

EU GREEN PAPER ON ANTI-DISCRIMINATION AND EQUAL TREATMENT

Five years ago, the European Union was given new powers to tackle discrimination on grounds of sex, racial or ethnic origin, religion or belief, age, disability and sexual orientation.

The Green Paper on anti-discrimination and equal treatment sets out the European Commission's analysis of the progress that has been made so far. It seeks views about how the EU can continue and reinforce its efforts to combat discrimination and to promote equal treatment. In doing so, it responds to calls from the European Parliament and others to organise a public consultation on the future development of policy in this area.

The European Parliament and civil society organisations have played a pivotal role in advancing the EU's anti-discrimination agenda to date. National authorities have also been of crucial importance in defining and delivering this policy agenda. Other stakeholders include specialised bodies responsible for the promotion of equality in the Member States, regional and local authorities, employers, trade unions, experts and academics.

The Commission hopes that all of the relevant stakeholders will play an active role in the consultation exercise launched by this Green Paper. Given the importance of anti-discrimination policies for everyone living in the European Union, the Commission would also welcome reactions from members of the public.

The public consultation period begins on 1 June 2004 and ends on 31 August 2004.

The results of the consultation exercise will help to shape the European Commission's future policy strategy with regard to non-discrimination and equal treatment.

The questionnaire is an integral part of the Green Paper. Therefore, we strongly recommend you to read this document before participating in this consultation. The text of the Green Paper is available at http://europa.eu.int/comm/employment_social/fundamental_rights/greenpaper_en.htm.

Organisations or institutions that wish to submit additional written material in response to this Green Paper may send their contributions to: empl-equalitygreenpaper@cec.eu.int or at the postal address:

Green Paper
Unit D/3
DG Employment and Social Affairs
European Commission
rue Joseph II 37, (2/23)
B-1049 Bruxelles

I. PERSONAL DATA

Name

Discrimination Law Association

Are you replying: *Compulsory*



As an individual member of the public



On behalf of an organisation or institution

Sex



male



female

Age



under 25



between 25 and 45



above 45

Country of residence

UK

On behalf of which of the following are you replying?

National NGO

Please specify the name of your organisation or institution

Discrimination Law Association

Country where your organisation is based

United Kingdom

E-mail address *Compulsory*

info@discrimination-law.org.uk

II. MEETING THE CHALLENGE OF ENLARGEMENT

How important do you think that it will be for the EU to reinforce its efforts to combat discrimination on grounds of racial or ethnic origin, religion or belief, disability, age and sexual orientation following enlargement?
Compulsory

very important important not so important
 not important at all don't know

III. IMPLEMENTING NON-DISCRIMINATION IN LAW AND IN PRACTICE

EUROPEAN LEGISLATION

What impact do you think that European legislation has had on the level of protection in the EU against discrimination on grounds of racial or ethnic origin, religion or belief, disability age and sexual orientation?
Compulsory

very strong impact strong impact limited impact
 no impact don't know

What do you consider to be the main remaining obstacles to the effective implementation of European anti-discrimination legislation? (Please select maximum 3) *Compulsory*

<input type="checkbox"/> National implementing legislation incomplete	<input type="checkbox"/> Lack of information/awareness about rights and obligations under anti-discrimination legislation	<input checked="" type="checkbox"/> Continued existence of discriminatory attitudes and behaviour
<input checked="" type="checkbox"/> Difficulties experienced by victims of discrimination in accessing law courts or tribunals	<input checked="" type="checkbox"/> Insufficiently effective sanctions and remedies	<input type="checkbox"/> Different levels of protection for different grounds of discrimination
<input type="checkbox"/> Overlap/conflicts between provisions on different grounds of discrimination	<input type="checkbox"/> Capacity of non-governmental organisations and trade unions to defend victims	<input type="checkbox"/> Effectiveness of specialised equality bodies
<input type="checkbox"/> Other, please specify <input type="text"/>		

PROBLEMS NOT COVERED BY THE EUROPEAN LEGISLATION

Do you consider that there are serious problems, which are not currently covered by European anti-discrimination legislation? *Compulsory*



yes



no

If so, please specify the problem (max 100 words)

EU anti-discrimination measures focus on tackling individual instances of discrimination, it needs to cover structural or institutional discrimination by public authorities. This can be done by a positive duty on public authorities to tackle discrimination in relation to their functions.

In your view, which of the following tools would be most effective in addressing this problem? (Please select maximum 3)

- | | | |
|---|--|--|
| <input type="checkbox"/> Awareness-raising | <input checked="" type="checkbox"/> Training | <input type="checkbox"/> Voluntary codes of practice |
| <input type="checkbox"/> Agreements between the social partners | <input type="checkbox"/> Further legislation | <input checked="" type="checkbox"/> Public procurement/contract compliance |
| <input checked="" type="checkbox"/> Positive action | | |

At which of the following levels would it be most important to take action? (Please select maximum 2)

- | | | |
|--|-----------------------------------|--|
| <input type="checkbox"/> Local | <input type="checkbox"/> Regional | <input checked="" type="checkbox"/> National |
| <input checked="" type="checkbox"/> European | | |

Should the EU stimulate debate on the additional grounds of discrimination listed in the Charter of Fundamental Rights of the EU? (Please select maximum 3)

- | | | |
|---|---|--|
| <input type="checkbox"/> Social origin | <input checked="" type="checkbox"/> Genetic features | <input checked="" type="checkbox"/> Language |
| <input type="checkbox"/> Political or other opinion | <input checked="" type="checkbox"/> Membership of a national minority | <input type="checkbox"/> Property |
| <input type="checkbox"/> Birth | | |

IV. IMPROVING DATA COLLECTION, MONITORING AND ANALYSIS

How important do you think the collection of data is to the development of effective policies to promote equality and tackle discrimination?

Compulsory

- | | | |
|---|----------------------------------|--|
| <input checked="" type="radio"/> very important | <input type="radio"/> important | <input type="radio"/> not so important |
| <input type="radio"/> not important at all | <input type="radio"/> don't know | |

Do you agree that the EU should cooperate with national authorities and other stakeholders in order to explore possible ways of collecting data related to discrimination and the integration of disadvantaged groups?

Compulsory

<input type="checkbox"/> strongly agree	<input type="checkbox"/> agree	<input type="checkbox"/> disagree
<input type="checkbox"/> strongly disagree	<input type="checkbox"/> don't know	

V. MAKING FULL USE OF EU FUNDING

Which of the following should be a priority for EU funding? (Please select maximum 3) *Compulsory*

- | | | |
|---|--|---|
| <input type="checkbox"/> EU-wide studies comparing experience of discrimination and measures to tackle discrimination | <input checked="" type="checkbox"/> Analysis and monitoring of the impact of anti-discrimination legislation | <input type="checkbox"/> Information and awareness-raising activities |
| <input checked="" type="checkbox"/> Training on diversity and discrimination | <input type="checkbox"/> Networking between groups involved in the fight against discrimination | <input checked="" type="checkbox"/> Vocational training and work experience for members of disadvantaged groups |
| <input type="checkbox"/> other, please specify | | |

On which of the following areas should future activities concentrate? (Please select maximum 3) *Compulsory*

- | | | |
|---|--|---|
| <input checked="" type="checkbox"/> Employment and the workplace | <input type="checkbox"/> The business case for diversity | <input checked="" type="checkbox"/> Public procurement |
| <input checked="" type="checkbox"/> Discrimination outside of the employment field (education, social security, health care, access to goods and services, housing) | <input type="checkbox"/> International comparisons in the field of anti-discrimination | <input type="checkbox"/> The economic impact of anti-discrimination legislation |
| <input type="checkbox"/> other, please specify | | |

VI. REINFORCING COOPERATION WITH STAKEHOLDERS

Do you believe that any of the following actors should be involved to a greater extent in the EU's efforts to tackle discrimination? (Please select maximum 3) *Compulsory*

<input type="checkbox"/> National authorities	<input checked="" type="checkbox"/> Regional and local authorities	<input checked="" type="checkbox"/> Organisations working with potential victims of discrimination
<input type="checkbox"/> European level networks of NGOs	<input type="checkbox"/> Trade unions	<input type="checkbox"/> Employers organisations
<input type="checkbox"/> Large companies	<input type="checkbox"/> Small and medium-sized companies	<input type="checkbox"/> Service-providers
<input type="checkbox"/> Specialised equality bodies	<input checked="" type="checkbox"/> Judges and legal practitioners	<input type="checkbox"/> other, please specify <input type="text"/>

VII. ENSURING COMPLEMENTARITY WITH OTHER AREAS OF EU POLICY

Which of the following instruments do you feel could be used in a more effective way to support the EU's efforts to tackle discrimination? (Please select maximum 3) *Compulsory*

<input checked="" type="checkbox"/> European Employment Strategy	<input checked="" type="checkbox"/> European Social Inclusion Strategy and Programme	<input checked="" type="checkbox"/> European Social Fund
<input type="checkbox"/> EQUAL Community Initiative	<input type="checkbox"/> Social dialogue	<input type="checkbox"/> Corporate Social Responsibility
<input type="checkbox"/> Education, training and youth	<input type="checkbox"/> other, please specify <input type="text"/>	

Do you agree that efforts to tackle sex discrimination in the EU should be linked more closely to efforts to tackle discrimination on grounds of racial or ethnic origin, religion or belief, age, disability and sexual orientation? *Compulsory*

<input checked="" type="radio"/> strongly agree	<input type="radio"/> agree	<input type="radio"/> disagree
<input type="radio"/> strongly disagree	<input type="radio"/> don't know	

Do you agree that it remains necessary to tackle specifically sex discrimination and the promotion of gender mainstreaming? *Compulsory*



strongly agree



agree



disagree



strongly disagree



don't know