



European Economic and Social Committee

SOC/215
European Year of Equal
Opportunities for All
(2007)

Brussels, 14 December 2005

OPINION

of the
European Economic and Social Committee
on the

Proposal for a Decision of the European Parliament and the Council on
the European Year of Equal Opportunities for All (2007) - Towards a Just Society
[COM(2005) 225 final – 2005/0107 (COD)]

On 27 October 2005, the European Economic and Social Committee, acting under Rule 29(2) of its Rules of Procedure, decided to draw up an own-initiative opinion on the:

Proposal for a Decision of the European Parliament and the Council on the European Year of Equal Opportunities for All (2007) - Towards a Just Society
COM(2005) 225 final -2005/0107 (COD)
(own-initiative opinion).

The Section for Employment, Social Affairs and Citizenship, which was responsible for preparing the Committee's work on the subject, adopted its opinion on 8 December 2005. The rapporteur was **Mária Herczog**.

At its 422nd plenary session, held on 14 and 15 December 2005 (meeting of 14 December 2005), the European Economic and Social Committee adopted the following opinion by 123 votes in favour, no votes against and seven abstentions:

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1. **EESC's position in brief**

- 1.1 The European Economic and Social Committee reiterates its strong support for the programme for the European Year of Equal Opportunities (2007), and its commitment to equal opportunities, European social cohesion and fundamental rights for all.
- 1.2 In its recent opinions on this subject the EESC has consistently emphasised the need for more tangible progress than has been achieved to date in order to eliminate all forms of discrimination as defined in Article 13.¹ The Committee acknowledges that various corrective measures have been taken to promote equal opportunities, but still feels that in many areas there is still a need for urgent action, and that the Year of Equal Opportunities in 2007 could represent a favourable opportunity to identify and highlight the groups concerned.
- 1.3 The EESC believes that every individual residing within the EU should be guaranteed non-discrimination and equal opportunities in the enjoyment of the full range of human rights: civil, political, economic, social and cultural. Therefore, the Year should be used to advance the elimination of all types of discrimination. Although particular attention is given to the

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EESC opinion on Poverty among Women in Europe (rapporteur: Brenda King) - CESE 1074/2005 (not published as yet), (available on the EESC SOC Section website); EESC opinion on the Social Agenda (rapporteur: Ursula Engelen-Kefer) - CESE 846/2005, 13.07.2005; EESC opinion on the European Social Fund (rapporteur: Ursula Engelen-Kefer) - OJ C 234, 22.09.2005; EESC opinion on the Commission programme for Employment and Social Solidarity - PROGRESS (rapporteur: Wolfgang Greif) - CESE 386/2005, 06.04.2005; EESC opinion on EQUAL (rapporteur: Sukhdev Sharma) - OJ C 241, 28.09.2004; EESC opinion on European Year of People with Disabilities (rapporteur: Miguel Ángel Cabra de Luna) - OJ C 110, 30.04.2004.

grounds covered by Article 13, the Year should be seen as an opportunity to raise awareness about the discrimination faced by specific groups that are not normally considered such as children and about issues related to discrimination not tackled yet.

- 1.4 The EESC endorses the Social Agenda for the 2005-2010 period, which focuses on the need for equal opportunities and social cohesion, and formulates a new strategy for action in these areas. Subject to the following proposed modifications and additions, the EESC accepts and supports the objectives of the European Year of Equal Opportunities (2007), relating to rights, representation, recognition and respect and tolerance, as well as mainstreaming of the relevant issues.

2. **Supporting arguments for the opinion and comments**

2.1 **Gist of the Commission document**

- 2.1.1 The Commission's Communication on the Social Agenda for the period 2005-2010 emphasised the importance of promoting equal opportunities for all in order to achieve a more cohesive society. It announced the Commission's intention to develop a new framework strategy on non-discrimination and equal opportunities for all (set out in the Communication accompanying this proposal).² One of the major initiatives announced in the Communication is to propose that 2007 be designated European Year of Equal Opportunities for All. The global objective of the Year will be to raise awareness of the benefits of a just, cohesive society where there is equality of opportunity for all. This will require tackling barriers to participation in society and promoting a climate in which Europe's diversity is seen as a source of social and cultural vitality. The specific objectives of the European Year are as follows:

- Rights – Raising awareness of rights to equality and non-discrimination
- Representation – Stimulating debate on ways to increase civil, political, economical, social, cultural participation in society
- Recognition – Celebrating and accommodating diversity
- Respect and tolerance – Promoting a more cohesive society

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Communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions – Non-discrimination and equal opportunities for all – A framework strategy (COM(2005) 224).

The current proposal sets out the provisions for the European Year of Equal Opportunities for All and establishes a budget for the action. The proposal is based on Article 13 of the Treaty establishing the European Community.³

2.2 General and specific comments

- 2.2.1 Achieving equality is, and should remain, a priority of EU policy. Although there have been significant legislative changes at European and national level in the anti-discrimination field, particular regarding the specific grounds of discrimination mentioned in Article 13 of the Treaty, further action is required to ensure more consistent implementation of equal opportunities and non-discrimination. Although indirect forms of discrimination are often discernible, they are difficult to prove, and the programme for the 2007 Year of Equal Opportunities should pay attention to this.
- 2.2.2 Another area that needs to be addressed is the differences in the level and scope of protection against discrimination on different grounds. The Committee strongly recommends that discrimination on each ground – gender, race or ethnic origin, religion or belief, disability, age and sexual orientation – should be prohibited in the areas of employment, training, education, social protection, social advantages and access to goods and services. To do otherwise risks creating a hierarchy between the groups.
- 2.2.3 Since the drafting of the Charter of Fundamental Rights, the EU can no longer be seen as an intergovernmental association of states based on mere economic interest, and therefore adequate attention should be paid to the social groups which, as a result of various forms of exclusion, are either disadvantaged on labour markets and in economic life or, despite participation in labour markets, are still afflicted by poverty.
- 2.2.4 There are social and economic arguments in favour of ensuring equal opportunities for all individuals and in particular those who are discriminated against or are in a less advantageous position due to social, economic, cultural geographical or other circumstances. If adequate support were provided, they could play a full part in society contributing both socially and economically.
- 2.2.5 In the view of the EESC, the programme of the European Year of Equal Opportunities, planned for 2007, is an opportunity to highlight those who can be overlooked: for example young people, including children, who experience age discrimination; individuals who experience multiple discrimination on several grounds and inhabitants of remote or sparsely

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Article 13 of the Treaty establishing the European Community: (1) Without prejudice to other provisions of this Treaty and within the limits of the powers conferred by it upon the Community, the Council, acting unanimously on a proposal from the Commission and after consulting the European Parliament, may take appropriate action to combat discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation. (2) By way of derogation from paragraph 1, when the Council adopts Community incentive measures, excluding any harmonisation of the laws and regulations of the Member States, to support action taken by the Member States in order to contribute to the achievement of the objectives referred to in paragraph 1, it shall act in accordance with the procedure referred to in Article 251.

populated regions and towns who are affected by discrimination but may not have access to required services.

- 2.2.6 The Committee considers that the Year should also provide the opportunity to further explore key challenges such as the topic of multiple discrimination often exercised towards some groups (e.g. disabled children, elderly migrants, Roma women). Finally, there is a need to take into account, in all initiatives in the anti-discrimination field, of the diverse and heterogeneous nature of the groups that most face discrimination.
- 2.2.7 The European Year should be an opportunity to improve the situation of more groups. Showing the way ahead, special attention should be given to the UN's Convention on the Rights of the Child, a document ratified by all EU Member States, and thus opening the door to its inclusion among the principles adopted by the EU Member States, and making the protection of children's rights a European requirement in the future.
- 2.2.8 It would still be premature to assess the initial impact of the Year of People with Disabilities (2003) and of the action plan then adopted (2004-2010),⁴ but what is clear⁵ is that this social group, thanks to the impact of the European year, is receiving more attention in the Member States, and that members of the public have easier access to more accurate information on their fellow-citizens with disabilities. However, in order to achieve real changes, an appropriate evaluation of progress to date and follow-up of the European Years are essential. An opinion on the evaluation and follow-up of the European Year of People with Disabilities is currently being prepared by the EESC.
- 2.2.9 Among the indirect benefits of the Year, when any legislation is drawn up the chapter on monitoring should take account not only of the percentage of EU citizens who have learned more about social groups systematically encountering discrimination, but also of specific changes occurring in everyday life and administrative practices.
- 2.2.10 The mainstreaming of the different grounds of discrimination in all EU policies and initiatives, as well as the consideration of the specific requirements of a specific ground when developing actions related to other grounds (e.g. taking into account disability issues when considering the other grounds) is the key to advancing the elimination of discrimination and the promotion of equal opportunities. The experience already gained in this field regarding areas such as gender could be transferred to other grounds of discrimination.
- 2.2.11 It is of vital importance to emphasise not only that discrimination, xenophobia and racism are unacceptable, but also that there is a need for multicultural European values and for

⁴ EESC opinion, see SOC 163 – OJ C 110 of 30/4/2004.

⁵ See: Eurobarometer.

implementation of the directives which have already been adopted in the field of EU anti-discrimination policy.

- 2.2.12 In several of its opinions,⁶ the EESC has emphasised the need to involve NGOs, as well as representatives of the relevant minority groups, public- and private-sector employers, the social economy, employees and regions. At the same time, those affected by discrimination and groups and organisations representing them must be involved in all stages and at all levels of implementation. In planning, implementing and monitoring support, it is necessary to ensure more effectively (perhaps by means of reports from alternative sources) that, for instance, there is adequate communication with NGOs.
- 2.2.13 Special attention and recognition should be given to the role of the NGOs and organisations representing the groups facing discrimination. Their involvement in the European Year should be ensured at all levels (local, regional, national and European) and all stages (over-all planning, implementation, enforcement, evaluation and follow-up of the Year). In particular, the role of Social Economy companies and organisations (cooperatives, associations, foundations and mutual funds) in the fight against discrimination should be highlighted and taken into account.
- 2.2.14 The Committee is encouraged that the Commission recognises the importance of working with employers and employees in order to encourage and support the development of workplace non-discrimination and diversity policies. The EESC recommends that The European Year should be used to:
- identify and promote the exchange of information and examples of good practice;
 - raise awareness among companies about the added value of respecting and integrating equal opportunities within their recruitment and career progression policies;
 - create partnerships and sustainable networks between employers and other stakeholders including NGOs and organisations that work with groups who face discrimination;
 - link with and advance the forthcoming Commission Plan on Corporate Social Responsibility (to be released in January 2006).
- 2.2.15 The Year of Equal Opportunities should be solidly prepared on the basis of previous experience. Appropriate information should be suitably worded and presented in clear language so as to be comprehensible to all, and so as to ensure the availability of training and educational opportunities, adequate media attention, coordination with other policies, and provision of the requisite technical assistance. Research findings, together with examples of best practice and successful programmes, should be more widely publicised and made more adaptable.

⁶ See SOC/189 - OJ C 234 of 22.9.2005.

2.2.16 The EESC feels that the planned budget is very limited considering the ambitions and, indeed, the needs. Attention should be paid to the allocation of the available resources to ensure that those primarily involved will have access to them.

2.2.17 It should also be made clear during the Year of Equal Opportunities that everybody, and not only the groups mentioned in Article 13 and this opinion, should have the chance to further develop their skills and potential, primarily by means of social inclusion and education, thus ensuring equal opportunities.

Brussels, 14 December 2005.

The President
of the
European Economic and Social Committee

The Secretary-General
of the
European Economic and Social Committee

Anne-Marie Sigmund

Patrick Venturini
