**COUNCIL OF THE EUROPEAN UNION**

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**LEGISLATIVE ACTS AND OTHER INSTRUMENTS**

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| Subject: | COUNCIL RESOLUTION on the Follow-up of the European Year of Equal Opportunities for All (2007) |

**COUNCIL RESOLUTION**

**of**

**on the Follow-up of the European Year of Equal Opportunities for All (2007)**

THE COUNCIL OF THE EUROPEAN UNION,

Recalling that:

1. non-discrimination and equal treatment, as enshrined in particular in Articles 2, 3 and 13 of the TEC, are fundamental principles of the European Union that should be taken into account in all the European Union's policies;

2. Article 21 of the Charter of Fundamental Rights of the European Union recognises the prohibition of discrimination on a variety of grounds and that Article 23 of that Charter recognises the requirement that equality between men and women be ensured in all areas;

3. the Social Agenda 2005-2010, which complements and supports the Lisbon Strategy, has a key role to play in promoting the social dimension of economic growth, including equal opportunities for all, as a means of achieving a more socially inclusive society;

4. the PROGRESS programme[1] supports the effective implementation of the principle of non-discrimination and promotes its mainstreaming in all Community policies by improving the understanding of the phenomenon, supporting the implementation of legislation, raising awareness and developing the capacity of key European-level networks;

5. building on the responses to the 2004 Green Paper on Equality and Non-discrimination in an enlarged EU, the Commission has adopted a framework strategy which has framed the action against discrimination at EU level during the last 3 years;

6. by adopting, respectively, the European Pact for Gender Equality at the European Council in March 2006, and the Roadmap for Equality between Women and Men, the Member States and the European Commission committed themselves to implementing gender equality policies and measures at the European and national levels.

Considering that:

1. despite much progress in promoting equality and fighting discrimination thanks, inter alia, to the adoption of equality legislation and to the setting up of national equality bodies, inequality and discrimination on the grounds of sex, racial or ethnic origin, age, disability, religion or belief, or sexual orientation continue to exist in the EU, at a substantive cost to the individual women and men concerned and European societies as a whole;

2. poverty and social exclusion are major obstacles to equal opportunities;

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[1] OJ L 315, 24.10.2006, p. 1.

3. the anti-discrimination legislation remains insufficiently known, as highlighted by a recent Eurobarometer survey which showed that only one third of the people in the EU know their rights should they become victims of discrimination or harassment;

4. Decision No 771/2006/EC of the European Parliament and of the Council of 17 May 2006 establishing the European Year of Equal Opportunities for All (2007) – towards a just society[1] was an opportunity to renew a shared vision of a Europe where all people enjoy a life free from discrimination and to reaffirm that realising a full equality of opportunities is essential for the growth, cohesion, prosperity and well being of Europe and its people;

5. the opinion of the European Economic and Social Committee on harmonised indicators in the field of disability as an instrument for monitoring European policies underlines the need to define, at European level, a reliable and coherent set of indicators in the field of disability in order to achieve progress in making equal opportunities a reality for persons with a disability and to permit the exchange of best-practice solutions between the Member States, as the effectiveness of the initiatives undertaken would thereby become measurable.

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[1] OJ L 146, 31.5.2006, p. 1.

Welcoming:

1. the exceptionally high level of mobilisation and participation of stakeholders in the 2007 European Year of Equal Opportunities for All (hereinafter referred to as "the European Year"), illustrated by several hundred actions such as information, promotional and educational campaigns, awards to business for innovative diversity policies, music and youth festivals, training programmes, surveys and studies which were implemented throughout the EU to contribute to making equality a reality and which involved Governments at central, regional and local level, organisations defending or representing the interests of those who are potentially exposed to discrimination and unequal treatment, schools, businesses, trade unions, equality bodies and many grass roots organisations;

2. the strong commitment demonstrated by individuals, civil society, governments and public administrations, equality bodies and European institutions to celebrate equal opportunities for all throughout 2007 and to implement the key objectives of the European Year – Rights, Representation, Recognition and Respect;

3. the establishment of National Implementing Bodies and the adoption of national strategies and priorities to implement the European Year in each participating country, covering for the first time all the Article 13 discrimination grounds;

4. the renewed dialogue undertaken between public institutions, policy makers and stakeholders active in the fight against discrimination throughout the European Year, thanks to the January 2007 Equality Summit and the mechanisms established at national level to consult on a regular basis and cooperate closely with civil society and other relevant stakeholders on the design, implementation and monitoring of the national strategies with regard to the European Year;

5. the "cross-grounds" dialogue undertaken between civil society organisations and other key stakeholders at the national level when contributing to the design, implementation, follow-up and assessment of the national strategies for the European Year, and the regular exchange of views held at European level;

6. the balanced treatment of all discrimination grounds throughout the European Year's actions;

7. the establishment of EQUINET, a European network of national equality bodies, which will enhance their ability to carry out their independent functions through the exchange of expertise, training and peer support, and help them to contribute to the institutional changes required for an effective implementation of equality legislation and to support a dialogue between the European institutions and the specialised equality bodies;

8. the signature by the Community and most of the Member States of the United Nations Convention on the Rights of Persons with Disabilities, followed by the consensus reached at the informal ministerial meeting on disability issues in June 2007 to work on a coherent and coordinated approach for European implementation of the UN Convention.

Noting that:

1. equality policies are essential instruments for social cohesion, economic growth, prosperity and competitiveness and thus for the Lisbon Strategy for Growth and Employment;

2. the three Directives implementing the principle of equal treatment adopted so far under Article 13 are: Directive 2000/43/EC[1] covering discrimination on the grounds of racial or ethnic origin in the areas of employment, access to goods and services, education and social protection; Directive 2000/78/EC[2] covering all the other discrimination grounds i.e. religion or belief, disability, age or sexual orientation in the field of employment and occupation, and Directive 2004/113/EC[3] covering discrimination on the grounds of sex in the area of access to and supply of goods and services;

3. in order to make real progress towards achieving equality in practice, the awareness and implementation of legislation needs to be strengthened and equal opportunities need to be mainstreamed;

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[1] OJ L 180, 19.7.2000, p. 22.
[2] OJ L 303, 2.12.2000, p. 16.
[3] OJ L 373, 21.12.2004, p. 37.

4. as demonstrated by the Equality Summit held in January 2007 under the German Presidency of the Council and by the closing conference of the European Year held in November 2007 under the Portuguese Presidency, ensuring dialogue and an exchange of information and good practice between key stakeholders and policy makers at EU level is valuable in making progress in promoting equal opportunities;

5. it is essential that actions fighting discrimination on the grounds of racial or ethnic origin, religion or belief, disability, age or sexual orientation take into account the different ways in which women and men experience discrimination;

6. improving the participation in society of groups at risk of discrimination and a balanced participation of men and women are key issues in progressing towards equal opportunities, as is their involvement in actions designed to combat discrimination;

7. the benefits of diversity, both for European societies and individuals, should be highlighted through the positive contribution that can be made by all people, irrespective of their sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation;

8. it is essential to eliminate violence, prejudice and stereotypes, to promote good relations between all in society and, in particular, among young people, and to promote and disseminate the values underlying the fight against discrimination;

9. the collection of data on discrimination and equality is an essential tool for, firstly, properly assessing the extent and type of discrimination issues which individuals face and, secondly, designing, adapting, monitoring and evaluating policies;

10. the European Year has highlighted the aggravated difficulties stemming from multiple discrimination;

11. discrimination can lead to poverty and social exclusion by preventing participation and access to resources;

12. many Roma face a very difficult situation characterised by cases of discrimination on the grounds of their ethnic origin, and by social exclusion;

13. the recommendations of the High Level Group of Experts on the social and labour market integration of ethnic minorities are due to be delivered at the end of the European Year;

14. further progress can be achieved more effectively if structural and physical barriers to integration are dismantled. Funds could be provided through, among other means, the Structural Funds for measures contributing to promoting accessibility and the full integration into the labour market, and thereby into society, of persons at risk of discrimination;

15. the media have a key role to play in fighting prejudice and stereotypes and therefore in contributing to improving equal opportunities for all;

16. businesses increasingly recognise that there are significant benefits to be gained from employing a diverse workforce;

17. the European Parliament and civil society have called for extending legal protection against discrimination to areas beyond employment and occupation.

Invites Member States and the European Commission, in accordance with their respective competencies:

1. to ensure full and effective implementation and evaluation of existing anti-discrimination laws and gender equality legislation;

2. to strengthen efforts to prevent and combat discrimination based on sex, race or ethnic origin, religion or belief, disability, age or sexual orientation, inside and outside the labour market;

3. to further information about and awareness of these laws among the wider public, stakeholders and decision makers and to promote the benefits of equal opportunities for all by developing and disseminating information and awareness-raising tools and methods;

4. to build on the governance mechanisms established during the European Year and to continue the constructive exchanges between policy makers at EU level in order to prepare and follow up the "Equality Summits";

5. to fully associate civil society, including organisations representing people at risk of discrimination, the social partners and stakeholders in the design of policies and programmes aimed at preventing discrimination and promoting equality and equal opportunities, both at European and national levels;

6. to secure and strengthen the effectiveness of specialised equality bodies in carrying out their independent functions by providing them, having regard to national budgetary constraints, with the necessary financial and human resources in order to allow them to respond appropriately to allegations of discrimination in a timely and effective manner, to support victims and to make an active contribution to achieving full equality in practice;

7. to ensure the mainstreaming of non-discrimination and equality issues in the implementation of the Structural Funds, the European Globalisation Adjustment Fund, the Guidelines for Growth and Jobs and the Objectives for Social Inclusion and Social Protection;

8. to take full account of the specific issues arising from multiple discrimination when designing laws and when monitoring and evaluating policies and support programmes;

9. to make full use of the possibilities for pursuing positive action in order to overcome existing inequalities and achieve full equality in practice, in particular with regard to access to education and employment;

10. to gather statistical data, whenever possible disaggregated by sex and, if necessary, on an anonymous basis, as an essential tool for improving the design and monitoring of policies and programmes aiming at providing equal opportunities for all and at tackling multiple discrimination, and to involve other actors in collecting equality data; the existing data collected through EUROSTAT and the Beijing Platform for Action framework should be fully used;

11. to step up efforts to implement the European Pact for Gender Equality and the Commission's Roadmap for Equality between Women and Men 2006-2010, as well as the Beijing Declaration and Platform for Action, through specific actions and the integration of the gender perspective into every stage of the policy process – design, implementation, monitoring and evaluation – with a view to promoting equality between women and men;

12. to sustain and reinforce the mainstreaming of disability issues into all relevant policies, taking account of the successive phases of the European Action Plan on equal opportunities for people with disabilities, and to promote the development of a set of harmonised indicators and quantitative targets to monitor progress achieved in this field;

13. to continue to promote the equal participation of women and men in decision making at all levels and the involvement of groups at risk of discrimination in society;

14. to continue the process of signature, conclusion and ratification of the UN Convention on the Rights of Persons with Disabilities;

15. to develop cooperation on common challenges and solutions in implementing the UN Convention on the Rights of Persons with Disabilities, also with regard to disability statistics and indicators of participation;

16. to promote the access to human rights of the Roma population, to accelerate the process of their social inclusion and to combat all kinds of discrimination against them;

17. to condemn firmly all forms of homophobia and to call for further monitoring and research on this issue, in particular by the European Union Agency for Fundamental Rights;

18. to condemn firmly all forms of racism and xenophobia and to reinforce monitoring and research on these issues, in particular by the European Union Agency for Fundamental Rights;

19. to firmly condemn and take all necessary measures to prevent all forms of discrimination against people on the basis of their religion or belief;

20. to encourage the European Institute for Gender Equality and the European Union Agency for Fundamental Rights, as two agencies called upon to support the EU's activities promoting gender equality and counteracting discrimination, to play an active role in ensuring the follow-up of the key objectives of the European Year and to make use of the results and studies undertaken under the European Year;

21. to continue mobilising all available instruments under, inter alia, the Structural Funds to support measures which facilitate the full integration of people who suffer from discrimination into the labour market and into society;

22. to take appropriate measures to promote the use of all the possibilities provided for by the PROGRESS programme;

23. to further promote diversity of the workforce and to foster and encourage the development of relevant business tools, including voluntary charters;

24. to increase diversity and improve equal opportunities management in all public service administrations at EU and national level.

Invites civil society and the social partners:

1. to participate actively in the development and promotion of policies and measures on non-discrimination and equality, and to promote diversity and equal opportunities policies within public and private organisations, as well as enterprises;

2. to mainstream anti-discrimination and positive action measures in their negotiations;

3. to continue the "cross-grounds" dialogue at both national and European levels;

4. to cooperate with Governments and public administrations, equality bodies and European institutions in building up a global partnership to combat discrimination on all grounds.

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