over between parents and children as they are learning concurrently to maximize their opportunities in a diverse society. There are many good examples of human rights, anti-discrimination and diversity education programmes for adults in the European Union, some of which are replicable across the continent with only minor adaptations<sup>21</sup>.

**9.** Only three countries in the European Union have set aside funds for the implementation of their NAPR<sup>22</sup>. Structural funds are necessary to provide a coherent strategy, the direct implementation of the NAPR without budgetary struggles, and a

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<sup>19</sup> For an evaluation of the use of non-formal methods in school settings, see the recent report on CEJI's School Community Approach, summary at [http://www.ceji.org/education/SCA\\_Evaluation.pdf](http://www.ceji.org/education/SCA_Evaluation.pdf). The full report is available on request from CEJI.

<sup>20</sup> For evidence of this, see the recent report on CEJI's School Community Approach, summary at [http://www.ceji.org/education/SCA\\_Evaluation.pdf](http://www.ceji.org/education/SCA_Evaluation.pdf). The full report is available on request from CEJI.

<sup>21</sup> An excellent example is of course CEJI's Religious Diversity and Anti-Discrimination Training, which was awarded the Gold Star for Adult Education at the European Commission's 2008 Lifelong Learning Awards. For information, see <http://www.ceji.org/education/subject.php>.

<sup>22</sup> Ireland, Latvia and Slovakia

straightforward and regular evaluation of the action plan. For this to be possible, clear legislative and budgetary frameworks need to be created in all Member States.

**CEJI urges the European Union Member States to include anti-discrimination and diversity education in their mandatory curricula and learning goals for primary and secondary education.**

**CEJI urges the European Union Member States to consider the track record of non-formal education methods in developing diversity and citizenship education, both for young people and for adults.**

**CEJI urges the European Union Member States to ensure that National Action Plans against Racism are created and reviewed where this has not yet happened, and urges all Member States to strategically implement these action plans and to set aside earmarked and sufficient funds for this purpose.**

**CEJI urges the European Union Member States to actively co-operate with civil society organizations as well as with each other to implement the Durban Declaration and Programme of Action, and in all activities to combat racism and discrimination.**

## The European Union's Role

As shown in the preceding section and in the country reports (Annex B), the creation and implementation of the NAPRs is not aligned among the EU Member States. As the European Union guarantees the freedom of movement for its citizens, leading to a further diversification of the education systems in the Member States, this is a matter that needs to be dealt with at European level, at least where this diversity is concerned.

The European Community clearly has the competence to take actions with regards to education, vocational training and youth<sup>23</sup>. Moreover, the European Community's competences clearly include the mandate "to combat discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation"<sup>24</sup>. The fact that combating racism and xenophobia through education clearly falls within the Union's mandate is further underlined by the Council Resolution on the response of educational systems to the problems of racism and xenophobia<sup>25</sup>.

Taking these separate mandates into account, it is clearly within the realm of the European Union to take a leading role on information exchange and the support of good practices with regards to anti-discrimination and diversity education and training.

This is of importance not only as an aspect of the fight against discrimination and racism, but also in the light of the European Union's Lisbon Strategy for Growth and Jobs<sup>26</sup>. The Lisbon Strategy as a whole, but particularly its education and training components, is at risk of being derailed due to the lack of progress in reforming education systems at the level of the Member States, as has been recognized also by the European Commission<sup>27</sup>.

Meanwhile, the European Union has indeed shown an interest in revitalizing European school systems, and in making this a priority for the next few years, as shown by for instance the release of '*Improving competences for the 21st Century: An Agenda for European Cooperation on Schools*'<sup>28</sup>, in July 2008. The European Union has also shown its commitment to protecting Europeans from discrimination in all its forms, for instance by recently proposing a new Equality Directive<sup>29</sup> and by adopting the Framework Decision on Racism and Xenophobia<sup>30</sup>.

With all this in mind, it is a logical next step for the European Union to help its Member States to eradicate discrimination through education. The European Union is

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<sup>23</sup> Treaty Establishing the European Community, Consolidated Version, Articles 149-150

<sup>24</sup> Treaty Establishing the European Community, Consolidated Version, Article 13

<sup>25</sup> 95/C 312/01

<sup>26</sup> [http://ec.europa.eu/growthandjobs/index\\_en.htm](http://ec.europa.eu/growthandjobs/index_en.htm); for the specific education and training contribution to this strategy, see *Education and Training 2010 – Diverse Systems, Shared Goals*, [http://ec.europa.eu/education/policies/2010/et\\_2010\\_en.html](http://ec.europa.eu/education/policies/2010/et_2010_en.html)

<sup>27</sup> 2007 European Commission annual report on progress towards the Lisbon objectives in the field of education and training

<sup>28</sup> COM(2008) 425

<sup>29</sup> Commission proposal, July 2008

<sup>30</sup> Council decision, November 2008

ideally placed, and has been given the powers, to conduct a dialogue between the Member States, and to commence a joint work plan on the role of education in combating discrimination and guaranteeing equal opportunities<sup>31</sup>. An instrument that could be used for this exchange and co-operation is for instance the current Open Method for Co-ordination in the Social Dimension. Alternatively, a new OMC could be created to focus specifically on the implementation of the DDPA in the EU Member States, thereby strengthening the transversal aspects of the fight against discrimination and for equality. Additionally, a Union-wide approach would enhance the efficiency of these educational approaches (both formal and non-formal) and allow for a more coherent evaluation of programmes in the field.

Putting in place such a system would merely echo the words of the Contribution by the European Union to the Durban Review Conference<sup>32</sup>, which emphasized the essential role of education and training in the realization of human rights and fundamental freedoms, and called on states to include better and more human rights, diversity and anti-discrimination education<sup>33</sup>.

**CEJI urges the European Union to explore the opportunities that exist to create a Community level instrument aimed at creating dialogue between the Member States and holding them responsible for their fulfillment of the commitments made in the Durban Declaration and Programme of Action and at European level in the field of combating discrimination and racism. This instrument should focus initially on the reform of education systems throughout the Community, and on the inclusion of anti-discrimination and diversity education in the national curricula of the Member States.**

**For this to be effective, CEJI reminds the European Union Member States, the European institutions and especially the European Fundamental Rights Agency of the importance of coherent, harmonized data collection. Disaggregated data plays a vital role in understanding the perpetrators and impact of discriminatory and racist crimes, without which a coherent strategy to combat these crimes and to educate against them effectively cannot be created.**

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<sup>31</sup> On this, we also note the European Network Against Racism's *General Policy Paper nr 5 on Fighting racism and promoting equal rights in education and training*, November 2008, accessible at [http://www.enar-eu.org/Page\\_Generale.asp?DocID=15287&la=1&langue=EN](http://www.enar-eu.org/Page_Generale.asp?DocID=15287&la=1&langue=EN)

<sup>32</sup> Paragraphs 64-68 and 147 j

<sup>33</sup> This was also included in the agreements reached on '*Education and Training 2010 – Diverse Systems, Shared Goals*' in 2003

## ANNEX A: A Note on Defamation of Religions

*“Muslims are secure enough to deal with some tough questions. It is condescending to treat Muslims like excitable children who cannot cope with the probing, mocking treatment we hand out to Christianity, Judaism and Buddhism.”*

Johann Hari, *We need to stop being such cowards about Islam*,  
The Independent, 14 August 2008

Religious freedom is enshrined in the Universal Declaration of Human Rights, and is guaranteed through both the right to freedom of religion and belief<sup>34</sup> and the right to freedom from religious discrimination<sup>35,36</sup>. At European level there are the added protections included in the European Convention on Human Rights<sup>37</sup>, as well as the case law of the European Court of Human Rights on the matter and a variety of legal instruments of the European Union, notably the Equality Directives<sup>38</sup> and the recently adopted Framework Decision on Racism and Xenophobia<sup>39</sup>.

Through these and additional instruments, the freedom of religion for all people in Europe is legally guaranteed<sup>40</sup>. These laws do not guarantee, however, that all Europeans have an understanding of and respect for one another’s religions, beliefs and other convictions.

The increasing visibility of religious diversity in Europe has been accompanied by a rise in discrimination and prejudice against ethnic and religious minorities. While a great deal of progress has been made, discrimination on grounds of racial or ethnic origin and religion is still a problem for many people in our societies, although this is difficult to measure accurately due to a lack of data on the religious composition of the population of the EU, particularly as regards minority religions.

Concurring with the UN Special Rapporteur on Freedom of Opinion and Expression, the OSCE Representative on Freedom of the Media, the OAS Special Rapporteur on Freedom of Expression and the ACHPR Special Rapporteur on Freedom of Expression and Access to Information, we see that “there is an important difference between criticism of a religion, belief or school of thought and attacks on individuals because of their adherence to that religion or belief”<sup>41</sup>.

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<sup>34</sup> Universal Declaration of Human Rights, Article 18

<sup>35</sup> *Idem*, Article 2

<sup>36</sup> These rights were reaffirmed in the *Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief*, General Assembly resolution 36/55, 25 November 1981; and with regards to education in the *UNESCO Convention against Discrimination in Education*, adopted on 14 December 1960.

<sup>37</sup> European Convention on Human Rights, Article 9 and Article 14

<sup>38</sup> 2000/43/EC and 2000/78/EC

<sup>39</sup> Full title: *Council Framework Decision on combating certain forms and expressions of racism and xenophobia by means of criminal law*, adopted on 26 November 2008

<sup>40</sup> For an overview of protections against religious discrimination laws in Europe, see the joint ENAR/CEJI *Factsheet on Religious Discrimination and Legal Protection*, October 2007, accessible at [http://www.ceji.org/advocacy/Religious\\_discrimination\\_factsheet\\_07.pdf](http://www.ceji.org/advocacy/Religious_discrimination_factsheet_07.pdf)

<sup>41</sup> Joint Declaration on Defamation of Religions, and Anti-Terrorism and Anti-Extremism Legislation, 9 December 2008

Understanding, knowledge and respect can never come about through legislation. They can only be fostered by people and through people themselves, through education, through meaningful dialogue and through healthy discussion and the free exchange of opinions. Rather than stifling discussion through anti-defamation resolutions and legislation, we believe that the exchange of educated opinions should be stimulated, involving more people in dialogue and teaching them to agree to disagree, especially where such fundamentally held concepts as religious and ethical beliefs are involved.

The role that NGOs and associations can play in combating prejudice within European society through processes of education and dialogue cannot be overstated. CEJI – A Jewish Contribution to an Inclusive Europe works hard to stimulate this exchange of educated opinions through its educational programmes<sup>42</sup>. We believe that such programmes are central to developing good relations between people of different faiths, and between people of no faith and people of faith. Censoring free speech, as it closes the door on meaningful discussion by punishing the population as a whole for the misconduct of some, can only lead to an increased lack of understanding and intolerance.

CEJI's experiences show that education is the most direct path to an increased level of mutual respect and active citizenship. While individuals should indeed be protected from religious discrimination, open discussion and the exchange of opinions should not be classified as discriminatory behavior but rather as a way to enhance understanding, tolerance and respect. Education is the key to success in this venture, and **we urge the United Nations Member States to focus their energy on increasing tolerance and diversity education, especially where religious diversity is concerned.**

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<sup>42</sup> Specifically through our Religious Diversity and Anti-Discrimination Training and its submodules on antisemitism and on islamophobia, see at <http://www.ceji.org/education/subject.php>

## **ANNEX B: Country Reports<sup>43</sup>**

### **Austria**

Austria does not have an NAPR.

Austria's measures in education focus on citizenship and human rights education, and are guided by the Federal Ministry of Education, Arts and Culture. While the Ministry itself offers teachers occasional trainings on combating discrimination and has created some tools and curricula, notably on combating National Socialism, antisemitism and xenophobia<sup>44</sup>, it leaves most of the initiative to the schools and teachers themselves.

### **Belgium**

The Centre for Equal Opportunities and Opposition to Racism was charged with the creation of an NAPR in the end of 2002. According to the website of the Centre<sup>45</sup>, the NAPR has been in the process of creation since then, though according to the report submitted to the preparatory process of the Durban Review Conference, it has been partially implemented nonetheless. A first launch of the NAPR took place in March 2005, and an evaluation was scheduled for autumn 2006, but the action plan's finalization and implementation at the various levels of government have been hampered by the governmental crises since 2007. There is no specific funding for the NAPR, and it does not include a specific focus on education.

A brochure entitled '*I act against racism*' was produced and disseminated amongst school pupils. The various levels of the Belgian government (local, communal, regional, provincial and federal) each have taken some measures in the field of education against racism.

### **Bulgaria**

Bulgaria has no NAPR.

In 2006, the National Assembly adopted a '*National Programme for development of Junior and Senior High School and Pre-school Education*' (2006-2015). Among its basic aspects is the introduction of special measures for children whose mother tongue is not Bulgarian. Education is cited as a main priority of the plan, though no specific actions are indicated.

### **Cyprus**

An NAPR was adopted in February 2002. It contained no actions related to education.

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<sup>43</sup> The country reports below are based almost entirely on information received by CEJI from the Member States' governments or governmental agencies, either directly or through the website of the Durban Review Conference (<http://www.un.org/durbanreview2009>). CEJI is not in a position to verify this information or to assess its implementation. We welcome additional comments and corrections from civil society organizations and governments. We specifically thank the team of the Internet Centre Anti-Racism Europe ([www.icare.to](http://www.icare.to)) for their monitoring of and reporting on the preparatory process of the Durban Review Conference.

<sup>44</sup> For instance through the "National Socialism and the Holocaust – Remembrance and the Present" programme.

<sup>45</sup> <http://www.diversiteit.be/?action=onderdeel&onderdeel=114&titel=Internationaal>, accessed 2 April 2009

The various actors, including the Ministry of Justice and Public Order, the National Organization for the Protection of Human Rights and various NGOs, have mentioned the importance of awareness raising activities including in the educational atmosphere. A ‘*Community Action Programme to Combat Discrimination (2001–2006)*’ was also instituted. The public school system has been opened up to children of migrant workers and asylum seekers, and Greek language and other courses have been made available for adults, notably for refugees and migrants.

## **Czech Republic**

No NAPR available to the public<sup>46</sup>.

## **Denmark**

Denmark adopted a ‘*National Action Plan to Combat Poverty and Social Exclusion*’ in August 2003. In relation to discrimination and minorities, this document deals almost exclusively with inclusion in the labor market, while the sections on equal opportunities deal only with gender equality and people with disabilities. An additional ‘*Action Plan to promote equal treatment and diversity and to combat racism*’ was to be launched in 2004, but this was delayed (until the present) after protests from civil society groups that the proposal dealt mostly with discrimination within migrant groups and from migrants towards Danish society. It was also said to ignore institutional racism and racism among the general Danish population.

This notwithstanding, the Danish report mentioned a number of specific measures taken to combat discrimination through education. The country launched a programme that designated school children as ‘Diversity Ambassadors’, and materials were prepared for teaching on diversity and inclusiveness. An active effort was made to increase the successful completion of vocational education by children of migrants. Denmark has integrated citizenship education into the national curriculum at various levels: in primary, secondary, technical and in social and health education. The topics are required to be dealt with in classes on a variety of compulsory topics (including history, social studies and religious studies), but also in the schools’ extracurricular activities.

## **Estonia**

Estonia drafted a ‘*National Action Plan*’, which was supposed to be passed by the parliament in late 2006. This plan dealt mostly with the integration of migrants and stateless people and educating them about Estonian language, culture, and history of the country.

Since 2006, no state-organized teacher trainings have been held on diversity and anti-racism education.

## **Finland**

Finland adopted an NAPR in March 2001, covering the years 2001-2003. This plan has also been reviewed, though it is unclear whether a new plan was created for the years since then. The NAPR does not deal with education.

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<sup>46</sup> The European Network Against Racism reported in 2006 that an NAPR had been initiated in the Czech Republic, but no evidence of this has been found.

According to the Finnish report, the recently renewed core curriculum takes the diversity of the country into account. Some NGOs provide additional teaching materials that deal with diversity and human rights.

Teacher trainings have been revised to take into account the presence of students with a variety of cultural and linguistic background, and an effort was made to attract teachers reflecting this diversity as well.

## **France**

France does not have an NAPR, though no officials were willing to confirm this. France had also not submitted a preparatory report to the Durban Review Conference as of February 2009.

## **Germany**

Germany's federal government adopted an NAPR in October 2008, more than seven years after the WCAR.

The adopted NAPR stands out, however, among the others in clarity and detail: the inclusion of human rights education is mandated at federal level, but also in the constitutions and education laws of the *Länder* that make up Germany. Moreover, the parents of the students are to be involved in the decision-making process regarding their children's education, thereby involving them in human rights education as well<sup>47</sup>.

The goals laid out in the NAPR include not only a better understanding of human rights and an increased awareness of the extreme right, xenophobia and antisemitism, but also an "increased understanding of political issues, a stronger democratic consciousness, and a strengthened active citizenship". A variety of methodologies, teaching tools and curricula has been made available to teachers by the governments, semi-governmental and non-governmental organizations for all grades of primary and secondary education, allowing schools and teachers to choose their preferred teaching method on the subject. Teachers can also participate in subject-specific supplementary trainings, conferences and study days on the subject of their expertise, thereby emphasizing the transversal quality of diversity education and the fight against discrimination in schools. Schools have the possibility to enter into twinning projects with schools in developing countries, and can join relevant projects run by UNESCO, UNICEF, as well as partner with NGOs, corporations, religious groups and universities<sup>48</sup>.

The German preparatory report notes that the teaching of democratic values begins from an early age, both in the school curriculum and through extracurricular activities.

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<sup>47</sup> *Nationaler Aktionsplan der Bundesrepublik Deutschland zur Bekämpfung von Rassismus, Fremdenfeindlichkeit, Antisemitismus und darauf bezogene Intoleranz* (October 2008), p. 17

<sup>48</sup> *Idem*, pp. 18-19

## Greece

Greece does not have an NAPR, though no officials were willing to confirm this. Greece had also not submitted a preparatory report to the Durban Review Conference as of February 2009.

## Hungary

Hungary does not have an NAPR.

Hungary's efforts in the educational field deal mostly with gender equality and disability issues, and with the full and equal integration of Roma into the educational system.

The government does have a grant programme for capacity building and strengthening management skills in civil society organizations involved in the fight against discrimination.

## Ireland

The Irish government launched '*Planning for Diversity – The National Action Plan against Racism*'<sup>49</sup> in January 2005. While the plan was criticized by some NGOs for being vague, Ireland is one of only three EU Member States that has set aside specific funds for the implementation of their NAPR. Ireland has committed 5 million euro to fighting racism, with specific earmarks for the integration of Travellers, migrants and refugees and for research activities.

The section on education<sup>50</sup> includes the following goals:

1. Develop a national intercultural education strategy with reference to equality/diversity policy.
2. Develop a more inclusive and intercultural school practise environment through the whole school planning process, admissions policies, codes of behaviour, and whole school evaluation.
3. Accommodate cultural diversity within the curricula.
4. Develop an intercultural implementation strategy within youth work.
5. Enhance access and education service delivery to Travellers.
6. Enhance the participation of refugees and asylum seekers in education up to 18 years of age, as well as the participation of refugees and those with humanitarian leave to remain in the State in Further and Higher Education provision. A specific focus on the needs of females will be part of this process.
7. Enhance access and education service delivery to unaccompanied minors.
8. Enhance provision of English as a second language.
9. Evolve education related data systems to provide a comprehensive picture of diversity and policy progress.
10. Strengthen the participation of key stakeholders in the development of an intercultural approach to education.

The NAPR further includes a focus on “anti-racism and intercultural training in all government departments and statutory agencies”<sup>51</sup>.

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<sup>49</sup> <http://www.nccri.ie/pdf/ActionPlan.pdf>

<sup>50</sup> *Planning For Diversity: The National Action Plan Against Racism (2005-2008)*, Section 4, pp. 103-114

This plan of action is very ambitious, and while indeed some of the goals seem to be rather vague, the plan does include a number of practical measures, such as the developing of guidelines for teachers, assistance in adapting the curriculum to better relate to a diverse student population, and a pilot project to test the waters. Interestingly, point 4 above shows that the government intends to include non-formal and informal educational organizations, something not suggested by any other country.

The country's educational strategy is guided as well by the '*Government White Paper on Education: Charting Our Education Future*' (1995)<sup>52</sup>. This document sets out a number of principles including the promotion of quality, equality, pluralism, partnership and accountability. It aims to promote the holistic development of individual students and to empower their full participation in society and the economy.

## **Italy**

Italy does not have an NAPR.

During the European Year for Equal Opportunities (2007), some initiatives were taken or expanded in schools and universities.

## **Latvia**

Latvia does not have a specific NAPR, though it has adopted its commitments made in the DDPA into the '*National Programme against Intolerance (2004-2009)*'. This programme focuses mostly on the integration of ethnic minorities and Roma. Latvia has earmarked specific resources for the implementation of this programme, which includes providing equal opportunities for all in accessing the Latvian education system.

Most of the programme is focused on supporting these minorities, though a national awareness campaign has also been undertaken.

## **Lithuania**

Lithuania approved an NAPR in 2006, covering the period 2006-2008. It did not include education. No contribution was made to the preparatory process of the Durban Review Conference.

## **Luxembourg**

Luxembourg does not have an NAPR and made no contribution to the preparatory process of the Durban Review Conference.

## **Malta**

Malta does not have an NAPR and made no contribution to the preparatory process of the Durban Review Conference.

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<sup>51</sup> Idem, Section 3.3, p. 101

<sup>52</sup> Available at [http://www.education.ie/servlet/blobServlet/dept\\_education\\_wp.doc?language=EN](http://www.education.ie/servlet/blobServlet/dept_education_wp.doc?language=EN)

## **The Netherlands**

The Netherlands removed its NAPR from public view after receiving detailed questions about its implementation from NGOs. From information received from other organizations, and from the fact that the Minister for Immigration and Integration was chosen to report on the implementation of the NAPR to the Dutch Parliament in 2005, CEJI has the impression that the document did not focus on education, but rather had a narrow scope around the integration of migrants and their children.

## **Poland**

Poland created a '*National Action Plan against Racism*' in 2004. Covering the period 2004-2009, the Polish plan emphasized a different theme in each of those years, including education and information campaigns in 2005 and 2006. We have been unable to find out what the activities and outcomes were of the NAPR and its educational dimension.

Polish officials were reluctant to share the country's preparatory report for the Durban Review Conference.

## **Portugal**

Portugal does not have a specific NAPR, though it adopted a '*National Programme for Inclusion (2003-2005)*', which was renewed from 2004-2006. This programme focuses mostly on the integration of foreign residents, immigration issues and the integration of ethnic minorities, notably Roma. This includes a focus on the integration of these groups into the educational system, and on the use of non-formal education in the integration process.

The programme also foresaw the distribution of brochures to the public-at-large, and the creation of hotlines for reporting discriminatory and racist acts.

## **Romania**

Romania's contribution to the preparatory process for the Durban Review Conference outlines that the National Council for Combating Discrimination (founded in 2001), created a '*National Strategy for Implementing Measures on Preventing and Combating Discrimination (2007-2013)*'. Under this strategy, several educational information campaigns were launched to give more visibility to national minorities.

With regards to education, most attention has been given to the improved access of Roma to the education system. Funding has also been made available for projects organized by national minorities in the country, including several projects with an educational focus.

Topics related to multiculturalism and combating discrimination have been inserted in school curricula in primary and secondary education.

## **Slovakia**

The Slovak government's '*Action Plan for the prevention of all forms of discrimination, racism, xenophobia, anti-Semitism and other expressions of intolerance for the period 2006-2008*' was the fourth such action plan adopted in the

country since 2000. The Slovak Republic set aside specific funding for the implementation of certain parts of this action plan, though the amounts earmarked for some actions are small.

The very ambitious and detailed action plan includes the “Systemic education and training of members of professional groups who, in the discharge of their professional duties, have an impact on the prevention of all forms of discrimination, racism, xenophobia, anti-Semitism and other expressions of intolerance.”<sup>53</sup> These professionals include law enforcement, the military, teachers, prison guards, the judiciary, health care and social service personnel and civil servants. Similar education will be provided to students at all levels of education (primary, secondary and higher education).

It also foresees the creation of a ‘*National Plan for Human Rights Education*’ and the creation of a National Commission to oversee this effort<sup>54</sup>.

## **Slovenia**

Slovenia does not have an NAPR.

Slovenia reports that it has widened the scope of its Equal Treatment Act so as to allow for positive action including regarding access to education.

There also seems to be a possibility that the government will support some educational and training programmes that are to be carried out by NGOs or state bodies.

## **Spain**

Spain does not have an NAPR and made no contribution to the preparatory process of the Durban Review Conference.

## **Sweden**

Sweden’s ‘*National Action Plan for Human Rights*’ was given a broader mandate after the WCAR in 2001 to include the scope of that conference. The first NAPR with this widened scope covered 2002-2004 and was duly evaluated<sup>55</sup> and followed up by the current action plan, which covers 2006-2009, with a final report due by April 2010. Its implementation is overseen by a delegation on human rights, and carried out by various government ministries and agencies.

Equal access to education for all children is guaranteed by the *Act Prohibiting Discrimination and other degrading Treatment of Children and school Students*<sup>56</sup> and the *Equal Treatment of students in Higher Education Act*<sup>57</sup>.

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<sup>53</sup> *Action Plan for the prevention of all forms of discrimination, racism, xenophobia, anti-Semitism and other expressions of intolerance for the period 2006-2008*, Section 1, pp. 6-14

<sup>54</sup> *Idem*, sections 6.3 and 6.5, pp. 26-30

<sup>55</sup> The report (in Swedish) is available at

[http://www.manskligarattigheter.gov.se/dynamaster/file\\_archive/050120/e13658fad8fea80f12cef753ebaba0f7/Utv%E4rdering%20050119.pdf](http://www.manskligarattigheter.gov.se/dynamaster/file_archive/050120/e13658fad8fea80f12cef753ebaba0f7/Utv%E4rdering%20050119.pdf)

<sup>56</sup> 2006:67

<sup>57</sup> 2001:1286

In June 2003, a public body was established called the ‘*Living History Forum*’, which provides continuing education for both formal and non-formal educators who work with young people. The forum also has a mandate to function as a think-tank on trends regarding various forms of intolerance, including antisemitism.

## **United Kingdom**

The UK launched its ‘*Strategy for Race Equality and Community Cohesion, Improving Opportunities, Strengthening Society*’ in 2005, which includes the commitments made in 2001 at the WCAR and is reviewed annually.

The educational aspect of this strategy includes “providing equal educational opportunities for all children”<sup>58</sup>, and aims to increase the role modeling function of teachers<sup>59</sup>. It also aims to better control whether schools have inclusive policies in place and are preventing and combating discrimination<sup>60</sup>, to “continue to embed citizenship education...into the National Curriculum”<sup>61</sup>, to enhance religious education, and to create partnerships between students and peers and between students and role models and mentors in a variety of settings<sup>62</sup>.

Education materials and curricula on human rights and citizenship developed by the government have been made available, with new materials being published fairly regularly.

Northern Ireland<sup>63</sup>, Scotland<sup>64</sup> and Wales<sup>65</sup> each have their own strategies to complement the abovementioned British document, which does not fully apply in those three countries. The strategic aims related to education are fairly similar to the ones set out for England.

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<sup>58</sup> *Strategy for Race Equality and Community Cohesion, Improving Opportunities, Strengthening Society*, Ch. 3 paragraph 6, p. 25

<sup>59</sup> *Idem*, paragraph 10, p. 26

<sup>60</sup> *Idem*, paragraph 44 iv, p. 38

<sup>61</sup> *Idem*, Ch. 4 paragraph 7, p. 43

<sup>62</sup> *Idem*, paragraph 8-13, p. 44

<sup>63</sup> Racial Equality Strategy for Northern Ireland 2005-2010

<sup>64</sup> One Scotland - Many Cultures - Working Together for Race Equality - The Scottish Executive's Race Equality Scheme, initiated in 2002, renewed in 2005 and in 2008,

<sup>65</sup> Race Equality Scheme 2005-2008

# CEJI

## A Jewish Contribution to an Inclusive Europe



An international non-profit organisation established in 1991, CEJI stands with individuals and organisations of all religions, cultures and backgrounds to promote a diverse and inclusive Europe. CEJI works to combat prejudice and discrimination and to promote social cohesion through training, education, dialogue and advocacy.

- A leading provider of diversity education and training in Europe, CEJI works through ever-growing networks to offer a constructive response to prejudice and discrimination.
- Committed to enhancing intercultural and interfaith understanding, CEJI is at the forefront of a new Jewish Muslim dialogue and co-operation initiative.
- Contributing innovative ideas to policy-making processes dealing with anti-discrimination and social inclusion, CEJI actively advocates for policies promoting a diverse and inclusive Europe.
- A Jewish voice at a European level, CEJI facilitates Jewish participation in European affairs, gaining recognition for Jewish experiences and concerns and empowering Jewish organisations to become more internationally and interculturally active.

