

# Equal Rights In Practice

Volume **1.** Spring 2004



The news review of the  
Community Action Programme to  
combat  
discrimination

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**W**elcome to the first edition of "Equal Rights in Practice", the bi-annual news review of the Community Action Programme to combat discrimination 2001 – 2006 (the Action Programme). In each issue, we'll bring you news of the latest activities and achievements, affecting or brought about by you - the stakeholders in the Action Programme.

2004 is the year the first package of 27 transnational projects come to an end, and we look forward to seeing the results and outcomes of the 300 activities funded by the Programme so far. We will also see the start of 25 new transnational actions, which aim to build strong partnerships across the EU-25 and, for the first time, the EFTA countries. Most importantly, 2004 is the year in which we invite and encourage the 10 new EU Member States to participate on an equal footing with the EU-15 and thus to benefit fully from the Action Programme.

We have focused much of our support on building strong partnerships, not just across national boundaries, but also between national authorities, social partners, civil society and national governments. By working together, we hope to be much more effective in achieving our shared goal; namely to promote a discrimination-free Europe.

The Action Programme has already generated a huge wealth of knowledge. It is time for us to take stock of this experience and share it in an open and transparent way so that all stakeholders can benefit. This newsletter is just one

of a family of communication tools we hope will improve communication to and among stakeholders. We are upgrading the Commission's website on non-discrimination, producing an annual report on equality and non-discrimination and a thematic brochure, and organising an annual conference in July 2004.

The Action Programme is about people – the people who are committed to fighting discrimination and the people who are directly or indirectly affected by the Programme at Member State, regional or local level. It is vital that this newsletter acts as a tool for you to share your experiences and achievements and, ultimately, to make the implementation of the anti-discrimination directives a reality. The anti-discrimination Unit team look forward to receiving your comments and inputs to future issues. ♥

Barbara Nolan  
Head of Unit  
Anti-discrimination,  
and Relations with Civil Society Unit



# Action Programme to combat discrimination

## Priorities and key activities for 2004

**2004 will be a pivotal year for the Community Action Programme to combat discrimination. With the passing of the national deadlines for implementation of the new EU equality rules at the end of 2003, it is clear that significant effort needs to be put into ensuring that all actors across the EU are aware of their rights and their obligations with regard to the five grounds of discrimination covered under this legislation.**

The 2004 Work Programme for the Community Action Programme to combat discrimination is now underway, with a strong emphasis on the challenges faced by an enlarged Union. With a budget of just over €19 million, key activities for the year include anti-discrimination conferences under the Dutch and Irish Presidencies, an in-depth study on Roma and enlargement, and a mapping exercise on civil society in the new Member States (see details below). Liechtenstein, Norway and Iceland, members of the European Economic Area, have also signed up to the Programme for the first time.

From its launch in 2001, the Action Programme has served as an acknowledgement that legislation in itself is not sufficient to fight against the five core grounds of discrimination covered in the two Article 13 Directives; namely race or ethnic origin, religion or belief, disability, age and sexual orientation.

Each year's priorities have reflected the three core objectives of the Action Programme:

1. To improve the understanding of issues related to discrimination,
2. To develop the capacity to tackle discrimination effectively and,
3. To promote the values underlying the fight against discrimination.

Each annual Work Programme in turn aims to build a network of activities at national and European levels to ensure that all spectrums of society, from national governments to potential victims of discrimination, are well informed on what they could and should expect in practice from the new European anti-discrimination Directives.

In 2001, the main priority was to lay solid foundations of principles and practices for the Action Programme.

2002 then saw the launch of a series of new initiatives at Community level as well as between different EU Member States. Projects included the publication of a study on the 21 then existing national equality bodies ("Promoting Diversity: 21 bodies promoting diversity and equality in the European Union") and a series of Eurobarometer surveys designed to gauge public attitudes and awareness levels across the Union. 2002 was also a year devoted to increasing our knowledge of discrimination-related issues, the Independent Legal Expert Groups initiated their work on looking at the implementation of the Directives across the EU.

Last year, with the passing of both deadlines for EU-wide implementation of the two Directives, the body of common rules became a concrete reality. With the groundwork firmly laid, the 2003 Work Programme placed emphasis on raising the profile of the Action Programme and the principles behind it not only in terms of public perception, but also with the objective of ensuring that all actors respond to the challenges created by the new legislation. Activities included the launch of the 5-year "For Diversity: Against Discrimination" information campaign in June, as well as the "stop discrimination" website.<sup>(1)</sup>



[http://www.europa.eu.int/comm/employment\\_social/fundamental\\_rights](http://www.europa.eu.int/comm/employment_social/fundamental_rights)

(1) <http://www.stop-discrimination.info/>

**Providing a solid assessment of our starting point on discrimination in all its forms is crucial if we are to be able to move forward and to develop effective and practical initiatives for the future.**

### ***Strand 1: Analysis and evaluation***

The key objective of strand 1 of the Action Programme is to deepen understanding of issues related to discrimination through improved knowledge and through evaluation and effectiveness of policies and practice.

For this year, a series of activities has been designed to consolidate data collection work and experiences from previous years and to apply lessons learnt in the development of the Programme. The three networks of independent legal experts (on disability, sexual orientation and race and religion) will be merged into one group with a substantive remit across all five grounds of discrimination and a geographic remit across the 25 Member States.

Three calls for tender have also been issued under strand 1, all of which will have an impact on the new Member States. Firstly, a range of follow-up activities to the study published in 2003 on developing a business case for diversity has been envisaged with a view to developing a strategy to disseminate the principal findings of the study to the business community across the enlarged Union. The Commission has also issued a call for tender for a study to be carried out mapping the capacity of civil society dealing with anti-discrimination in the new Member States. This study will pick up and develop issues raised at the June 2003 Conference held in Budapest on the same issue. Thirdly, a call for tender will be published for a study to be carried out to measure the social participation of people with disabilities with a view to providing data to policy makers as to where new interventions may be needed in future to improve the overall situation of people with disabilities.

In terms of data communication and exchange, the Programme plans to organise a European conference on "Data to achieve equality" in the last quarter of 2004. Finally, a Green Paper on the future of discrimination and equal treatment policy will be launched next month and you can read more details about it on page 10 of this edition of the newsletter.

**Not everyone can know everything. However, by pooling our collective knowledge and sharing our experiences across the Programme, actors can help to empower each other.**

### ***Strand 2: Capacity building***

The key objective of strand 2 is to develop the capacity to prevent and address discrimination effectively, in particular by strengthening organisations' means of action, while taking into account the specific characteristics of the different forms of discrimination.

For 2004, this strand focuses on two elements: support for the exchange of information and good practice between actors in the Member States; and support for the activities of non-governmental organisations (NGO) networks. The Work Programme for 2004 builds on initiatives financed over the previous years.

Also under this strand, 25 cross-border projects in the field of anti-discrimination were selected in January this year. For more information on these projects please see pages 4-16.

In addition, the Commission is currently in the process of evaluating applications for funding for European umbrella NGOs networks across the five grounds of discrimination. The Commission has been funding a selection of networks since the Action Programme began in 2001, with the aim of supporting groups which can advocate on a European, as well as on a national level. Financial support for NGO networks in the new Member States will have a particularly significant impact this year as it will provide financial and practical support for them to form new alliances and to deepen their understanding of the diverse forms and effects of discrimination in their respective countries.

**The only way the anti-discrimination Directives can truly be effective, is when those affected by them are aware of the underlying concepts and what the legislation means to their daily lives.**

### ***Strand 3: Awareness raising***

For 2004, particular attention has been paid to raising awareness of the impact of the new anti-discrimination legislation on the 10 Accession countries to the EU and the candidate countries. The information cam-

paing "For Diversity: Against Discrimination" will be extended into the new Member States. The key focus for this year's campaign will continue to be discrimination in employment. Also in 2004, a series of seminars targeted at national judiciaries will take place to allow judges and other legal practitioners to become acquainted with the new rules and to look at discrimination issues more generally.

Activities under this strand include two awareness-raising conferences under the Irish and the Dutch Presidencies of the EU in May and November respectively, as well as the European Day of Disabled People in December. In addition, Member States and acces-

sion countries will be able to apply for funding for an amount of up to €100,000 to organise activities which aim to bring a European dimension to national or regional awareness raising events on anti-discrimination legislation and policy. This could be a national day on diversity issues, for example, or a seminar or other awareness-raising event on the two Directives and their transposition into national law. ♥

A full text of the 2004 Work Programme can be downloaded from the internet at [http://www.europa.eu.int/comm/employment\\_social/fundamental\\_rights/prog/index\\_en.htm](http://www.europa.eu.int/comm/employment_social/fundamental_rights/prog/index_en.htm)

## Transnational actions open Call 2003

The Commission welcomes a 22% increased interest in non-discrimination activities since 2001

**The unprecedented level of proposals submitted under this Call reflects a growing interest in non-discrimination activities – both across the geographic as well as substantive spectrum.**

On 16 January 2004, the Commission met to finalise their recommendations for the open Call for proposals VP/2003/006<sup>(1)</sup> to the Programme Committee as to which projects should be selected for financing under EC Budget line B5-803 in 2004. This Call for proposals under the Community Action Programme to combat discrimination was designed to support transnational actions that aim to enhance the effective implementation of the two Article 13 Directives into national law, in addition to complementary policy measures. Having received 151 applications by 28 November 2003 for a total amount of €5,785,650.13 compared to the €1 million available for funding, it was going to be a tough decision.

A surprisingly high 22% rise in the number of applications compared to the previous Call in 2001, has been primarily attributed to the fact that increasing numbers of organisations are becoming aware of the Article 13 Directives. For the first time organisations working in the field of human rights applied under this budget line; thus demonstrating the new interest in EU human rights-related activities and a general acceptance across European civil society of the strong human rights elements of the two Directives.

The open Call was primarily targeted at the public sector, academic institutions and not-for-profit organisations working in the field of anti-discrimination, based across the EU-15. In particular, in line with the 2004 Work Programme of the Community Action Programme to combat discrimination, eight priority areas were selected which broadly fall under two key areas; namely the "Non-Discrimination Law Programme" and the "Policy Programme". These were:

1. Training of legal practitioners;
2. Training of NGO representatives;
3. Informal networking amongst equality bodies;
4. Informal networking amongst research institutes;
5. Developing the case for collecting data;
6. Developing monitoring tools;
7. Developing closer cooperation between public authorities and civil society; and
8. Promoting Roma integration into education and employment.



The decision to impose such specific and prescriptive priority areas for funding was the culmination of an internal evaluation process carried out within the Commission after the 2001 Call for proposals. Having consulted informally with successful as well as unsuccessful applicants under the 2001 Call, it was clear to the Commission that management and delivery mechanisms could and should be substantially improved for the future.

One of the outcomes was therefore to ensure that priority areas would be more specific. Another key outcome was to retain the two-step funding mechanism for the preparatory and implementation phases but with a slight shift in principles. Under this Call, projects selected for funding in the preparatory phase are automatically selected for the subsequent implementation phase, barring any exceptional circumstances.

Partly as a result of these innovations, competition was stiff, with applications from all of the EU-15 apart from Luxembourg. The majority of successful applicants have at least one partner in a new Member State, reflecting the Programme's commitment to widening participation to all countries of the EU-25.

Bearing in mind the funding limitations and the outcomes of the internal evaluation processes, strict selection criteria were imposed during the two-tier decision making process as set out in the Call guidelines. The challenge for the Commission was to select projects that not only displayed a concrete understanding of anti-discrimination legislation and policies but also, more significantly, that would add value to the work, goals and objectives of the Community Action Programme. To invest in a project for three years, the Commission needed to be unequivocally convinced of the merits of each application.

The proposals which qualified for final discussion on 16 January were able to prove that the lead partner:

- Is registered in one of the EU-15,
- Has its own administrative and financial structure,
- Does not have any general objectives in conflict with the goals and objectives of the Community Action Programme,
- Does not have any policies that could cause an unsuitable image to be reflected on the Action Programme.

Crucially, they were all able to demonstrate:

- That their proposed work programme falls within one of the activities listed in the Call guidelines,
- And that they had the adequate technical and management capacity to complete the action to be supported.

Now that they have been selected for the preparatory phase, each of the 25 successful applicants must develop and submit a full proposal of request for Community Subsidy by 15 September 2004. The Commission and Programme Committee expects to give formal approval for the implementation stage by the end of October 2004 and for the implementation stage to begin by the 1 December 2004 for a period of two years.

### The non-discrimination law programme

**Of the final 25 preparatory projects recommended for selection by the Evaluation Committee, 17 fall within the 'non-discrimination law programme'. The four activity lines defined in this area are designed to ensure that the new laws become practical tools for achieving social change across the EU.**

#### Activity 1<sup>(2)</sup>:

##### Training of legal practitioners

Successful implementation and interpretation of the law depends upon the availability of informed and trained professionals to represent individuals exposed to discrimination. Under Activity 1, five preparatory projects have been selected each dealing with specific aspects of training, information collection and dissemination, and cooperation, that can help build a network of legal practitioners effective in the field of non-discrimination.

**Emergences** in France leads a consortium comprising, during this preparatory phase, partners from Belgium, Italy and Romania. Their focus will be to work with shop stewards and other workers' representatives at enterprise level, labour law specialists of trade unions and lay judges representing workers or trade unions in the labour courts to ensure they have the analytical tools to fight discrimination in the workplace, or in access to housing for people exposed to all the different grounds of discrimination.

(1) Open Call for proposals for preparatory work to establish transnational actions for the development of policy and/or legal responses to the fight against discrimination on the grounds of racial or ethnic origin, religion or belief, disability, age and sexual orientation.

(2) Contact details for all successful transnational projects can be found on pages 14-16.

The **European Training and Research Centre for Human Rights and Democracy** based in Graz, Austria, together with partners in Ireland, Slovakia, Hungary and Slovenia, aims to develop and implement a pre-service and in-service training programme for judges and public prosecutors, based on human rights education. The preparatory phase will involve the identification of partners and representatives of vulnerable groups, research and evaluation of existing training, an assessment of legal judgements in the partner countries, and public relations.

A consortium of organisations from Germany, Slovenia, the Netherlands and Austria plan to focus on training and information dissemination to ensure adequate implementation of non-discrimination laws in Slovenia. Lead by the **Europa-Universitaet Viadrina Frankfurt (Oder)** in Brandenburg, Germany, the project will include training of legal practitioners and public administrators, preparation of information brochures, the creation of national and/or European networks, and legal help to representatives of those exposed to discrimination.

Application of non-discrimination laws in the new EU Member States will be the focus of a project led by **INTERIGHTS**, the International Centre for the Legal Protection of Human Rights. The project aims to develop and implement training for trainers of lawyers working in the field of discrimination, particularly in employment law, non-discrimination law and litigation on the domestic and international level. This training for instructors will be targeting lawyers from Bar associations and trade unions from Poland, Slovakia, the Czech Republic and Bulgaria. The preparation phase will be used to meet with existing partners, to identify new partners and to prepare the curriculum.

Finally, the **Faculty of Law at the University of Maastricht** proposes two complementary activities with a view to improving knowledge and professional skills in litigation at a European level. Firstly, they plan to organise two 2-week summer schools in 2005 and 2006 on European non-discrimination law on disability and on race, ethnic origin and religious discrimination. Secondly, they plan to develop a European non-discrimination law casebook with an associated Internet site, which will provide a comprehensive knowledge base for use during the Summer School programmes and which will also be published separately. The preparatory phase involves partners from Belgium and Ireland.

## Activity 2:

### Training of European or national advocates defending and representing the rights of people exposed to discrimination

It is more often than not the victim of discrimination or their representative who initiates legal proceedings. Empowering and training this target group is therefore one of the most effective routes to ensuring practical use of new legislative measures. Activists or advocates need to interpret and apply the concepts and obligations defined by both EU Directives and the transposed national legislation, to ensure a proper representation and defence of the rights of people exposed to discrimination.

This activity area is therefore aimed at ensuring that the non-governmental organisations (NGOs) representing the interests of different groups subject to discrimination have the knowledge, expertise and skills at hand to protect and defend their constituents' rights. Half of the eight selected projects focus on racial discrimination, asserting the rights of different minority groups. Three projects focus on people with disabilities and their local representatives. The remaining project will focus on discrimination in employment, particularly according to age or sexual orientation.

**The Northern Ireland Council for Ethnic Minorities** will lead a consortium that aims to empower NGOs across the EU-25 in their efforts to bring cases of discrimination to court. The implementation phase will involve a series of training seminars targeting NGOs that support victims of discrimination based on ethnic and religious grounds. The preparatory phase will define the partnerships, the training methodology, the material and the experts.

Another EU-wide project will be led by the **Minority Rights Group** in the UK, together with the European Roma Rights Centre in Hungary and the Swedish ombudsman against ethnic discrimination (partners in the preparatory phase). They will focus on strengthening the capacity of NGO activists, advocates and lawyers to combat discrimination experienced by minority communities on the grounds of racial or ethnic origin, religion or belief. On the one hand they plan to organise training for European or national advocates defending and representing the rights of those exposed to discrimination, on legislative instruments and litigation and advocacy strategies. On the other, they plan a series of activities at the local or national level that



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strengthen the capacity of rights-holders to participate in the process of ensuring equality.

A team of partners from the UK, Ireland, Romania and Bulgaria will train Roma NGOs and activists to use anti-discrimination legislation, and to raise awareness among the Roma/Traveller communities about the duties of government and other bodies to combat discrimination and their right to seek redress for infringements. Lead by **European Dialogue** in the UK, the partners will exchange information about their countries' anti-discrimination legislation and its relationship with the EU Directives on race and equality in the workplace. In the implementation phase, the project will extend to other countries in Central and Eastern Europe including Slovakia and possibly the Czech Republic.

The **Irish Traveller Movement** represents more than 80 local traveller organisations across Ireland. Within this project, they aim to develop and implement a community advocacy initiative, building awareness and understanding of the provisions of the European Directives and national implementing legislation at a grassroots level. Two partners have so far been identified from Hungary and Italy, but other partnerships are expected to develop during the preparatory phase.

A project led by the **National Confederation of Disabled People** in Greece, in close collaboration with the University of Maastricht, aims to bring together experts in disability rights and disability advocates from across the EU-25 to develop training material and programmes with regard to non-discrimination and disability rights. The training will enable participants to gain a sound knowledge on the use of rights-based legislation in the disability field deriving from the EU legislation. For example the Directive on equal treatment in the workplace, Member States' constitutions and domestic laws, and the draft UN Convention on the protection and promotion of the rights and dignity of persons with disabilities. Partners are expected to include national disability councils from existing and

future Member States, the European Disability Forum, independent bodies and disability ombudsmen.

Disability NGOs in the new Member States and candidate countries will be the main target group of a project lead by **Middlesex University** in the UK. Legal trainers from the UK and other European countries will develop and implement a training programme on legal strategies for defending and representing the rights of disabled people exposed to employment discrimination, using EU Directive 2000/78/EC as the training framework.

People with intellectual disabilities are one of the largest disability groups; they are also the group most likely to be excluded from employment or to suffer other forms of discrimination. **Inclusion Europe** will lead a project aimed at ensuring this target group has access to the necessary legal representation and support to assert their rights. Working together with local and national disability organisations in Portugal, Lithuania, and the Belgium Belgian Centre for Equal Opportunities, Inclusion Europe will develop a training approach for national advocates, based on a legal analysis of how each country is applying the European Directive on equality in the workplace.

**Landsforeningen LEV** in Denmark also works to promote equal treatment of people with intellectual disabilities and their families. They will lead a project entitled 'Working it out', which also aims to make the new European Directive on equality in the workplace and other legal instruments accessible to this target group. Besides developing accessible information materials and training modules, the project will establish a small legal task force in each partner country to identify, support and document a series of test cases that fall within the operational remit of the Directive and involve people with intellectual disabilities. They have so far identified partners in the UK and Ireland.

The **Swedish Federation for Lesbian, Gay, Bisexual and Transgender Rights** will lead a consortium of organisations representing groups facing discrimination on grounds of age, disability or sexual orientation. The implementation phase will involve production of a toolkit dealing with the Directive on equality in the workplace and related national legislation. With this toolkit, advocates will be better equipped to represent the interests of groups exposed to discrimination. The project also aims to disseminate information to the general public to raise awareness about discrimination and means of seeking redress.

## *run for diversity*

### Marathons – Diversity events by nature

Marathons are “diverse festivals” - the bigger marathons are all international events attracting people of different ages, ethnic backgrounds and lifestyles. To experience a marathon is to experience diversity.

In 2004 the “For Diversity. Against Discrimination.” campaign will participate in several city marathons across Europe. The “Run for Diversity” teams will consist of a large number of runners per country wearing a runners shirt in the campaign’s design.

<b>April</b>	<b>4</b>	Paris
	<b>25</b>	Madrid
<b>May</b>	<b>23</b>	Prague
<b>June</b>	<b>5</b>	Stockholm
<b>July</b>	<b>4</b>	Luxembourg
<b>September</b>	<b>19</b>	Brussels
	<b>26</b>	Newcastle
	<b>26</b>	Berlin

For more information on how to participate, visit: [www.stop-discrimination.info](http://www.stop-discrimination.info)

### Forthcoming publications

- European Report on Equality
- Comparative study on the collection of data to measure the extent and impact of discrimination in a selection of countries
- Study on the situation of the Roma
- Study on the critical review of academic literature relating to the EU directives to combat discrimination
- EU study on the use of equality and diversity considerations in public procurement

Scheduled to be published in July and August 2004.  
For more information visit  
[http://www.europa.eu.int/comm/employment\\_social/fundamental\\_rights/publi/pubs\\_en.htm](http://www.europa.eu.int/comm/employment_social/fundamental_rights/publi/pubs_en.htm)



Run for diversity and join Europe's greatest Marathon.

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### Journalist Awards 2004

Journalist  
Award 2004

On 23 March 2004, the inaugural European anti-discrimination Journalism Award was launched within the framework of the 5-year Community information and sensitisation campaign “For Diversity. Against Discrimination”. All online and print journalists across the EU-25 are invited to participate in this competition, the aim of which is to highlight journalistic excellence on the issues of discrimination in employment and the benefits gained by diversity policies in the European Union.

<b>March</b>	<b>23</b>	Launch of the Journalist Awards 2004
<b>September</b>	<b>30</b>	Deadline for publication of articles in national media of participants
<b>October</b>	<b>4</b>	Deadline for submission of contributions to awards

For more information on how to enter the competition visit [www.stop-discrimination.info](http://www.stop-discrimination.info)

### On the road against discrimination



From Summer 2004, the “For Diversity. Against Discrimination” truck will be on tour through the EU to provide information on anti-discrimination policy. The truck will stop in several new and existing EU Member States and will be the platform for panel discussions, information seminars and other events.

For more information routes and timings visit [www.stop-discrimination.info](http://www.stop-discrimination.info)





<b>May</b>	<b>27-28</b>	Launch of the green paper consultation process on discrimination and equal treatment Irish Presidency Conference, Implementing Equality – Planned and Systematic Approaches to Policy Development, Limerick
<b>June</b>		European Parliament elections
<b>July</b>	<b>5-6</b>	Equal Rights in an enlarged Union, Annual Conference of the Community Action Programme to combat discrimination, Prague, Czech Republic
<b>September</b>	<b>13-15</b>	Dutch Presidency Conference on Disability Management and Equal Opportunities, Maastricht
	<b>30-1 Oct</b>	European meeting for National Working Group members of the information campaign, Riga
<b>November</b>	<b>22-23</b>	Dutch Presidency Conference on anti-discrimination, Scheveningen
<b>December</b>	<b>3</b>	European Day of Disabled People
	<b>9-10</b>	Conference on Data Collection to promote Equality, Helsinki

## Equal rights in an enlarged Union

A conference organised by the European Commission for participants in the Community Action Programme to combat discrimination

This year's annual conference on the Community Action Programme to combat discrimination takes place in Prague, Czech Republic 5-6 July 2004. The 1½ day meeting will provide an opportunity for Programme participants and other key actors across Europe to take stock of the important changes that have already taken place in implementing the two Article 13 Directives across the enlarged European Union.

It will also look to the future in terms of what more can be achieved in the final two years of the Action Programme from legal, policy and best practice perspectives. Consisting of plenary sittings and three parallel thematic seminars, the conference will allow the key public body actors as well as those from civil society around the EU-25 to share their knowledge and experiences with new Programme participants

and more particularly with delegates from the new Member States.

The programme will include presentations on the current state of play at national level concerning the implementation of new rules. This will be followed by parallel workshops, giving actors involved in the various projects supported under the Action Programme, the opportunity to share their experiences and visions for the future. An exhibition area will be available throughout to display material on projects and the For Diversity. Against Discrimination information campaign. ➤

For further information or request for participation, please contact the conference secretariat at:  
**[Conference-registration@nondiscrimination-eu.info](mailto:Conference-registration@nondiscrimination-eu.info)**

# Future development of EU anti-discrimination policy

## Have your say!



Participating is as easy as a click of your mouse button.

A major public consultation will take place during 2004 concerning the future development of EU policy on non-discrimination and equal treatment. The European Commission plans to seek reactions from stakeholders to a Green Paper that is scheduled to be published in April.

It is now five years since the EU acquired new powers to combat discrimination on grounds of racial or ethnic origin, religion or belief, age, disability and sexual orientation. These provided the basis for the adoption of two pieces of legislation – the Racial Equality and Employment Equality Directives – and the Community Action Programme to combat discrimination.

The Commission feels that this is an appropriate moment to take stock of progress to date. It will review steps already taken by the EU-25 to implement the two Directives, which entered into force during 2003, into domestic law. It will also look at the contribution that has been made by the Community Action Programme to combat discrimination since its launch in 2001.

The Green Paper will consider what more needs to be done to ensure effective implementation of the EU's legal and policy framework for non-discrimination and equal treatment. It will also address new challenges, including those linked to the enlargement of the EU.

The Commission hopes to receive reactions to the Green Paper from the wide range of stakeholders that have played an active role in the development of EU policies in this area. These include: national, regional and local authorities; parliamentarians; employers; trade unions; non-governmental organisations; specialised bodies responsible for the promotion of equality in the Member States; experts and academics.

Given the importance of anti-discrimination and equal treatment policies for everyone living in the EU, the Commission would welcome reactions to the Green Paper from members of the public. Views from groups and organisations in the new Member States would also be particularly helpful, given the need to take on board issues of concern to the acceding countries.

Responses to the Green Paper will be collected principally using an on-line questionnaire. The public consultation period is expected to run from May to July 2004.

The results of the consultation exercise will help to define the EU's forward-looking agenda for non-discrimination and equal treatment. They will be discussed in November 2004 at a conference to be organised by the national authorities of the Netherlands in the context of their Presidency of the Council of Ministers. The Commission will also take account of the outcome of this public consultation in reports that it is required to submit to the European Parliament and the Council during 2005 and 2006 on the implementation of the anti-discrimination Directives and Action Programme. ▼

### Activity 3:

#### Networking among specialised equality bodies

One of the provisions of the Race Directive is the establishment of race equality bodies that have a key role in interpreting and enforcing non-discrimination rules into the national context. Activity area 3 of the last call for preparatory projects supports networking among specialised equality bodies with a view to ensuring a consistent and common interpretation and application of EC law.

Two projects have been selected under this activity area. The **Equal Treatment Commission** in the Netherlands and seven other partners from six different Member States, have developed a network of specialised bodies to exchange experience, information and best practices that support the proactive implementation of the EC non-discrimination laws. Based on the experience of this network, the next 2-year project will focus on strengthening the present cooperation based on the national implementation of the EC's Race and Employment Directives. The partners foresee a broader geographical scope for the implementation phase and will explore the possibilities of including equality bodies from new and candidate Member States.

**IMSERO** – the National Institute for Migration and Social Services - is the branch of the Ministry of Employment and Social Affairs charged with creating the specialised body against racial or ethnic discrimination within Spain. In this preparatory phase they will team up with the relevant governmental departments in Poland and Bulgaria (and possibly Portugal and Romania), which are also in the process of setting up an official anti-discrimination body. Another aspect to the project is to study and promote relations between official bodies and civil society organisations. The models of Finland, Ireland and Belgium will be explored in this regard. The networking project, entitled EUREQUALITY, is expected to collaborate closely with the initiative coordinated by the Dutch Equal Treatment Commission.

### Activity 4:

#### Networking among law societies or research institutes

Another measure that supports the common interpretation and application of EU legislation is support for partnerships between law societies and research institutes. In this area, one project has been selected bringing together a consortium of NGOs and university research centres. Led by **Unity and Cooperation for Development of People**, an Italian NGO, the project aims to promote the teaching of non-discrimination law in universities and stronger links between academics and practitioners protecting the rights of victims of discrimination. The preparatory phase involves partners in the UK where a university course on non-discrimination law is already taught. The implementation phase will comprise other countries including Greece and new Member States, where no university courses exist in non-discrimination.

### The non-discrimination policy programme

In addition to activities that raise awareness, understanding and use of legislative tools, the Community Action Programme also supports activities that focus more on the policy level. Legislative change must be accompanied by appropriate policy instruments. They in their turn rely on decision-makers having access to accurate information about the current situation, good monitoring and assessment tools, and an awareness and understanding of how innovative approaches can be applied to mainstream policies.

Eight of the 25 selected projects fall within the non-discrimination policy programme, focusing on four key activity areas.

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**The strongest policy voice comes from those who are affected.**

### Activity 5:

#### Developing the case for collecting data on discrimination at European and national level

The amount of up-to-date and reliable data on the extent and nature of discrimination across Europe is very limited. This makes it difficult to generate an accurate picture of the existence of discrimination within the Member States that could provide important added value to the policy debate.

Just one project has been selected within this activity area. It aims to build a comparative framework for assessing 'subjective' and 'objective' incidents of discrimination among different target groups. Lead by the **Centre for Combating Ethnic Discrimination** from Norway, the preparatory phase will examine how to develop common measures (to be used in representative surveys) to register subjective discrimination, and will use available statistical information on living conditions to analyse objective discrimination for the same groups. It will discuss how the suggested project design can be adapted in the Danish setting. Towards the end of the preparatory phase, contact will be initiated with possible partners in other countries.

### Activity 6:

#### Developing monitoring and assessment tools

Tools that record incidents of discrimination are vital to register violations of the law, to raise awareness and to support effective policy-making. In this key area, two projects were selected for the preparatory phase.

The first brings together partners from the Netherlands, Poland and Germany, lead by **Deutscher Caritasverband**. It aims to measure the extent of discrimination against different target groups concerning access to goods and services. At its most basic this means access to housing provision, transport facilities and other everyday services. But they will also explore access to leisure services and cultural facilities such as theatres or discos. The first stage is to identify where discriminatory practice is in play; the second stage will be to develop guidelines and manuals of best practice directed at advisory boards and employers.



Developing the case for collecting data on discrimination at European and national levels.

The second project specifically targets discriminatory practices in the field of healthcare provision. An assessment and monitoring tool will be built that helps to measure discriminatory practices and that gives a better understanding of perceptions and attitudes. The preparatory phase will explore the application of this tool to situations in Greece, Italy and Finland, and will facilitate the exchange of best practice and experiences between Northern and Southern Europe. The project is lead by the **Institute of Urban Environment and Human Resources at Panteion University** in Greece.

### Activity 7:

#### Developing close cooperation between public authorities at all levels and civil society with a view to mainstreaming equality into all policies

Better governance implies greater openness, transparency and participation of all members of society in the policy-making process. The project selected in this area is lead by the **Provincial State Office of Southern Finland**, and brings together a preliminary partnership comprising public sector organisations and NGOs from Finland, Spain, Greece, Hungary and Lithuania. Each of the countries will explore existing strategies for mainstreaming equality and non-discrimination in government policies in the fields of social welfare, health, education and employment. The mapping exercise together with national and Europe-wide consultations will form the basis for the work programme of the project's implementation phase.



## Activity 8:

### Promoting Roma integration in education and in employment

The entry of 10 new Member States into the European Union in May 2004 will bring the total Roma population living in the EU-25 to at least 8 million, making them one of our largest ethnic minorities. The situation of the Roma is well documented and reveals that social prejudice and negative stereotypes persist in much of Europe.

This line of action has been set up to support projects that effectively address the systematic discrimination faced by the Roma community. Four projects have been selected with a view to building a partnership and work plan that effectively tackle this complex challenge.

The **International Helsinki Federation for Human Rights** (IHF) based in Vienna will lead a project bringing together expertise and best practice related to Roma rights and access to employment and education. Their goal is to encourage policies that address discrimination against the Roma, by working with policy-makers and empowering the Roma community to participate in the decision-making process. So far their partnership involves two other organisations representing Roma rights based in Belgium and Hungary respectively.

Creating the right conditions for Roma people to participate in education, vocational training and

eventually the job market will be under scrutiny in a project proposed by the **Berlin Institute for Comparative Social Research**, in collaboration with an Italian partner. They aim to facilitate exchanges between, on the one hand, experts and representatives in Roma issues and, on the other, education and labour authorities and experts in vocational training.

For many Roma children, access to quality education is still an illusion. At best they may have access to segregated classes or schools; at worst they do not attend school at all. Perpetuating policies of segregation or discrimination in the educational system can only exacerbate existing prejudices and stereotypes. The **European Trade Union Committee for Education** will lead a consortium that aims to address this issue, by mobilising teachers, unions, parents associations and local authorities, particularly in countries with a large Roma minority. Potential partners have so far been identified in Bulgaria, Slovakia, Hungary and the Netherlands.

Finally, a team comprising organisations from Spain, Portugal, the UK, Hungary, Czech Republic and Romania plan to develop a project that focuses on the education and employment integration of Roma and the traveller community. Lead by the **Fundación Secretariado General Gitano** in Spain, the emphasis will be on capacity building and empowerment of the Roma community itself. This will help to bridge the gap between legislation and institutional practices, and help foster the exchange and implementation of best practice. ♥



Roma job seekers getting advice on employment and training opportunities.

The following organisations have been selected as a result of the last call for proposals for transnational actions. Readers are invited to contact the coordinator for information or concerning possible partnerships.

## Activity 1

### Emergences

Le Méliès, 261 rue de Paris -  
93556 Montreuil Cedex, France  
Tel: +33 1 55 82 17 60, Fax: +33 1 55 82 17 65  
E-mail: [keo@emergences.fr](mailto:keo@emergences.fr)  
Contact name: Pierre Coutaz  
Website: [www.emergences.fr](http://www.emergences.fr)

### European Training and Research Centre for Human Rights and Democracy

Schubertstraße 29, 8010 Graz, Austria  
Tel: +43 316 322 888, Fax: +43 316 322 888 4  
E-mail: [office@etc-graz.at](mailto:office@etc-graz.at)  
Contact name: Prof Renate Kicker  
Website: [www.etc-graz.at](http://www.etc-graz.at)

### Europa-Universität Viadrina Frankfurt (Oder)

Grosse Scharnstrasse 59, Lehrstuhl Prof. Rowe, 15230 Germany  
Tel: +49 335 55 34 4240, Fax: +49 335 55 34 4791  
E-mail: [schnelle@euv-frankfurt-o.de](mailto:schnelle@euv-frankfurt-o.de)  
Contact name: Prof Gerard Rowe  
Website: [www.euv-frankfurt-o.de](http://www.euv-frankfurt-o.de)

### INTERIGHTS

The International Centre for the Legal Protection of Human Rights  
Lancaster House, 33 Islington High Street, N1 9LH  
London, United Kingdom  
Tel: +44 20 7278 3230, Fax: +44 20 7278 4334  
E-mail: [info@interights.org](mailto:info@interights.org)  
Contact name: Vesselina Vandova  
Website: [www.interights.org](http://www.interights.org)

### University of Maastricht, Faculty of Law

PO Box 616, 6200 MD Maastricht, Netherlands  
Tel: +31 43 3883060, Fax: +31 43 3259091  
E-mail: [lisa.waddington@facburfdr.unimaas.nl](mailto:lisa.waddington@facburfdr.unimaas.nl)  
Contact name: Dr Lisa Waddington  
Website: [www.fdr.unimaas.nl/metro](http://www.fdr.unimaas.nl/metro)

## Activity 2

### Northern Ireland Council for Ethnic Minorities

Ascot House, 3/F, 24-31 Shaftesbury Square,  
BT2 7DB Belfast, United Kingdom  
Tel: +44 28 9023 8645, Fax: +44 25 9031 9485  
E-mail: [patrickyu@nicem.org.uk](mailto:patrickyu@nicem.org.uk)  
Contact name: Patrick Yu  
Website: [www.nicem.org.uk](http://www.nicem.org.uk)

### Minority Rights Group International

54 Commercial Street, London E1 6LT, United Kingdom  
Tel: +44 20 7422 4200, Fax: +44 20 7422 4201  
E-mail: [chris.chapman@mrgmail.org](mailto:chris.chapman@mrgmail.org)  
Contact name: Chris Chapman  
Website: [www.minorityrights.org](http://www.minorityrights.org)

### European Dialogue

175 Goswell Road, London EC1V 7HJ, United Kingdom  
Tel: +44 20 7253 3337/ 7253 7593,  
Fax: +44 20 7253 5790  
E-mail: [jeanette@europeandialogue.org](mailto:jeanette@europeandialogue.org)  
Contact name: Jeanette Buirski  
Website: [www.rraje.org](http://www.rraje.org)

### Irish Traveller Movement

4/5 Eustace Street, Dublin 2, Ireland  
Tel: +353 1 6796577, Fax: +353 1 6796578  
E-mail: [itmtrav@indigo.ie](mailto:itmtrav@indigo.ie)  
Contact name: David Joyce  
Website: [www.itmtrav.com](http://www.itmtrav.com)

**Activity 2** (cont.)**National Confederation of Disabled People of Greece**

1st Myllerou str, 104 36 Athens, Greece  
 Tel: +30 210 5238961, Fax: +30 210 5238967  
 E-mail: [esaea@otenet.gr](mailto:esaea@otenet.gr) / [policyofficer@esaea.gr](mailto:policyofficer@esaea.gr)  
 Contact name: Anthy Chatzipetrou  
 Website: [www.esaea.gr](http://www.esaea.gr)

**Middlesex University**

The Burroughs, Hendon, NW4 4BT London, United Kingdom  
 Tel: +44 20 8411 6119, Fax: +44 20 8411 6825  
 E-mail: [m.kender@mdx.ac.uk](mailto:m.kender@mdx.ac.uk)  
 Contact name: Martin Kender, Project manager  
 Website: [www.mdx.ac.uk](http://www.mdx.ac.uk)

**Inclusion Europe - The European Association of Societies of Persons with Intellectual Disability and their Families**

Galleries de la Toison d'Or, 29,  
 Chaussee d'Ixelles 393/32, 1050 Brussels, Belgium  
 Tel : +32 2 502 28 15, Fax: +32 2 502 80 10  
 E-mail: [secretariat@inclusion-europe.org](mailto:secretariat@inclusion-europe.org)  
 Contact name: Geert Freyoff  
 Website: [www.inclusion-europe.org](http://www.inclusion-europe.org)

**Landsforeningen LEV**

Kløverprisvej 10 B, 2650 Hvidovre, Denmark  
 Tel: +45 36 35 96 96, Fax: +45 36 35 96 97  
 E-mail: [lev@lev.dk](mailto:lev@lev.dk)  
 Contact name: Dan Schimmell  
 Website: [www.lev.dk](http://www.lev.dk)

**The Swedish Federation for Lesbian, Gay, Bisexual and Transgender Rights (RFSL)**

Box 350, 101 26 Stockholm, Sweden  
 Tel: +46 8 457 13 00, Fax: +46 8 30 47 30  
 E-mail: [anette.sjodin@rfsi.se](mailto:anette.sjodin@rfsi.se)  
 Contact name: Anette Sjödin  
 Website: [www.rfsi.se](http://www.rfsi.se)

**Activities 3 and 4****Commissie Gelijke Behandeling (Equal Treatment Commission)**

P.O.Box 16001, 3500 DA Utrecht, Netherlands  
 Tel: +31 30 888 3 888, Fax: +31 30 888 3 883  
 E-mail: [info@cgb.nl](mailto:info@cgb.nl)  
 Contact name: Marcel Zwamborn  
 Website: [www.migpolgroup.com](http://www.migpolgroup.com)

**Unity and Cooperation for Development of People**

Via Madonna Del Prato 42, 52100 Arezzo, Italy  
 Tel: +39 0575 401780, Fax: +39 0575 401772  
 E-mail: [immigrazione@ucodep.org](mailto:immigrazione@ucodep.org)  
 Contact name: Chiara Favilli  
 Website: [www.ucodep.org](http://www.ucodep.org)

**Ministry of Labour and Social Affairs-IMSERSO**

Avda de la Ilustración, s/n , con vuelta a c/Ginzo de Limia, 58, 28029 Madrid, Spain  
 Tel: +34 91 363 86 45, Fax: +34 91 363 87 33  
 E-mail: [sg.planificacion@mtas.es](mailto:sg.planificacion@mtas.es),  
[rkpologua@mtas.es](mailto:rkpologua@mtas.es)  
 Contact name: Javier Bernaldez Fernandez  
 Website: [www.mtas.es](http://www.mtas.es),  
[www.seg-social.es/imserso](http://www.seg-social.es/imserso)  
[www.imsersomigracion.upco.es](http://www.imsersomigracion.upco.es)

## Activities 5, 6 and 7

### Centre for Combating Ethnic Discrimination

P.O. Box 677 Sentrum, Oslo 0106, Norway  
Tel: +47 22 24 69 70, Fax: +47 22 24 69 72  
E-mail: [guro@smed.no](mailto:guro@smed.no)  
Contact name: Guro Fjellanger  
Website: [www.smed.no](http://www.smed.no)

### Deutscher Caritasverband

Karlstrasse 40, Freiburg i. Br. 79104, Germany  
Tel: +49 761 200 331, Fax: +49 761 200 211  
E-mail: [Elisa.Rossi@caritas.de](mailto:Elisa.Rossi@caritas.de)  
Contact name: Elisa Rossi  
Website: [www.caritas.de](http://www.caritas.de)

### Research University, Institute of Urban Environment and Human Resources, Panteion University

14 Aristotelous Str., Kallithea 17671, Greece  
Tel: +30 210 9247450, Fax: +30 210 9248781  
E-mail: [pget@panteion.gr](mailto:pget@panteion.gr)  
Contact name: Prof Getimis Panagiotis  
Website: [www.uehr.panteion.gr](http://www.uehr.panteion.gr)

### Provincial State Office of Southern Finland

Ratapihantie 9, P.O.B. 110, Helsinki 00521, Finland  
Tel: +358 20 516 3179, Mobile: +358 40 528 1590  
Fax: +358 20 516 3198,  
E-mail: [antero.heloma@eslh.intermin.fi](mailto:antero.heloma@eslh.intermin.fi)  
Contact name: Dr Antero Heloma  
Website: [www.intermin.fi/eslh](http://www.intermin.fi/eslh)

## Activity 8

### International Helsinki Federation for Human Rights

Wickenburggasse 14/7, A-1080, Vienna, Austria  
Tel: +43-1-408 88 22, Fax: +43-1-408 88 22 50  
E-mail: [office@ihf-hr.org](mailto:office@ihf-hr.org)  
Contact name: Dr Aaron Rhodes  
Website: [www.ihf-hr.org](http://www.ihf-hr.org)

### European Trade Union Committee for Education

Boulevard du Roi Albert II, 5, 9ème étage,  
1210 Bruxelles, Belgium  
Tel: +32 2 224 06 91/92, Fax: + 32 2 224 0694  
E-mail: [secretariat@csee-etuce.org](mailto:secretariat@csee-etuce.org)  
Contact name: Romer Martin

### Berlin Institute for Comparative Social Research

Schliemannstr. 23, 10437 Berlin, Germany  
Tel: +49 30 44 65 10 65, Fax: + 49 30 444 10 85  
E-mail: [Info@emz-berlin.de](mailto:Info@emz-berlin.de)  
Contact name: Dr Jochen Blaschke  
Website: [www.emz-berlin.de](http://www.emz-berlin.de)

### Fundación Secretariado General Gitano

Antolina Merino, 10, Madrid 28025, Spain  
Tel: +34 91 422 09 60, Fax : +34 91 422 09 61  
E-mail: [gitanos@fsgg.org](mailto:gitanos@fsgg.org)  
Contact name: José Manuel Fresno García  
Website: [www.fsgg.org](http://www.fsgg.org)

The European Community Action Programme to combat discrimination (2001-2006) was established by the European Commission's Directorate General for Employment and Social Affairs as a pragmatic support to ensuring effective implementation of the two Directives on "Race" and "Equal treatment in the workplace" (2000) emanating from Article 13 of the Amsterdam Treaty. The six-year Programme primarily targets all stakeholders capable of exerting influence towards the development of appropriate and effective anti-discrimination legislation and policies, across the EU-25, EFTA and the EU candidate countries.

The Action Programme has three main objectives. These are:

1. To improve the understanding of issues related to discrimination
2. To develop the capacity to tackle discrimination effectively
3. To promote the values underlying the fight against discrimination

As such activities funded under the Programme analyse and evaluate, develop and raise awareness of measures that combat discrimination on the grounds of race or ethnic origin, religion or belief, disability, age and sexual orientation. Discrimination on the grounds of gender is dealt with under separate legislative instruments. For more information on Community policies, legislation and activities on gender discrimination, please contact the Directorate for Gender Equality within DG Employment and Social Affairs.

[http://www.europa.eu.int/comm/employment\\_social/equ\\_opp/](http://www.europa.eu.int/comm/employment_social/equ_opp/)

For more information on the Action Programme and discrimination on the grounds of race or ethnic origin, religion or belief, disability, age and sexual orientation visit the website at:

[http://www.europa.eu.int/comm/employment\\_social/fundamental\\_rights](http://www.europa.eu.int/comm/employment_social/fundamental_rights)

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### To contact the anti-discrimination Unit:

Barbara Nolan  
Head of Unit  
Unit D3  
200 rue de la Loi  
B-1040 Brussels  
Belgium  
Email: [empl-antidiscrimination@cec.eu.int](mailto:empl-antidiscrimination@cec.eu.int)

To provide feedback please  
e-mail the editorial team at:

[Editor@nondiscrimination-eu.info](mailto:Editor@nondiscrimination-eu.info)

To keep up to date on anti-discrimination issues, activities and publications, register online at:

[www.nondiscrimination-eu.info](http://www.nondiscrimination-eu.info)

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