

# ANTI-DISCRIMINATION



## EU POLICIES & ACHIEVEMENTS



**Human dignity, freedom, democracy, equality, the rule of law and respect for human rights** are the values on which the European Union is founded: embedded in the Treaty on European Union, they have been reinforced by the Charter of Fundamental Rights. **Countries seeking to join the EU must respect human rights, and so must countries which have concluded trade and other agreements with it.** The respect for and protection of minorities is set as one of the Copenhagen criteria, conditions necessary to be met by a new member state to join the EU. The European Union is committed to defending the universal and indivisible nature of human rights. It actively promotes and protects them both within its borders and in its relations with other countries. **Respect for the rights of persons belonging to minorities is explicitly mentioned in the Treaty on the European Union, in its Article 2 saying:** *The Union is founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities. These values are common to the Member States in a society in which pluralism, non-discrimination, tolerance, justice, solidarity and equality between women and men prevail.* The EU acts on behalf of EU citizens to prevent them being discriminated against on grounds of **racial or ethnic origin, religion or belief, disability, age or sexual orientation.** Yet, only one third of EU citizens are fully aware that they are legally protected against discrimination (source: [ec.europa.eu/antidiscrimination](http://ec.europa.eu/antidiscrimination)). That was the reason the European Commission has started in 2003 the information campaign "For diversity. Against discrimination" ([ec.europa.eu/justice/discrimination/awareness/index\\_en.htm](http://ec.europa.eu/justice/discrimination/awareness/index_en.htm)). After that, 2007 was proclaimed the **European Year of Equal Opportunities for All.** Latest surveys show that much remains to be done for discrimination to be completely eliminated in the EU. According to **Special Eurobarometer 393**, (survey held in June 2012), the most widely perceived ground for discrimination is "ethnic origin" (56%), followed by "disability" (46%), "sexual orientation" (46%) and "gender identity" (45%). Limited access to goods and services is seen as discrimination against people with disabilities and older people by more than two-thirds of Europeans (68%). Over half of Europeans (54%) believe that a job applicant's age is a disadvantage if they are over 55; disability (40%), skin colour and ethnic origin (39%) are also seen as a disadvantage.

**LEGISLATION:** The EU's power to combat discrimination is based on **Article 19 of the Treaty on the functioning of the EU saying that Council, after obtaining the consent of 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.** European anti-discrimination legislation is among the most extensive in the world. In 2000, the EU adopted two very far-reaching laws: **Directive on racial equality and Employment Framework Directive.** These texts come in addition to numerous laws that have been adopted at EU level since 1975 to promote equality between women and men in the workplace. On the policy side, in 2008 the European Commission adopted a Communication which presents a comprehensive approach to stepping up action against discrimination and several Communications on the integration of the Roma population in the EU.

EU anti-discrimination law establishes a consistent set of rights and obligations across all EU countries, including procedures to help victims of discrimination.

## RIGHTS

All EU citizens are entitled to:

- **legal protection** against direct and indirect discrimination on the grounds of race or ethnic origin in education, social security, health care and access to goods and services;
- **equal treatment** in employment and training irrespective of racial or ethnic origin, religion or belief, sexual orientation, disability or age;
- **take action** to combat discrimination on the above grounds;
- **receive help from a national organisation** promoting equal treatment and assisting victims of racial discrimination;
- **make a complaint** through a judicial or administrative (conciliation) procedure, and expect appropriate penalties for those who discriminate.

## OBLIGATIONS

All EU employers must:

- **implement the principle of equal treatment** irrespective of racial or ethnic origin, religion or belief, disability, age or sexual orientation with a view to taking appropriate measures to **accommodate the needs of disabled people**, including appropriate measures to enable a person with a disability to have access to employment and training unless doing so imposes a disproportionate burden;
- **provide equal access** to employment, selection criteria and recruitment conditions, vocational guidance and training, including practical work experience and membership of organisations;
- **base job classification systems** for determining pay on the same criteria regardless of racial or ethnic origin, religion or belief, disability, age or sexual orientation.

European Commission's Directorate General for Justice, Fundamental Rights and Citizenship is in charge of Equality and non-discrimination policies and legislation. In tackling discrimination, EC supports intermediary actors such as NGOs, social partners (trade unions, employers' associations) and national equality bodies (according to Racial Equality directive, every member state is obliged to designate such a body) to improve their capacity to combat discrimination. In addition, the Commission supports the development of equality policies at national level and encourages exchange of good practices between EU countries.

## ROMA IN THE EU

For more than a thousand years, Roma people (which include Travellers, Gypsies, Manouches, Ashkali and Sinti) have been an integral part of European civilisation. Today, with an estimated population of 10 to 12 million in Europe (approximately six million of whom live in the EU), Roma people are the biggest ethnic minority in Europe. Although all EU countries have transposed the Directive on Racial Equality into their own national laws, many Roma face prejudice, intolerance, discrimination and social exclusion in their daily lives; they live in overwhelmingly poor conditions on the margins of society. The Fundamental Rights Agency ([fra.europa.eu](http://fra.europa.eu)) surveys undertaken in 2008 and 2012 found that prejudice, intolerance and discrimination affect a large proportion of Roma living in the member states. The 2012 survey shows that one in three Roma is unemployed, 20% are not covered by health insurance, and 90% are living below national poverty lines.

This is why the European Commission in April 2011 adopted an EU Framework for National Roma Integration Strategies up to 2020 ([ec.europa.eu/commission\\_2010-2014/redoing/pdf/news](http://ec.europa.eu/commission_2010-2014/redoing/pdf/news))

calling on Member States to prepare or revise national Roma integration strategies in order to address more effectively the challenges of Roma inclusion to tangibly improve the situation by the year 2020. The endorsement of the Framework by EU Heads of States and Governments indicated that Roma inclusion is becoming an important priority for the all Member States, despite the economic and financial crisis.



The EU sets goals for Roma Inclusion in:

- **Education:** ensuring that all Roma children complete primary school
- **Employment:** cutting the employment gap between Roma and other citizens
- **Health:** reducing the health gap, for example by cutting child mortality among Roma
- **Housing:** closing the gap in access to housing and public utilities such as water and electricity.

The EU Framework addresses Roma inclusion for the first time at EU level and clearly links it with the Europe 2020 strategy. The Framework underlines also that the EU Roma integration goals are equally relevant to **enlargement countries** that have to review their national strategies in line with these goals (Commission Enlargement Strategy and Main Challenges 2011-2012).

Through different programmes, European Union in Serbia supports projects related to minority groups and to the improvement of their daily lives, financed through IPA and EIDHR instruments. Since June 2011, within the Support to civil society programme, 23 grants to projects focused on vulnerable groups and protection of fundamental rights were approved.

EU is Serbia's biggest donor in helping to improve the situation of Roma in the country: through pre-accession funds, it has donated over €50 million for projects that directly or indirectly supporting the Roma. In the field of **education** it is €11 million for different projects; in the **employment** sector, in order to help employ IDPs among which a large number are Roma, €2,4 million worth EU grants were distributed; in the **housing** sector EU is helping Roma people both through social programmes for IDPs and directly, like €3,6 million donation to build houses for 200 most vulnerable Roma families in Belgrade (April 2013).

In Serbia the EU Information Centre is there to answer your questions related to this issue or anything else of your interest.

**Mon - Fri: 10:00 - 19:00**  
**Sat: 10:00 - 15:00**



**EU Info Centre**

Dečanska 1 (Dom omladine)  
Belgrade, Serbia

T: +381 11 322 9922

E: [info@euinfo.rs](mailto:info@euinfo.rs)

W: [www.euinfo.rs](http://www.euinfo.rs)

Facebook: [euinfo.rs](https://www.facebook.com/euinfo.rs)

Twitter: [euicbg](https://twitter.com/euicbg)

YouTube: [euicbg](https://www.youtube.com/euicbg)



**Delegation of the European Union to Serbia**

19a Avenue, Vladimira Popovića 40/V,  
New Belgrade, Serbia

T: +381 11 308 3200

E: [delegation-serbia@eeas.europa.eu](mailto:delegation-serbia@eeas.europa.eu)

W: [www.europa.rs](http://www.europa.rs)