



History and Basis of EU Anti-Discrimination Policy

PSC 133: POLITICS OF THE EU
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Treaty of the EU or Maastricht Treaty

- ▶ Article 2 (respect of rights of people belonging to a minority)

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.

- ▶ Article 3 (non-discrimination)

“It shall combat social exclusion and discrimination, and shall promote social justice and protection, equality between women and men, solidarity between generations and protection of the rights of the child.”

Treaty of the EU or Maastricht Treaty (cont.)

- ▶ Article 9 (equality of EU citizens)

“In defining and implementing its policies and activities, the Union shall take into account requirements linked to the promotion of a high level of employment, the guarantee of adequate social protection, the fight against social exclusion, and a high level of education, training and protection of human health.”

Amsterdam Treaty: Article 13

- ▶ Without prejudice to the 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.

Lisbon Treaty

- ▶ Article 8

In all its activities, the Union shall aim to eliminate inequalities, and to promote equality, between men and women.

- ▶ Article 10

In defining and implementing its policies and activities, the Union shall aim to combat discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation.

Charter of Fundamental Rights: part of Lisbon Treaty 2009

- ▶ Article 1: “Human dignity is inviolable. It must be respected and protected.”
- ▶ Article 3: “Everyone has the right to respect for his or her physical and mental integrity.”
- ▶ Article 21: “Any discrimination based on any ground such as sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation shall be prohibited.”

Gender: 1970s-1980s

- ▶ Gender issues were seen as undermining the single market.
- ▶ 1995: addition of Austria, Finland and Sweden
 - had strong commitments to gender equality and equal opportunity
 - had experience with gender mainstreaming

What is policy mainstreaming?

- ▶ a strategy towards realizing policy goals such as gender equality. It involves the integration of a gender perspective into the preparation, design, implementation, monitoring and evaluation of policies, regulatory measures and spending programmes, with a view to promoting equality between women and men, and combating discrimination.

Racial Equality Directive

- ▶ Racial Equality Directive (RED), which was to create a “framework for combating discrimination on the grounds of racial or ethnic origin, with a view to putting into effect in the Member States the principle of equal treatment.” (Council Directive 2000/43/EC of 29 June 2000).

Four Directives on Anti-Discrimination

- ▶ Employment Equality Directive (2000/78/EC)
- ▶ Racial Equality Directive (2000/43/EC)
- ▶ Gender Goods and Services Directive (2004/113/EC)
- ▶ Gender Equality Directive (recast) (2006/54/EC)