

ECCAR Scientific Advisory Committee Feedback on City Report Cologne 2020

Final: 18 January 2021

1. General remarks:

Reporting within ECCAR is very important and a good practice as such. The various reasons as to why reporting should be intensified: the possibility of showcasing the reporting city and its policies on equality and against racial discrimination; the importance of exchanging practices and thus facilitating mutual learning and city diplomacy on the issues at stake; the opportunity to get profound feedback from ECCAR's Scientific Advisory Committee, as well as; the opportunity to critically reflect on challenges and political responses in the reporting city combined with the possibility of self-assessment on the appropriateness and effectiveness of policies to counter racism and foster equal opportunities in the city.

The European Coalition of Cities against Racism focuses its work on countering racism and racial discrimination by means of establishing equality in a broader sense. Strategies and measures taken by cities shall therefore pursue the objectives of promoting equal opportunities, work towards equity and equality, engage for inclusion and ensure equal treatment according to ECCAR's mission derived from Article 1 International Convention on the Elimination of all Forms of Racial Discrimination (ICERD).

Since its foundation in 2004, ECCAR and its SAC members have carried out research on local human rights and equality policies, which led to various important findings that are compiled in the Toolkit for Equality (accessible through ECCAR's website). SAC wants to underline three important findings: What types of actions are taken and in what respect they are successful in achieving the goals mentioned above; what characterizes successful measures (success factors); and, which target groups are addressed with which instruments.

SAC explicitly welcomes reports on measures against discrimination on the basis of gender, age, disability, LGBTI or other. Nevertheless, ECCAR's focus is on 'race'. We acknowledge that all vulnerabilities are interdependent as they have their roots in unbalanced power-relations, and are thus, intersectional. SAC therefore encourages reporting on these

intersections of discrimination rather than reporting on measures only focusing on one group independently of a possible intersection with racial discrimination.

SAC, in reference to commitment 2 of the 10PPA, recommends evidence-based policy-making. For this purpose, SAC encourages ECCAR members to develop and use a solid data-basis on equality issues. SAC also encourages all those cities that have practices concerning data collection and the use of data for evidence-based policy-making in place, to share the knowledge and experience of those practices with ECCAR.

SAC recommends that the reports indicate the achievements or challenges brought about by a city's membership in ECCAR: the added value for the city, the good practices that have been exchanged, the expertise that has been explored, the visibility and impact gained (including at the regional and international levels through UNESCO), the joint activities implemented and/or planned, and the opportunities that have been leveraged. Learning from each other within the network, and establishing a common regional front against racism and discriminations is the very rationale of membership in ECCAR. The various efforts of municipalities concerning partnerships with other cities and organizations (such as UNESCO and the EU for example) should be stressed in the reporting system.

ECCAR and its Scientific Advisory Committee (SAC) aim at providing useful guidance in planning, implementing and evaluating the anti-discrimination policies of its members. This is one purpose with the feedback from SAC on the individual city reports. The criteria SAC applies to its feedback are the following:

- ❖ Application of the 10 Point-Plan-of-Action (10PPA) as the basic strategy contextualized to the respective city's needs (a practice which was recently mentioned as a good practice by the European Commission in its Action Plan against Racism 2020-2025).
- ❖ The commitment of the city enshrined in its individual 10PPA to prevention, elimination and sanctioning of discrimination in its 10PPA and in its implementation.
- ❖ The long-term nature and the respective funding of the policies and measures taken.
- ❖ The specificity of the objectives to achieve equality, equal opportunities, participation, inclusion and equal treatment.
- ❖ The quality of implementation.

- ❖ The monitoring, evaluation and follow-up of the measures taken and the lessons learned.

SAC encourages ECCAR members to report on the rationale as to why measures have been taken, the specific goals pursued, the challenges during implementation, the successes brought about by the actions, as well as concerning parameters such as duration, funding and the organizational structure.

2. Report Cologne

SAC welcomes the report of the city of Cologne. The report shows a high level of commitment by the city of Cologne, providing insight into the long-term strategy of pursuing the integration of all groups of urban society and in fighting racism, discrimination and extremism. The report follows the proposed structure of ECCAR reporting. It provides an introduction to the city and its organization and some data concerning discrimination. In its second part, the report is structured in accordance with the 10PPA. The introduction provides a very useful panorama of the institutional and structural frameworks from which the policies and programmes of the City of Cologne are based. It is worth noting that the interface between federal and state laws is taken into consideration, and that the policy cascades down at the local level. The multi-entity structure dealing with the themes of racism and discrimination is notable, with seeming transversal work streams between the Municipal Integration Centre and other bureaus within the municipality, and which highlights the importance of intersectionality across themes, including those related to LGBTI and persons with disabilities.

The commitment of the city of Cologne is evident through the municipal institutions in the departments of the Office for Integration and Diversity, as well as in the department of Arts and Culture, where the NS Documentation Centre (ibs) is anchored. Under field of action 1 additional institutions maintained or financed by the municipality are mentioned. SAC specifically underlines the procedural capacity in the cross-departmental rapid response system, which closely interacts with civil society organizations, currently being developed. UNESCO underlines that the body of the report provides comprehensive information across various points of the Ten-Point Plan of Action, and included a short description of the strategy, which is very welcome. The capacity building initiatives are noteworthy, including the municipal training, and schools without racism.

Furthermore, the commitment is shown by the holistic approach to combatting all forms of discrimination laid down in the national constitutional and equality legislation. The goals

set by the government are enshrined in various strategic action plans that relate to the achievement of an inclusive urban society.

SAC welcomes the balanced approaches of prevention of and reaction to discrimination. The policy approach of addressing discrimination in both the public sphere and within the administration is of particular importance as it indicates the city's awareness of potential systemic and structural discrimination.

Even though no official statistics on discrimination exist, the report provides figures as collected by the Anti-Discrimination offices in the city and the policy report on politically motivated crimes, which demonstrates an awareness of the current situation and the willingness to further develop evidence-based decision making. More statistics could very well be added in future reports. Data consolidation was also evident in the different areas of reporting. It is thus recommended to aim to produce much-needed quantitative data, which could contribute to building an evidence base to inform policy-making. Facts and figures are likewise strong communication tools that highlight strong messages, UNESCO highlights. SAC encourages the city of Cologne to further develop its strategic monitoring and needs assessment for prevention and counteracting discrimination, as stated under field of action 2. Under action 2, concerning *Strategy*, it was not entirely clear what the report meant in stating "incorporate integration monitoring into existing systems".

Besides the establishment of a municipal ombudsperson and the strategic channeling of funds towards anti-racism training under field of action 3, the introduction of disciplinary measures for municipal civil servants is noteworthy. Here SAC would be interested in a description of the racist behavior that can lead to measures. Also of interest is if the IDA can act as the representative of a complainant in the same way as the Ombudsperson for People with Disabilities.

Field of action 4 encompasses participation and awareness raising. The latter includes a range of public events and campaigns addressed to the general public. In order to foster participation, councils and forums are reported. SAC welcomes the introduction of attendance remuneration for the council members, as well as the possibility for elected integration councilors to submit recommendations to governance bodies. In addition, the efforts facilitating the participation of people with disabilities in the political process are positive.

SAC welcomes the variety of issues mentioned under field of action 5. SAC notes in particular the introduction of anti-discrimination clauses in public contracts under field of action 5, and would be interested in learning more about this promising measure. While some ECCAR-Cities introduced such clauses, most of them without any preventive or remedial character, a few cities have introduced innovative clauses and reported that they are very effective, both directly and indirectly. SAC may offer advice and support in case the city of Cologne wishes to use this ECCAR service.

In field of action 6, the city as employer and service provider, the city of Cologne reports on its efforts to promote and value diversity and inclusion. As an employer, the city seems to focus mainly on people with disabilities. The reported measures further aim at employment of underrepresented groups within the administration and on intercultural or diversity training of staff. The inclusion trainings for managers are highlighted by SAC, as the potential impact related to managers is crucial. Further, SAC welcomes the information on the proportion of 30% of persons with another than a German background in vocational training offered by the municipality. However, defining the terms 'migrant background' and 'integration' could have added clarity to the report. SAC recommends finding other approaches than what seems to be an 'us and them' construction. Otherwise, stigmatization of ethnicity risks becoming persistent, leading to a public discussion of 'helping them to integrate' or 'requiring them' to integrate. Such discussions can apply to a furthering of assimilation rather than valuing diversity, a discussion within which integration is a two-way process that underlines non-discrimination as a key element.

SAC welcomes the approach that accessible communication and information is a human right. This systemic understanding is likely to reduce structural barriers and discrimination as has been observed in other cities.

Fighting discrimination in the field of housing is always a difficult policy area. It can be expensive and is often based on a need to reach out to the private sector. Proving discrimination can be very difficult due to e.g. complex laws, enforcement procedures and asymmetric information. Cologne focuses on the situation of refugees – who are targets of hate – which explains measures providing security and prevention of violence. Cologne reports on the provision of accommodation beyond minimum standards, which is underlined by SAC. Another field of action is the city function as a rule-maker, including

providing guidelines for non-discriminatory practices on the housing market as well as support for victims of discrimination. SAC welcomes the tasking of the quality department in its housing company GAG Immobilien AG with ensuring fair access to housing conditions. Finally, SAC notes with interest the introduction of a reservation of one third of housing built or leased by Cologne for groups with proven difficulties in access to housing, including the homeless and refugees cared for in transition accommodations, as part of a concept of integrative occupancy.

The city of Cologne takes seriously the commitment of combating discrimination in and through education. Different measures address discrimination in education: access to first-language education in conjunction with those attaining language skills as second-language learners; integration assistance for newcomers; and education opportunities counselling are measures targeted at reducing barriers and leading to equal opportunities in the educational achievement of the target groups. Fighting discrimination through education is aimed at through specific pedagogical approaches; provision of teaching materials; and by provision of external expertise developed by NGOs.

There are a wide variety of measures promoting diversity in culture and through the arts. SAC welcomes the efforts of the city to ensure that the public cultural life reflects the diversity of the city. Barriers to active or passive participation in the arts are removed by guaranteeing access to the arts and culture and ensuring framework conditions enabling artists and art institutions to be creative. Even though symbolic, SAC welcomes the initiative of naming public places, streets or events after victims of the NAZI regime which may have an impact on the population's awareness about the nationalistic identity claims of new right-wing movements.

UNESCO particularly states that innovative mechanisms such as awards, mentoring, internships for refugees (Chance+), round table on refugee issues and guidelines on housing & accommodation, are very significant efforts.

Overall, SAC welcomes Cologne's strategic approach to fighting discrimination using the 10 Point Plan of Action as a guiding structure. SAC also welcomes the balanced approach between measures addressing the administration and measures targeted toward the city's population. The programme shows a good mix of supporting measures for targets of discrimination and framework conditions limiting the possibilities for discriminatory offences. At the same time, there could be greater clarity as to the extent which cross-cutting, intersectional diversity measures also include ethnic diversity. Cologne also



demonstrates courage when addressing less popular fields such as housing, public spaces, support for refugees and non-discrimination in public contracts. This has to be underlined as many ECCAR members often focus only or primarily on the provision of supporting measures.