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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 19.6.2009
COM(2009) 269 final

**COMMUNICATION FROM THE COMMISSION TO THE COUNCIL, THE
EUROPEAN PARLIAMENT, THE EUROPEAN ECONOMIC AND SOCIAL
COMMITTEE AND THE COMMITTEE OF THE REGIONS**

**Implementation, results and overall assessment of the 2007 European Year of Equal
Opportunities for All**

{SEC(2009)781}

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1. INTRODUCTION

1.1. What is the purpose of this Communication?

In 2006 the Council and the European Parliament reaffirmed their conviction that non-discrimination is a fundamental principle of the European Union by designating 2007 *European Year of Equal Opportunities for All* (hereinafter 'EYEO'). The EYEO was designed to raise awareness of everyone's right to a life free from discrimination, based on the extensive body of rights and obligations set out in the EC directives, and of the need to develop EU and Member State tools to promote real equality.

In accordance with the Decision establishing the EYEO¹, this Communication reports on the results and achievements, assesses the extent to which it met its objectives and examines the results to see if they are sustainable.

It focuses on:

- the underlying challenges and the corresponding objectives which the EYEO was intended to meet;
- the EYEO's practical and financial implementation, based on the independent evaluation report² and having regard to the requirements set out in the Decision; and
- the EYEO's sustainable results at national and EU level to assess how these can be applied to take up the heightened challenges facing the EU.

1.2. Why an EYEO and what did it set out to achieve?

(a) The challenges

The idea of an EYEO was first put forward by the Commission as part of a framework strategy³ for tackling discrimination, which drew attention to the challenges to the further development of the EU's approach to non-discrimination outlined below.

Legislation

While the Directives⁴ adopted since 2000 on the basis of Article 13 of the Treaty⁵ are seen as bringing major progress, only very limited number of people was aware of their rights and

¹ 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 (Text with EEA relevance), OJ L 146, 31.5.2006, p. 1.

² On-going evaluation of the 2007 European Year of Equal Opportunities for All – <http://ec.europa.eu/social/main.jsp?langId=en&catId=89&newsId=483&furtherNews=yes>.

³ 'Non-discrimination and equal opportunities for all: A framework strategy' - COM(2005) 224.

⁴ Council Directives 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin (OJ L 180, 19.7.2000, p. 22), 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation (OJ L 303, 2.12.2000, p. 16) and 2004/113/EC of 13 December 2004 implementing the principle of equal treatment between men and women in the access to and supply of goods and services (OJ L 373, 21.12.2004, p. 37).

obligations. Furthermore, such actors as lawyers, NGOs and social partners who are crucial in assisting victims and implementing the Directives on the ground often lacked the necessary knowledge and capacity.

Policy

Beyond ensuring the formal right to non-discrimination, many structural barriers remained: these included deeply embedded stereotypes concerning — and lack of participation by — groups at risk of discrimination. Furthermore, where those barriers had been tackled, the approach had been confined to each specific ground for discrimination, even though there was a growing understanding that this did not reflect the reality of individual experience. As many of the challenges and approaches to meet them were common to the various grounds for discrimination, much could be gained from a cross-ground approach based on joint analysis and dialogue. Last but not least, it was felt that the EU could play a bigger role in collecting and presenting transferable good practice to break down these complex structural barriers.

(b) The EYEO as a way of taking up the challenges

The EYEO Decision set out to address the challenges through four objectives: these were the 'four "R"s', namely 'Rights' (corresponding to the legislative challenges), 'Representation', 'Recognition' and 'Respect' (corresponding to the policy challenges). The co-legislators also set out the following three implementation principles, which are described more fully in the next section:

- balanced treatment of grounds with the focus on multiple discrimination and an obligation to mainstream gender across all activities;
- decentralised implementation through national plans and action taking national, regional and local differences into account; and,
- close involvement of civil society and social partners.

The results of the EYEO must therefore be assessed in the light of those objectives and principles (section II) and in terms of their sustainability (section III).

2. IMPLEMENTATION

This section outlines the implementation of the EYEO at national and EU level, building on an external evaluation⁶. Additional facts and figures are presented in the Annex.

⁵ Inserted into the EC Treaty by the Amsterdam Treaty, Article 13 EC provides that the Community may take appropriate action to combat discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation.

⁶ The evaluation, which was carried out by Rambøll Management SA, included 10 country case studies covering Belgium, Denmark, Finland, Ireland, Lithuania, Poland, Romania, Slovakia, Spain and the United Kingdom, as well as four thematic reports focusing on the way three grounds for discrimination (age, race/ethnicity and sexual orientation) and gender mainstreaming were addressed across all EYEO actions and activities.

2.1. Implementation of the EYEO at national level

(a) The EYEO in figures

Actions on the ground

434 actions were implemented across the **30 participating countries**⁷. Their number and scale varied considerably, ranging from three in Belgium⁸ to 49 in France⁹. They generated around **1 600 outputs**¹⁰, which consisted of more than 1 000 meetings and events, around 440 national-level campaigns and over 120 studies and surveys. The grounds of race/ethnicity (61% of all actions) and gender (62%) were those most frequently addressed. In addition, ‘moral’ support¹¹ was granted to over **1 700** additional activities that were in line with the EYEO's objectives.

The fact that so many requests were made to use the logo and other materials pertaining to the EYEO was a clear indication of its added value. Almost all the Final Activity Reports noted the importance of the actions granted moral support and Cyprus, Italy, Malta, Poland, Portugal and Romania gave special emphasis to these.

Action leaders and partners

Altogether around 1 000 action leaders and additional partners¹², most of whom were national authorities (42%), NGOs (25%) or other organisations¹³ (20%), were involved in the implementation of the 434 core actions.

Level of implementation and target groups

The actions (75%) were implemented mainly at national level, and less frequently at regional or local level (around 30% each)¹⁴. The general public was targeted by around 80% of the 434 actions, civil society, administrative authorities and media organisations by about 50%, and business leaders by 33%.

Financial planning and execution

The co-legislators set a global budget for the EYEO of **€15 million**, of which €7.65 million was allocated to activities at national level. The participating countries had to match the amount received from the EU from public or private sources, bringing the overall estimated budget for the 27 Member States up to €15.30 million. While most of the 30 participating countries decided to match the Commission's 50% co-funding, some planned to provide even

⁷ As the EEA countries (Iceland, Liechtenstein and Norway) also decided to celebrate the EYEO (and therefore to comply with the rules), this brought the total number of participating countries to 30.

⁸ The media campaign planned in Belgium was the largest Action undertaken in the framework of the EYEO. With a budget of 465,300 € focussing on all six of the defined grounds of the EYEO in relation to the themes of Rights, Recognition and Respect.

⁹ France implemented the greatest number of Actions led by a variety of actors (mostly NGOs) and implemented more than half of them at the local or regional levels.

¹⁰ Source: Questionnaire for NIBs (Final evaluation report).

¹¹ Actions entitled to use the EYEO logo but which did not receive EU financing.

¹² Several actions involved more than one partner, hence the higher number.

¹³ Mainly universities, regional and local authorities, businesses and social partners.

¹⁴ Does not add up to 100% since some Actions were implemented at several levels.

more than the requisite 50%, resulting in a combined estimated budget of around €18.5 million.

Ultimately, final expenditure on the 434 actions implemented at national level amounted to €15.9 million, or 86% of the original estimated budget.

All 30 participating countries at least matched the EU national grant, with the overall percentage amounting to more than 57%. As a result of overestimating the costs, coupled with delays in the planning phase, in the start of the actions and in the receipt of funding, some countries spent less than the amount budgeted: overall, this was offset by additional resources supplied by seven countries.

(b) Fulfilment of key implementation principles

Decentralisation and balanced treatment of all grounds for discrimination, which were among the principles governing the implementation of the EYEO in the Decision establishing it, were key factors in its success.

Decentralisation

The Decision specified that the bulk of EYEO actions were to be decentralised. To that end, the 30 participating countries were each to designate a **National Implementing Body** (NIB), which was generally a ministry. In a few cases, the national equality body or the ombudsperson's office was given the task. Staff ranged in number from 15 in Portugal to one in Belgium and Norway, with a total of around 100 in charge of implementing the EYEO at national level.

Each NIB was to design a **national strategy** to implement the EYEO in **close cooperation with civil society**. For the first time, the Member States were asked to outline the challenges facing them in terms of each of the six discrimination grounds covered by Article 13 EC, their national priorities in this respect and having regard to the **four main objectives (the 'four "R"s'** mentioned above) laid down by the EYEO Decision, and a list of individual actions selected for EU co-funding.

The general perception was that decentralisation of implementation enhanced the EYEO's relevance by allowing the general objectives (the 'four "R"s') to be refocused on, and adapted to, the national context.

In addition, action leaders were able to refer directly to an NIB with special understanding of the national context, and actors who operated solely in the national language could be included. The country case-study reports from Denmark, Ireland, Lithuania, Romania, Spain and Slovakia found that the decentralised approach had facilitated:

- actions that were close to the citizen and that therefore reflected social realities;
- opportunities for communication and cooperation within a group comprising several organisations representing different grounds for discrimination;
- identification of smaller NGOs and their empowerment for participation.

Balanced treatment of all grounds

The Decision called for **all grounds** for discrimination to be treated, as far as possible, in a balanced way. This was translated by most of the participating countries into calls for proposals dealing with at least two or three grounds at the same time.

This **cross- or multi-ground approach** fostered cooperation between:

- national, regional and local authorities responsible for the various discrimination grounds, and
- NGOs representing the various groups discriminated against at national, regional and local level.

The EYEO was the first initiative in which **gender** was considered not only in its own right but in relation to the other five grounds specified in Article 13 EC. As a result, some countries supported actions focusing on women facing **multiple discrimination**, such as women from minorities (in particular Roma women) and older women with disabilities, who are more likely to suffer from discrimination than their male counterparts.

2.2. Implementation of the EYEO at EU level

Involving the key actors

The EYEO Decision provided for an **Advisory Committee** to be set up with members from each of the 30 participating countries. It met seven times from June 2006 to July 2008.

Through advocacy and awareness-raising activities, organisations representing and defending people exposed to discrimination play a vital role in making anti-discrimination rights effective. Involving civil society in the design and implementation of the EYEO activities was therefore crucial. The Commission held regular discussions with **NGOs and social partners** within an **Advisory Group**, which met six times from June 2006 to July 2008.

EYEO opening and closing conferences

The EYEO opening conference, which was hosted by the German Presidency of the Council, and the first-ever Equality Summit¹⁵, held in Berlin at the end of January, drew an attendance of 530. Nearly 700 participants attended the EYEO closing conference in Lisbon on 19 and 20 November, where they discussed the EYEO's achievements and legacy. The discussion fed into the Council conclusions on the EYEO (see below). Participants at both the opening and the closing conferences represented a broad variety of decision-makers and stakeholders from all 30 participating countries as well as high-level representatives of the European institutions and civil society.

'European Parliament of Equal Opportunities'

Both the European Parliament and individual MEPs from a number of committees and political groups played a crucial role in the EYEO. Parliament and the Commission jointly organised a 'European Parliament of Equal Opportunities for All', a forum for dialogue with civil society on eliminating discrimination and promoting equal opportunities for all in employment and outside, which was held at Parliament's premises in Brussels on 11 and 12 October. Both institutions reaffirmed their commitment to introducing measures to improve the implementation and widen the scope of existing EU legal provisions providing protection from discrimination on all Article 13 grounds. MEPs took part in EU-wide and national activities, such as the Diversity Truck Tour, which set off from Strasbourg in April 2007.

¹⁵ COM(2005)224.

Eurobarometer surveys

Three comprehensive Eurobarometer surveys¹⁶ on public perception of discrimination, equality and diversity provided factual backing for the debate and the EYEO's activities. National fact-sheets produced in 22 EU languages helped to identify the challenges at national level. One question on awareness of the EYEO across the 27 Member States yielded a good indication of the impact of the European and national campaigns and events: **37% of the 27 147 respondents** to Flash Eurobarometer survey 232¹⁷ **had heard of the EYEO.**

EU-wide information and educational campaign

The EU-wide information and promotional campaign made use of various instruments:

- the official **EYEO website**¹⁸: since most sections were translated into 22 EU languages, this was readily accessible; it was viewed by an average of 74 578 viewers per month, giving a total of 894 934;
- the **EU-wide campaign material** was produced in 22 languages: it comprised a leaflet, a postcard, a 'We are Europe' poster and promotional stands for each NIB and for the Commission; and,
- over 700 consignments of **printed information**, promotional material and stands were delivered to NIBs, national correspondents, NGOs and public authorities.

The Commission's representations and delegations provided significant input by participating in high-level national events and hosting events on their premises. The *Europe Direct* network was also involved in Cyprus, Finland and Romania.

3. LEGACY AND SUSTAINABILITY

Will the results of the EYEO be taken forward and sustained?

3.1. In the participating countries

While a European Year can naturally only last 12 months, it may have a longer-term impact at national level, in particular in three main ways.

(a) Consolidation of national policies/activities

Out of 30 NIBs, 25 believed that national strategies would not have been drawn up if there had been no EYEO, and 23 thought that their national strategies had resulted in considerably more anti-discrimination, equal opportunities and diversity activities and initiatives than would have taken place otherwise.

¹⁶ The Special Eurobarometer 263, "Discrimination in the European Union", published in January 2007, the Special Eurobarometer 296, "Discrimination in the European Union – Perceptions, experiences and attitudes", published in July 2008 and the Euroflash 232, published in February 2008

¹⁷ http://ec.europa.eu/public_opinion/flash/fl_232_en.pdf.

¹⁸ <http://equality2007.europa.eu>.

When the EYEO concluded, 72% of the action leaders expected their actions to continue or be repeated after the EYEO ended. 338 action leaders said they had developed new forms of cooperation or had strengthened existing cooperation structures as a result of action undertaken as part of the EYEO. In addition, 88% of action leaders who had developed concepts and materials expected them to remain in use after the EYEO ended.

(b) Stronger cooperation with civil society

Not only was the drafting of national strategies an achievement in itself but it also clearly strengthened cooperation within government authorities and civil society organisations and between them.

18 NIBs (Austria, Bulgaria, Cyprus, Czech Republic, Denmark, Germany, Greece, Hungary, Ireland, Italy, Latvia, Luxembourg, Netherlands, Poland, Portugal, Slovakia, Slovenia and Sweden) considered that the EYEO had resulted in new or improved cooperation with and between NGOs, civil society and the social partners, and between groups and institutions which would not have been working together today without the impetus provided by the EYEO.

More than 140 networks, involving various branches of government, equality bodies, organisations and civil society were generated as a direct result of the EYEO. Most of them (95) were expected to continue in the coming years.

(c) Emergence of new issues

In some countries the EYEO was a chance to focus on grounds for discrimination that had either never been tackled previously or not been tackled as seriously as the other grounds.

Thanks to the EYEO, an information gap was filled when 21 countries conducted studies specifically on **age discrimination**. AGE, the European Older People's Platform, noted that the EYEO had 'succeeded in raising awareness of what is a relatively new ground — age'¹⁹: the EYEO heralded a breakthrough in several countries, where age discrimination became a topic in public debate for the first time.

Many actions dealt with **racial and ethnic discrimination**: the EYEO was instrumental in addressing the most striking issues and needs identified at national and EU level in this area. It also helped to draw attention to the challenges facing **Roma** people: 12 actions implemented in 10 participating countries, including a large Roma component, helped to improve awareness of their situation across Europe.

The requirement in the EYEO Decision to combat all grounds for discrimination in a balanced way meant not only that a large number of actions addressed **sexual orientation discrimination** and some countries paid more attention to the issue, but also that some countries tackled this type of discrimination for the first time. The EYEO also succeeded in putting transgender issues on the political agenda.

¹⁹ http://www.age-platform.org/EN/IMG/AGE_assessment_of_European_Year.pdf.

3.2. At EU level

(a) A firm, practical policy commitment

In December 2007 the EPSCO Council adopted a comprehensive Resolution²⁰ on follow-up to the EYEO, which welcomed the initiatives started and set priorities for the future. The December 2007 European Council endorsed the results of the EYEO and added a specific focus on the need for the EU and the Member States to step up work on promoting Roma inclusion. On 2 July 2008, as part of the renewed Social Agenda²¹ the Commission adopted a **set of measures to combat discrimination** comprising:

- a new proposal for a **directive** on equal treatment prohibiting discrimination on grounds of age, disability, sexual orientation and religion or belief outside the field of employment;
- a **Communication** 'Non-discrimination and equal opportunities: A renewed commitment', which sets out a comprehensive approach to stepping up action against discrimination involving:
 - more effective use of the instruments available, such as non-discrimination mainstreaming, positive action, action to measure discrimination and evaluate progress, awareness-raising, and training and activities promoting diversity at the workplace;
 - giving new impetus to the dialogue on non-discrimination policy targeted at both national authorities and civil society;
- a Commission Decision setting up a **non-discrimination governmental expert group**²² to examine the impact of national and EU-level non-discrimination measures, validate good practice through peer learning and develop benchmarks to evaluate the effectiveness of non-discrimination policies;
- a Commission Staff Working Paper on Community instruments and policies for Roma inclusion.

This set of measures was based to a large extent on experience gained and demands put forward during the EYEO, and in particular the national strategies and the actions they entailed, discussion at, and the conclusions of, the EYEO opening and closing conferences, and the many national events. The proposal for a new Article 13 directive was put forward on the basis of a comprehensive impact assessment, which significantly reflected debate and events during the EYEO.

(b) Harnessing the impetus of the EYEO in a time of crisis

With unemployment rising and risk poverty and exclusion increasing in the current economic recession, the EU and the Member States need to stand by and strengthen their commitment to equality and non-discrimination. History has shown how fear and hardship can be exploited and give rise to persecution of minority groups and the violation of fundamental rights.

²⁰ Council Resolution on the follow-up of the European Year of Equal Opportunities for All (2007), <http://register.consilium.europa.eu/pdf/en/07/st15/st15383.en07.pdf>.

²¹ 'A renewed social agenda: Opportunities, access and solidarity in 21st century Europe' - COM(2008) 412 final.

²² Decision C(2008) 3261.

Understanding the situation

The first step that the EU and the Member States need to take to prevent the current situation from leading to breaches of rights and higher structural barriers is access to accurate information on what is happening on the ground. A lack of comparable data across the EU on the situation of groups at risk of discrimination is hampering a sound understanding and proper monitoring of the situation.

The Commission will conduct a Eurobarometer survey on perceptions of discrimination in mid-2009 with a view to comparing the trends emerging from surveys carried out prior to and directly following the EYEO. This will supplement the comprehensive data-collection work carried out by the Fundamental Rights Agency. The Commission is also exploring the possibility, with the national statistical authorities, of collecting statistics regularly on the scale and impact of discrimination and/or drawing up an EU survey module on experienced discrimination.

Ongoing dialogue with the European umbrella civil-society networks²³ on the various grounds for discrimination covered by Article 13 and Equinet (the European Network of Equality Bodies), which was set up during the EYEO, will help the Commission to obtain up-to-date reports of violations of rights. Similarly, the dialogue which the Commission has established with the Member States as a direct result of the EYEO will permit direct exchanges with them on developments throughout the EU.

Responding to violations and finding solutions

In the recent past the Commission has firmly condemned any violations of fundamental rights, including the perpetration of racist or homophobic acts and the expression of racist or homophobic attitudes. As the guardian of the Treaties, it closely monitors the observance of rights and will follow up any breaches of Community law carefully. Early adoption by the Council of the proposal for an Article 13 directive would therefore send a strong signal of the EU's commitment to fundamental rights and equality.

Ongoing dialogue with the Member States and civil society that draws on experience during the EYEO will also help to identify policy responses and good practice in anticipating and combating discrimination in the current economic and social climate. The Equality Summit to be organised by the Swedish Presidency in autumn 2009 is expected to tackle the issue of action to deal with non-discrimination against the backdrop of the crisis and to give clear guidance to the Member States and the stakeholders on the issues to address most urgently in these challenging times.

Thanks to the EYEO, action to raise awareness of existing rights and obligations and combat stereotypes was intensified by the campaign at EU level and by numerous national activities. On the basis of the lessons learned and in close cooperation with EU and national stakeholders, the Commission is stepping up its awareness-raising activities²⁴ to ensure access to accurate information and send a clear signal that discrimination and stereotyping are unacceptable as well as being detrimental to economic recovery.

²³ AGE, EDF, ENAR, ERIO, EWL, ILGA and YFJ.

²⁴ <http://www.stop-discrimination.info>.

Specifically addressing Roma inclusion

In times of economic crisis, the Roma appear to be at risk of increased discrimination. The Commission's comprehensive report on Community instruments, presented in July 2008 in response to a request from the December 2007 European Council, fed into a high-level Roma Summit organised by the Commission and held in September 2008. The Summit and the report, which generated intense debate, led to an agreement among the stakeholders to step up efforts to foster Roma inclusion.

While the Commission took the lead in this process, action by national, regional and local authorities was needed to generate real progress on the ground. The December 2008 European Council endorsed the comprehensive conclusions of the General Affairs Council meeting²⁵ confirming the Member States' commitment to using the tools available, such as the Structural Funds, to support Roma inclusion, and decided to stage a second Roma Summit under the Spanish Presidency on International Roma Day on 8 April 2010.

To prepare for the event and ensure a lively debate, the contributions of all actors will be presented at a Roma platform. A comprehensive report ahead of the Summit will be supplemented by a broad study of successful policies and programmes, to be carried out by the Commission in the wake of the EYEO. The platform's first meeting, organised by the Czech Presidency and the Commission, was held in April 2009.

4. CONCLUSION

The ambitious, forward-looking Decision establishing the EYEO set strict requirements to ensure that the financial and human resources allocated to it would produce substantial added value. In spite of the relatively short preparatory period from its adoption in May 2006 to the start of 2007, the EYEO managed to fulfil the requirements set in terms of budget execution and material implementation principles (balanced treatment of grounds, decentralisation, involvement of civil society and the social partners and a focus on multiple discrimination and gender mainstreaming) and generated an impressive number of financially and morally supported actions.

The most important factor in the EYEO's success was the political commitment of the Member States, the European institutions and civil society. The Member States not only allocated considerable resources to practical implementation but were also prepared — sometimes for the first time — to discuss the situation openly regarding the six discrimination grounds in their countries and subsequently to draw up public strategies for tackling the challenges identified. The Commission carried out its task of establishing a framework for implementation with the political backing of the European Parliament and the Council. Civil society at EU and national level fully embraced the project and allocated a significant proportion of their scarce resources to its implementation.

In addition to meeting the overall aim of raising awareness of rights and obligations in the existing legal framework, the EYEO triggered a debate on breaking down the barriers between the six discrimination grounds. The debate fed into the Commission's decision to adopt a new proposal for an Article 13 directive to even out the protection afforded across the grounds and fostered a standing debate with the Member States and the stakeholders that will

²⁵ Council document 15976/1/08 REV 1, paragraphs 10-14.

help the EU to develop a policy to achieve equality and allow each individual to realise his or her potential. These achievements will contribute to dispelling the fears and prejudices that the financial and economic crisis may arouse and to countering the setting-up of new discriminatory barriers that could increase exclusion and hamper economic recovery.