Update
Recent activities of the European Commission in the area of non-discrimination

ERA Seminar
Trier, 11 June 2018

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Overview

1) EU Equality legislation
2) link with EU Pillar of Social Rights
3) importance of well-functioning equality bodies
4) other related Commission activities
5) support to/close cooperation with other actors
6) thematic focus
EU Equality Directives

4. Gender Equality Directive (Directive 2006/54/EC of 5 July 2006);

Equality Directives

-prohibit direct and indirect discrimination
-in area of employment: discrimination prohibited on grounds: sex; race; religion or belief; disability; age; and sexual orientation
- discrimination on basis of sex is prohibited in area of access to/supply of goods and services
- discrimination on the basis of race is prohibited in the areas of social protection and social advantages; education; access and supply to goods and services
Equality Law Implementation

- EU Charter of Fundamental Rights requires that fundamental rights and the right to non-discrimination, are respected when EU law is implemented
- Member States have to ensure compliance with their constitutional order and obligations under international law (Conventions) and use all available legal instruments to guarantee fundamental rights
- All Equality Directives (except the ‘Gender Equality in Self-Employment Directive’) provide for the reversal of the burden of proof

2008 Proposal for Equal Treatment Directive

aims to fill the gap of protection from discrimination in EU law

prohibits discrimination based on religion or belief, disability, age or sexual orientation in social protection (including social security and health care), education and access to goods and services available to the public.
Link with EU Pillar of Social Rights

20 key principles in 3 main categories
- Equal opportunities and access to labour market
- Fair working conditions
- Social protection and inclusion

2. Gender equality
3. Equal opportunities

Equality Bodies under EU Equality Law

- Set up by Member States under EU equality law
  - the Gender Equality Directives (2004/113/EC, 2006/54/EC and 2010/41/EU)

- Competences
  - to provide independent assistance to victims of discrimination
  - to conduct independent surveys
  - to publish independent reports and to make recommendations on any issue relating to such discrimination
Current challenges for Equality Bodies

- Unequal access to protection for citizens across Europe
- Issues of efficiency and independence
- Lack of financial, staff and technical resources
- Issues of coordination and cooperation
- Lack of appropriate focus on (and resources for) the equality mandate (if there is a multi-mandate institution)

The Commission Recommendation Rationale

- contribute to fill the gap between equality bodies
- provide practical assistance to equality bodies in realising their full potential and ensure that they can perform their functions independently and effectively
- provide practical assistance to improve equality bodies’ capacity to enforce EU Equality Directives
- strenghtening equality bodies in order to develop and advance EU Equality law
other related Commission activities

- High Level Group on Non-discrimination, Equality and Diversity
- network of experts
- training and awareness raising
- the EU Justice Scoreboard

5) support to and close cooperation with other actors

European Union Agency for Fundamental Rights (FRA)
- annual Handbook on European non-discrimination law
- Annual Fundamental Rights Report

European Institute for Gender Equality (EIGE)
- annual Gender Equality Index
Thematic: LGBTI

*List of Actions to Advance LGBTI Equality*

*2017: first report*

*2018: second report*

Thematic: ROMA INTEGRATION

*2011: launch of EU Framework for National Roma Integration Strategies (NRIS) up to 2020*

*All Member States: national Roma integration strategies + National Roma Contact points (NRCP)*

*Progress: necessary structures and instruments*

*Limited progress on the ground, but even more segregation in education*
Thematic: Tackling Violence Against Women

Accession to Istanbul Convention underway
19 EU Member States have so far ratified the Convention

Standard setting instrument on "Violence and harassment against women and men in the world of work" is on the agenda of International Labour Conference (ILC)

Thematic: WORK-LIFE BALANCE

package of proposals of 26 April 2017

Legislative measures (proposal for a Directive on work-life balance for parents and carers):

- **Introduction of paternity leave**: allowing fathers to take at least 10 working days of paternity leave, compensated at least at sick pay level.
- **Strengthening parental leave**: make 4-month period non-transferable between parents and compensated at least at sick pay level.
- **Introduction of carers’ leave**: granting workers caring for seriously ill or dependent relatives the right to 5 working days of leave per year, compensated at least at sick pay level.
- **Extension of the right to request flexible working arrangements**: for all working parents of children up to 12 and carers the right to request reduced or flexible working hours and flexibility at workplace.
Thematic: European Accessibility Act

December 2015 Proposal for European Accessibility Act

EAA is an Internal Market Directive: aims at harmonizing existing and potential national legislation on accessibility by setting out common accessibility requirements for certain products and services across the EU.

After Adoption, the accessibility requirements of the Directive will be further detailed in standards and technical specifications.

Thank you!

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