



Adopted resolution

Resolution to save a new anti-discrimination European directive

In 2004, following the crisis in the European institutions over the Buttiglione's case, Barroso made a strong commitment at the European Parliament, saying he would „initiate work in view of a framework-directive on the basis of Article 13 of the EC Treaty, which will replace the directives adopted in 2000 and enlarge them to all forms of discrimination. With a framework-directive, the community action will cover all areas of discrimination and also discrimination founded inter alia on gender and sexual orientation.”

This had been for years a strong demand from NGOs and actors fighting against discriminations, especially LGBT organizations, in order to ensure that all grounds of discrimination would be treated equally and to put an end to hierarchy of rights—as the four antidiscrimination directives (2000/43, 2000/78, 2002/73 and 2004/113) guarantee a comprehensive protection in fields other than employment only on grounds of « race » and gender but not on the other grounds (as age, disability, religion and belief as well as sexual orientation) which are only protected against discrimination in the field of employment and occupation.

A need for a Directive framework – directive for protection against discrimination on all grounds and all fields not only in employment but also in relation to social protection, including the right to social security and healthcare; social benefits; education; access to and supply of goods and services, including housing is still indeed needed.

For years now, a lot of social and political NGOs, are advocating for a single comprehensive anti-discrimination Directive, covering grounds of age, disability, religion and belief, as well as sexual orientation in areas outside employment, where discriminations are well documented and numerous.

In 2006 a study of national anti-discrimination laws („Mapping Study”) proved that all States have legal rules going beyond what is required by EU law but higher protection for some grounds (sex and religion) than others (sexual orientation, disability and age). In 2007, an Impact Assessment was launched with a wide consultation, concerning the public as well as the „stakeholders” (NGOs, trade unions and businesses). It proved a strong support of NGOs and unions but some reluctance from businesses because of some fear of new costs (notably for new training obligations).

And finally, recently, the Work program of the European Commission for 2008 indicated as „A priority initiative a Legislative proposal for a Directive implementing the principle of equal treatment outside employment”.

But, as everything was showing positive moves toward a rather easy process of adoption by the Commission and the Council, for a few days there has been a warning from NGOs and even from some European officials that the whole process could be threatened and blocked by opponents and that the directive could not even pass the Commission approval step. Businesses and some political parties are obviously putting a lot of pressure on the Commission these days to stop the legislative process on the directive.

In spite of a strong support from the European Parliament for the new directive expressed in many resolutions ^ for example: Resolution on „EU strategy on the rights of the child” (16 Jan. 2008) or Resolutions on homophobia in Europe (18 Jan. 2006 & 26 Apr. 2007) and in spite of some initiatives of Political Groups, notably Green MEP Buitenweg circulating a revised version of the Directive 2000/43/EC including other grounds, the directive is today in great threat. And there is a large call for action from NGOs and actors mobilized against discriminations.

Therefore, the European Green Party calls:

- **For a quick adoption by the college of commissioners of a new directive covering all grounds of discriminations outside employment**
- **For a strong and positive call of support by the European parliament for this new directive**
- **For a proactive action to urge the process of adoption by the current and future EU presidencies**
- **And for a final adoption of the directive by the Council of all 27 States**