

## **EU proposes protection from discrimination beyond the workplace**

***The Commission has today adopted a proposal for a directive which provides for protection from discrimination on grounds of age, disability, sexual orientation and religion or belief beyond the workplace. This new directive would ensure equal treatment in the areas of social protection, including social security and health care, education and access to and supply of goods and services which are commercially available to the public, including housing. Eurobarometer surveys show that a large majority of Europeans support such legislation: 77% back measures to protect people from discrimination in education and 68% in access to goods and services.***

"The right to equal treatment is fundamental, but millions of people in the EU continue to face discrimination in their everyday lives. At present, there is an inequality in Community legislation itself because people are protected from discrimination outside the workplace only on grounds of gender and race or ethnic origin. We must ensure equal treatment for all grounds," said Vladimír Špidla, Commissioner for Employment, Social Affairs and Equal Opportunities. "The measures we propose are proportionate and reasonable; they give legal certainty to businesses and to users of goods and services while respecting the specific requirements of various sectors as well as national traditions."

Today's proposal will create a level playing field across the EU as some Member States already have very extensive national anti-discrimination protection in place. Calls for such a horizontal proposal came repeatedly from the European Parliament while the Heads of State and Government in December 2007 called on Member States to strengthen their efforts to combat discrimination.

The law will prohibit direct and indirect discrimination as well as harassment and victimisation. For people with disabilities, non-discrimination will involve general accessibility as well as the principle of "reasonable accommodation" which is already used in existing European legislation. It will, however, avoid imposing a disproportionate burden on service providers by taking account of the size and resources of the organisation, its nature, the estimated cost, the life cycle of the goods and services and the possible benefits of increased access for persons with disabilities. The directive will only apply to private persons in so far as they are performing their commercial or professional activities. Also, Member States will remain free to maintain measures ensuring the secular nature of the State or concerning the status and activities of religious organisations. The directive will have no effect on generally accepted practices such as discounts for senior citizens (e.g. bus fares and entrance to museums) or age restrictions on access to certain goods (e.g. alcohol for young people) on grounds of public health. To ensure effectiveness of the proposed measures, national equality bodies will give advice to victims of discrimination while civil society organisations will also have the possibility to help victims in judicial and administrative procedures.

## **Government expert group and renewed commitment for legal protection of individual rights**

The proposal for a directive is part of a broader policy approach to non-discrimination, also adopted by the Commission today, as a follow-up to the 2007 European Year of Equal Opportunities for All. The Communication on 'Non-discrimination and equal opportunities: A renewed commitment' acknowledges that legal protection of individual rights has to go hand in hand with the positive and active promotion of non-discrimination and equal opportunities. It sets out key areas in which further progress at EU and national level is needed, such as the fight against multiple discrimination, further raising of awareness, non-discrimination mainstreaming, positive action and data collection. It also announces the setting up of a new governmental expert group to strengthen the dialogue between Member States on non-discrimination policies. Finally, the Communication acknowledges that the situation of the Roma is characterised by persisting individual and institutional discrimination and far-reaching social exclusion.

### **Background**

According to an EU survey published today, Europeans think that discrimination remains rife, particularly when it comes to sexual orientation (51%), disability (45%), age and religion (42% each). Around 1 in 3 Europeans report witnessing discrimination or harassment in the past year, and 48% think that not enough is being done to fight this scourge. An earlier survey conducted in February 2008 highlighted that a large majority of EU citizens (between 68% and 77%) see a need for specific legislation to protect people from discrimination in areas beyond the labour market.

Meanwhile, a new Commission report on the EU rules on equal treatment in employment (see link below) has found that they have now been successfully implemented in most EU countries. Although the legislation, agreed in 2000, introduced innovative concepts in several cases, many Member States have gone beyond the minimum requirements in the EU directive.

**[IP/08/1070](#): Commission proposes Renewed Social Agenda to empower and help people in 21<sup>st</sup> century Europe**

[MEMO/08/461](#)

### **Proposal for a directive**

<http://ec.europa.eu/social/BlobServlet?docId=477&langId=en>

### **Communication on Non-discrimination and equal opportunities: A renewed commitment**

<http://ec.europa.eu/social/BlobServlet?docId=475&langId=en>

### **Report on the application of the Employment Equality Directive**

[http://ec.europa.eu/employment\\_social/fundamental\\_rights/legis/lgenforce\\_en.htm](http://ec.europa.eu/employment_social/fundamental_rights/legis/lgenforce_en.htm)

### **Further information:**

Special Eurobarometer Survey 296 on discrimination in the EU

[http://ec.europa.eu/public\\_opinion/archives/eb\\_special\\_en.htm](http://ec.europa.eu/public_opinion/archives/eb_special_en.htm)

Flash Eurobarometer 232

[http://ec.europa.eu/public\\_opinion/flash/fl\\_232\\_en.pdf](http://ec.europa.eu/public_opinion/flash/fl_232_en.pdf)

European Commission anti-discrimination website

<http://ec.europa.eu/antidiscrimination>

Video News Releases on disability discrimination and Roma

[http://ec.europa.eu/avservices/video/video\\_prod\\_en.cfm?type=detail&prodid=6383&src=1](http://ec.europa.eu/avservices/video/video_prod_en.cfm?type=detail&prodid=6383&src=1)

[http://ec.europa.eu/avservices/video/video\\_prod\\_en.cfm?type=detail&prodid=6384&src=1](http://ec.europa.eu/avservices/video/video_prod_en.cfm?type=detail&prodid=6384&src=1)