

# PROTECTING YOU FROM DISCRIMINATION



**PSE**

Socialist Group in the  
European Parliament



Socialist Group action in the European Parliament aims to ensure that all our people feel fully accepted for who and what they are, so that we can benefit from the talents and skills of all in our communities. European societies are changing, with an ageing population and an increasingly multi-ethnic make-up. We are using this Year of Equal Opportunities to give renewed impetus to promoting diversity in Europe.

The EU can be proud of its anti-discrimination legislation so far, but there is more to be done. Legislation needs to be widely known and fully applied. We need incentives to change behaviour and attitudes, through political determination and popular support, and by raising public awareness of the right to non-discrimination, and the need to eliminate stereotypes, prejudice and violence.

## Legislation so far...

We have always recognised the importance of developing European legislation to protect citizens from abuses based on discrimination, working closely with Socialist Commissioners. Our members were determined to have this in the EU treaties, and now a specific article (13) of the Treaty allows action to combat discrimination of all kinds.

In parallel there are excellent national legislative initiatives which can be replicated Europe-wide, including laws against violence against women and an equal right to marriage for lesbian and gay couples.

## A single European framework

We want a single, framework to protect people against discrimination across the EU to simplify the mix of laws now in place. Directives<sup>1</sup> already prohibit direct or indirect discrimination on grounds of racial or ethnic origin, religion or belief, disability, age or sexual orientation. Current law forbids racial discrimination in employment, training, education, social protection, social benefits and access to goods and services. Only in employment, work and vocational training is there protection against discrimination on grounds of religion or belief, age, disability and sexual orientation. Protection against sexual discrimination goes further, covering the provision of goods and services.

Unfortunately, there is still considerable variety in how different countries have put these measures into effect and in some places, laws on age and disability discrimination are still being amended and adopted.

## Women and men at work – equal opportunities and equal treatment

We want a single strategy for protection against discrimination across the EU with all Member States putting into effect the Community legislation in this field. This would make things clearer and put in place measures to spread information, raise awareness, share experience, offer better training and access to justice. It would pull together directives<sup>2</sup> on

1. Directive 2000/43/EC and Directive 2000/78/EC prohibiting direct or indirect discrimination on grounds of racial or ethnic origin, religion or belief, disability, age or sexual orientation. Directive 2000/78/EC includes protection against discrimination on grounds of religion or belief, age, disability and sexual orientation, but limited to employment, work and vocational training. Directive 2004/113/EC extends protection against sexual discrimination to the area of goods and services.

2. Directives ensuring equal pay for men and women (Directive 75/117/EEC), equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions (Directive 76/207/EEC amended by Directive 2002/73/EC), equal treatment for men and women in occupational social security schemes (Directive 86/378/EC amended by Directive 96/97/EC) and the burden of proof in cases of discrimination based on sex (Directive 97/80/EC (amended by Directive 98/52/EC)

equal pay and equal treatment for men and women at work or in training, in social security schemes and in relation to sex discrimination cases. It would improve protection against unfavourable treatment for victims of discrimination, even after a particular job has ended, integrating the discrimination case law of the European Court of Justice.

In this Year of Equal Opportunities for All, we want to spread best practice across the EU and want people to be much more aware of their existing rights.

## Promoting inclusion and equal opportunity for all

Socialist Members have been strongly behind measures such as:

- Creation of the European Observatory for Racist and Xenophobic Phenomena, in 1997, to provide data at European level on racism, xenophobia and anti-Semitism ([www.eumc.eu.int](http://www.eumc.eu.int)). Common European standards are vital to tackling racial crime<sup>3</sup>, and offences against religious minorities to ensure that, racism and xenophobia are punishable by effective criminal penalties.
- Foundation of the Fundamental Rights Agency, building on the Observatory above, with more resources and a wider remit. This includes advising the EU institutions on all aspects of the anti-discrimination work, and active involvement of NGOs.
- 2007 to 2013 – The European Social Fund (ESF) and other initiatives<sup>4</sup> will include practical measures to promote greater social inclusion of people with disabilities, to combat discrimination, and support equality between men and women.

We also promote non-discrimination in EU relations with other countries worldwide, through international organisations.

3. Proposed framework decision of 2001 (Proposal for a Council framework decision on combating racism and xenophobia [COM(2001) 664 final – Official Journal C 75 E of 26 March 2002])

4. EQUAL and PROGRESS initiatives

## What do people think about this?

A large proportion of Europeans believe<sup>5</sup> that discrimination is widespread in their country. Discrimination based on ethnic origin is felt to be the most widespread (almost 2 European out of 3, 64%; however, results vary widely between countries).

Around one in two European thinks discrimination based on disability and sexual orientation are widespread. Discrimination on the basis of age (46%), religion or beliefs (44%) and gender (40%) are also felt to be prevalent, but to a slightly lesser extent.

## Current Socialist Group action

Building on initiatives like our 2006 conference on the fundamental rights of lesbian, gay, bisexual and transgender people, we are looking at current European law and to see what further action is needed, for example, where individuals suffer from unequal or unfair treatment for more than one reason: for example, an older person who is also disabled, or a woman from an ethnic minority group. We also believe that the framework decision on racism and xenophobia, should be urgently adopted.

Finally, European Socialists want an end to discrimination on the basis of income and position in society, to bring about more equality of opportunity in the social field<sup>6</sup>.

We want to ensure that existing laws are applied effectively across the EU, and then push for the comprehensive draft “Article 13” Directive to be adopted and implemented to give more far-reaching protection against all kinds of discrimination.

5. Eurobarometer 263 - Discrimination in the European Union.

6. (Martine Roure on her report on equal opps see source (page 37): [http://web20.s112.typo3server.com/fileadmin/pdfs/Reports/Annual Reports\\_2006/annualrep06\\_en.pdf](http://web20.s112.typo3server.com/fileadmin/pdfs/Reports/Annual Reports_2006/annualrep06_en.pdf).



[www.socialistgroup.eu](http://www.socialistgroup.eu)  
[www.socialistgroup.mobi](http://www.socialistgroup.mobi)