

2007 - European Year of Equal Opportunities for All - Towards a Just Society

Operational guidelines¹ - Part II

POLICY OBJECTIVES

Rights, Representation, Recognition and Respect

18 July 2006

*These operational guidelines have been prepared by the European Commission (DG EMPL G4) to the attention of National Implementing Bodies (NIB) designated by participating countries to implement the 2007 European Year of Equal Opportunities for All. They form part of the restricted call for proposals, which is to be answered by NIBs by **15 December 2006**.*

The European Union can be proud of its anti-discrimination legislation, which is one of the most advanced in the world. Yet, legislation alone is not sufficient to tackle the multifaceted and deep-rooted patterns of inequality experienced by individuals or groups. Furthermore, the changing nature of European societies, such as ageing of the population, or the increasing ethnic, cultural and religious diversity, poses significant new challenges. These challenges are often perceived as threats, whereas they can bring economic and social benefits. 2007. In the Decision n° 771/2006/EC² adopted on 17 May 2006, the European Parliament and the Council have designated 2007 as the *European Year of Equal Opportunities for All* (hereinafter ‘the Year’). The Year will seek to raise awareness of the benefits of a just, cohesive society where there is equality of opportunity for all, irrespective of their sex, racial or ethnic origin, religion or belief, disability, age and sexual orientation. This will require tackling barriers to participation in society and promoting a climate in which Europe's diversity is seen as a source of socio-economic vitality. The momentum created by the Year should find a natural follow-up with the new *European Year of Intercultural Dialogue* that has been proposed by the Commission for 2008.

¹ This document complements the Operational Guidelines – Part I on Implementation Mechanisms of 24 May 2006.

² OJ L 146, 31.5.2006

A. WHY A YEAR DEVOTED TO EQUAL OPPORTUNITIES FOR ALL?

Reaping the benefits of diversity for a more competitive and dynamic society

In its Communication "*Working together for growth and jobs – a new start for the Lisbon strategy*"³, the Commission called for "*a vision for society, which can integrate both the ageing and the young, particularly for the development of our workforce, where current dynamics cast a shadow over both long-term growth and social cohesion*". It also underlined that "*renewed growth is vital to prosperity, can bring back full employment and is the foundation of social justice and opportunity for all*".

It will be difficult to achieve the ambitious Lisbon strategic objectives if large groups of the EU population are excluded from jobs, training and other opportunities. Eliminating discrimination in order to reap the benefits of diversity is an important element in the development of a more competitive and dynamic economy and society.

The Commission's Communication on the Social Agenda for the period 2005-2010, emphasised the importance of promoting equal opportunities for all in order to achieve a more cohesive society. While underlining that the EU has been a "driving force" in implementing the principle of equal treatment, the Commission considered it opportune and timely to reinforce its efforts to promote equal opportunities for all, in order to tackle the structural barriers faced by migrants, ethnic minorities, the disabled, older and younger workers and other vulnerable groups.

Further political focus and support is highlighted in the Commission's Communication "*Non discrimination and equal opportunities for all – a framework strategy*"⁴. The Framework Strategy aims both to reinforce individual legal protection against discrimination and to develop a positive approach to the promotion of equal opportunities. It will require the mobilisation of all of the relevant stakeholders and EU policies.

One of the key initiatives announced in this Framework Strategy⁵ is to propose that 2007 be designated "*European Year of Equal Opportunities for All*" (hereinafter 'the Year'). The Year responds to one of the key challenges identified by respondents to the Commission's Green Paper on *Equality and non-discrimination in an enlarged EU*⁶. The vast majority of contributions called for further awareness-raising initiatives, in order to challenge discriminatory attitudes and behaviour, as well as informing people about their legal rights and obligations.

³ COM (2005) 24 final, 2.2.2005

⁴ COM (2005) 224 final, 1.6.2005

⁵ In its section 3.5 p.8

⁶ COM (2004) 379 final, 28.5.2004

The right to equality and the protection against discrimination

Article 6(1) of the Treaty on European Union states that the Union is founded on the principle of liberty, democracy, respect for human rights, as well as on fundamental freedoms and the rule of law, principles which are common to the Member States. The right to equality before the law and the protection against discrimination constitute a fundamental right and are central to the proper functioning of democratic societies.

A considerable body of European legislation has been put in place over the past thirty years in order to tackle sex discrimination related to pay, working conditions and social security. Today, promoting equality between women and men is recognised as one of the Community's essential tasks (Article 2 of the EC Treaty). The Community must aim to eliminate inequalities and promote equality between women and men in all its activities (Article 3(2) of the EC Treaty). The recent Commission Communication "*A roadmap for equality between men and women*"⁷ outlines the priority areas for EU action on gender equality for the period 2006-2010.

Adoption of the Amsterdam Treaty in 1997, which introduced a new Article 13⁸ into the EC Treaty, represented a quantum leap forward in the fight against discrimination. For the first time, the Union was empowered to take appropriate action to combat discrimination on a whole new range of grounds, comprising sex, racial or ethnic origin, religion or belief, disability, age and sexual orientation. On the basis of this Article, the European Community adopted unanimously and in record time a comprehensive package consisting at that time of two Directives⁹ and a Community action programme. The adoption of this package was a demonstration of the European Union's commitment to a society free from discrimination. It also served as a signal to countries outside the EU, especially those applying to join, that the principle of equality and non-discrimination forms part of the bedrock of fundamental rights, on which the EU is based.

More recently, the Council adopted legislation in relation to gender (Directive 2004/113/EC) implementing the principle of equal treatment between women and men in the access to and supply of goods and services.

2007 will be a significant year for the European legislative framework in the area of anti-discrimination. The extra time accorded to some Member States to transpose both the disability and age provisions of Directive 2000/78/EC will have expired. Thereafter, all individuals, irrespective of their racial or ethnic origin, religion or beliefs, disability, age and sexual orientation will be entitled to uniform protection against discrimination throughout the EU. In addition, by 31 December 2007,

⁷ COM (2006) 92 final, 1.3.2006

⁸ Article 13 states the following: "Without prejudice to the other provisions of this Treaty and within the limits of the power 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 and sexual orientation".

⁹ Council Directive 2000/43/EC of 29 June 2000, implementing the principle of equal treatment between persons irrespective of racial or ethnic origin, and Council Directive 2000/78/EC of 27 November 2000, establishing a general framework for equal treatment in employment and occupation.

Member States will have to transpose the provisions of the Gender Equality Directive 2004/113/EC into their national legal orders.

Unfair treatment continues to be a feature of everyday life in the EU

Adopting laws combating discrimination is not enough. An effort is required to ensure that these EU laws, which have the potential to have a huge impact on people's daily lives, are widely known and accessible to the public.

Furthermore, the implementation and enforcement of anti-discrimination legislation on an individual level is not enough to tackle the multifaceted and deep-rooted patterns of inequality experienced by some categories of people and groups, as exemplified by the following statistics:

- Women, who have benefited from legal protection against discrimination for more than 30 years, continue to be paid on an average 15% less than men for a comparable work.
- According to the 2002 Eurobarometer survey, most European believe that a person's ethnic origin, religion, disability or age can be an obstacle in finding a job, even where qualifications are equal. Large-scale surveys conducted by the International Labour Organisation in some EU countries have confirmed this.
- Minorities and, in particular women from minorities, are amongst the groups which remain under-represented in decision-making bodies, in the business world as well as in politics. Only 23% of parliamentary seats in the EU are currently occupied by women.
- Figures also indicate a gap between the employment rate of disabled and non-disabled people only 40 of the disabled people were employed compared to 64.2% for non-disabled.
- With an employment rate of 40.1% compared to the EU average of 62%¹⁰, older workers face considerable difficulties to get a job.

Changing demographics: diversity is a reality

The populations at risk of discrimination are set to increase given the unprecedented demographic change that Europe is facing. In 2003¹¹, the natural population increase in Europe was just 0.04% per annum; the new Member States, with the exception of Cyprus and Malta, all saw falling populations. In many countries, immigration has become vital to ensure population growth. The total working age population (15-64 years) is due to fall by 20.8 million between 2005 and 2030, while the number of elderly people aged 65-79 will increase significantly after 2010 and until around 2030 (+ 37.4%).

¹⁰ Joint Employment Report 2003-2004

¹¹ Green Paper "Confronting demographic change: a new solidarity between the generations, COM (2005) 94 final dated 16.03.2005

To meet this challenge, policies focusing on getting people into jobs - especially certain groups in the population such as women and both younger and older people – on innovation and increasing productivity must be resolutely implemented. It is also necessary to continue modernising social protection systems, especially pensions, and devising approaches to manage economic migration. But fighting discrimination based on sex, sexual orientation, age, handicap, racial or ethnic origin and religion is also essential to ensure that all in Europe have access to employment and equal opportunities.

The rationale for a European Year devoted to Equal Opportunities for All

Although women represent more than half the population and diversity in terms of age, sexual orientation, handicap, racial or ethnic origin and religion is a fact of life in today and tomorrow's European populations and societies, the economic and social benefits of this diversity are far from being known or perceived as such by policy makers, business leaders as well as by the wider population.

The ambitious anti-discrimination legislative framework put in place by the EU is not yet sufficiently known, understood and applied. In addition, legislation alone is not enough to tackle the multifaceted and deep-rooted patterns of inequality experienced by some categories of people and groups, or to ensure a real equality of opportunities in practice and full participation and contribution at all levels of society.

Fostering equal opportunities for all means changing public attitudes by promoting tolerance and acceptance of diversity as well as awareness of the benefits diversity can bring. It also means mobilising all policies that can help to promote equality and non-discrimination, increasing awareness of and stimulating debate on the key barriers to a more just and inclusive society, and looking beyond the concerns of individual groups.

This requires a proactive strategy vis-à-vis the public at large, and a European Year is an appropriate vehicle for launching such a strategy. European Years are aimed at a range of stakeholders with the view to publicising, debating, exchanging views on a specific theme. They have proved to be an effective instrument for raising awareness: experience of past European Years shows that the broad level of participation within a limited time-frame has successfully contributed to harnessing political support and paving the way for broader political commitments. European Years have also been seen as an effective way of creating synergies between different areas of policy-making at EU, Member States and regional/local levels.

B. WHAT ARE THE OBJECTIVES OF THE EUROPEAN YEAR 2007?

General objectives of the Year

Despite progress achieved to date at EU level to eliminate discrimination and promote equal opportunities, there remains much scope for further action. Even the most carefully drafted legislation will prove inadequate if the political will is not there to translate it into long-term action and if it does not enjoy broad popular support.

Building on and learning from the achievements of previous European Years, notably the 1997 European Year Against Racism and most recently the 2003 European Year of People with Disabilities and the pan-European information Campaign "*For diversity, Against discrimination*"¹², the 2007 European Year of Equal Opportunities for All will provide an opportunity to promote a more cohesive society that celebrates diversity within the framework of EU core values, such as gender equality. It will seek to raise awareness of the substantial EU legislation in the field of equality and non-discrimination, as well as stimulating debate, dialogue and exchanges of good practice.

Specific objectives of the Year

- (a) **Rights** – Raising awareness of the right to equality and non-discrimination and of the problem of multiple discrimination – *The Year will highlight the message that all people are entitled to equal treatment, irrespective of their sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation. The Year will make groups that are at risk of discrimination more aware of their rights and of existing European legislation in the field of non-discrimination.*
- (b) **Representation** – Stimulating debate on ways to increase the participation in society of groups that are victims of discrimination and ensure balanced participation among men and women – *The Year will encourage reflection and discussion on the need to promote greater participation of these groups in society, and greater involvement in actions designed to combat discrimination, in all sectors and at all levels.*
- (c) **Recognition** – Facilitating and celebrating diversity and equality – *The Year will emphasise the positive contribution that people, irrespective of their sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation, can make to society as a whole, in particular by accentuating the benefits of diversity.*
- (d) **Respect** – Promoting a more cohesive society – *The Year will raise awareness of the importance of eliminating stereotypes, prejudice and violence, promoting good relations between all in society, and, in particular, among young people, and disseminating the values underlying the fight against discrimination.*

¹²

www.stop-discrimination.info

C. DESIGNING ACTIONS UNDER THE FOUR SPECIFIC OBJECTIVES OF THE YEAR

RIGHTS – Raising awareness on the right to equality and non-discrimination

The key objective here is to raise public awareness about EU legislation and related national legislations on equality and non-discrimination, which constitute or are based on EU common values and principles.

The Year will seek to highlight the message that discrimination based on sex, racial or ethnic origin, religion or belief, disability, age and sexual orientation is illegal in the EU, and that all people, irrespective of their sex, racial or ethnic origin, religion or belief, disability, age and sexual orientation are entitled to equal treatment.

This message should be communicated **both to the wider public** and to **individuals or groups at particular risk of being discriminated**.

This could be the occasion to introduce discussions, debates and/or studies on what prohibition of direct and indirect discrimination means in practice.

The definition of discrimination under EU law includes not only "direct discrimination", i.e. cases where one person, because of his/her personal characteristics is treated less favourably than another one, but also indirect discrimination.

Indirect discrimination can result from the failure to take into account differences amongst individuals or groups. Seemingly neutral policies, procedures and practices may have a negative impact upon people sharing certain personal characteristics, leading them to being discriminated.

Discussing discrimination might therefore usefully entail reflecting on what equality and equal treatment means. Equality does not mean sameness, and intention is not required to constitute discrimination.

Generally speaking, the Year should be the occasion to discuss the need for a better and comprehensive understanding of the nature and extent of discrimination in order to highlight its multidimensional and subtle forms.

REPRESENTATION – Stimulating a debate on ways to increase the participation of under-represented groups in society as well as a balanced participation of men and women in all sectors and at all levels

All individuals and groups must be given meaningful means and skills to fully and actively participate in society, irrespective of their sex, racial or ethnic origin, religion or belief, disability, age and sexual orientation.

Giving equal opportunities to all does not only mean eliminating discrimination. It also requires recognising the barriers that exclude members of particular groups from full participation and removing them in order to equalise the opportunities to full and equal participation for all – participation to education, employment, decision-making mechanisms in the political sphere as well as to the business world.

Let's take the image of competitors in a race. Can true equality be achieved if individuals begin the race from different starting points? Can true equality be achieved if some individuals will have to overcome additional hurdles compared to other competitors? An equal opportunities approach aims to equalise the starting points of the competitors by removing barriers at the point of selection for or access to education, employment or other activities. Meaningful equality of opportunities requires not merely the absence of overt discrimination against those with developed talents, but also equal opportunity to develop one's talent. According to this approach, those who are at the same level of talent and ability, and have the same willingness to use them, should have the same prospects of success regardless of their initial place in society.

The Year will encourage reflection and discussion on the need to promote greater participation of under-represented groups in society and greater involvement in actions designed to combat discrimination, in all sectors and at all levels.

This will imply sensitising mainstream population to the very fact that such under-representation exists and is counter-productive. Examples from politics, business and media could usefully be taken to show the low level of participation and representation of individuals or groups at risk of discrimination.

Debate and dialogue, including exchange of experience should also allow identifying the most appropriate manner to promote a greater participation of under-represented groups in society as well as a balanced participation of men and women in all sectors and at all levels. Here again, the world of politics, business or media could provide an appropriate focus.

Debates and exchanges of experience on the most appropriate manner to promote a greater participation of women and under-represented people in society can lead to discussing **positive action or specific measures**.

Positive actions or specific measures can be understood as measures compensating for long-standing inequalities suffered by categories of people who, historically, have not had access to or enjoyed equal opportunities. In other words, positive action refers to all measures that go beyond the prohibition of discrimination, and seek to remedy disadvantages in a proactive, rather than reactive way. Such measures include for example programmes specifically designed to attract candidates from under-represented categories of people, training measures developed for some groups more at risk of being unemployed, etc.

EU non-discrimination legislation admits under certain conditions the possibility for Member States to develop such actions¹³, if the purpose is to prevent or compensate for disadvantages. Introducing so-called "positive measures" to achieve real equality is very much debated in policy as well as in legal terms. Here again, the Year's role will be to encourage debates on this issue amongst the wider public as well as practitioners, and exchanges of experience between countries or economic sectors within countries.

Debating positive action is closely linked to debating **data collection**: one needs to quantify and demonstrate the disadvantages suffered by individuals or groups in order to be able to recognise the issues and consequently introduce appropriate corrective policies.

Building on positive experiences developed in some EU countries, the Year will seek to launch debates and raise awareness on the importance and role of data in the non-discrimination field and on the conditions under which such data can be collected and processed for the purpose of combating discrimination and promoting equality, while protecting the individual.

At EU level, the European Commission will produce in 2007 a number of studies on data collection (see section F.c below).

RECOGNITION – Facilitating and celebrating diversity and equality

As highlighted above, Europe is undergoing some profound changes that call for a reconfiguration of where European societies stand on equal opportunities issues. Inequalities and long-standing disadvantages faced by individuals or groups can detrimentally impact on the cohesion of our societies. The promotion of diversity and equality should therefore be seen as key drivers of a culture of respect which underpins prosperous and cohesive societies. Equality matters should be at the core of public policy agendas and should not exclusively be regarded as an issue for those individuals or groups that are disadvantaged.

¹³ See for example article 5 of Directive 2000/43/EC which states that "with a view to ensuring full equality in practice the principle of equal treatment shall not prevent any Member States from maintaining or adopting specific measures to prevent or compensate for disadvantages linked to racial or ethnic origin".

The Year will emphasise the positive contribution that people, irrespective of their sex, racial or ethnic origin, religion or beliefs, disability, age and sexual orientation have made, or make to society as a whole. It will help create a culture where all people whatever their personal characteristics are valued and recognised as being legitimate and equal members of our societies. The Year will highlight the benefits of diversity for European societies.

The Year will seek to engage the wider public in an open debate on what diversity means in today's Europe and will contribute to create a positive climate in which everybody's contribution, whatever their personal characteristics, are valued in society.

Here again, the world of media, education and business¹⁴ could usefully be focused on.

RESPECT – Promoting a more cohesive society

The Year will seek to raise awareness about the importance of promoting good relations between all communities in society, and in particular among young people as well as between the generations with respect being at the core of the relationships between communities and individuals. It will bring together different individuals or groups in an effort to promoting and disseminating the values of equal treatment and fight against discrimination.

Key to this will be to work on **eliminating negative attitudes, stereotypes and violences**. The Year should also provide with the opportunity to engage into a debate on the most appropriate means to develop greater and closer relationship between all communities in society and to create a sense of belonging for all that is based on dignity and respect of basic human rights.

This could for example entail working with schools and the media on stereotypes and the representation of vulnerable groups in society, including by the media.

D. NATIONAL STRATEGIES AND PRIORITITES

The decision establishing the Year¹⁵ requires that participating countries draw up national strategies and priorities.

¹⁴ In November 2005, the European Commission has published a study highlighting the Business Case for Diversity – Good practices in the workplace
http://ec.europa.eu/employment_social/fundamental_rights/pdf/events/busicase_en.pdf

¹⁵ OJ L 146/1 of 31.5.2005

The aim of the national strategy and priorities will be to apply the objectives of the 2007 European Year of Equal Opportunities for All to the reality and needs of each participating country. It should be built upon an analysis of the challenges facing each participating country in respect of the six discrimination grounds of the EC Treaty, and in respect of equal opportunities policies and diversity issues in general. This analysis should be matched by a presentation of policy actions and initiatives that the participating country intends to take in response to these challenges during the European Year, and in accordance with the general and specific objectives of the Year.

The national strategy and priorities will represent be part of the application that each NIB will send to the European Commission in response to the restricted call for proposals, in order to obtain EU funding.

The national strategy should be designed and adopted in full cooperation with the relevant civil society and stakeholders. This will include the organisations defending or representing the interests of people potentially exposed to discrimination and unequal treatment and other relevant stakeholders.

The award of grants to the participating countries will depend on the extent to which the EU's objectives for the Year, as stipulated in Article 2 of the Decision on the Year (see also above under section B), have been adequately met in the national strategy and priorities, and whether civil society and stakeholders have been adequately consulted. Participating countries will also have to explain how they intend to comply with Article 3a of the Decision (on gender mainstreaming).

The national strategy and priorities and the list of the individual Actions selected for funding, once agreed between each NIB and the European Commission, will be annexed to the grant agreement to be signed both to allow the transfer of funds.

The structure to be followed when designing the national strategies and priorities is to be found in Annex I to the restricted call for proposals and is an integral part of it.

E. ISSUES TO BE BORNE IN MIND WHEN DRAFTING THE NATIONAL STRATEGIES AND PRIORITITES & IDENTIFYING THE INDIVIDUAL ACTIONS

In addition to answering the Year's objectives detailed above under section B, a number of issues have to be borne in mind when selecting concrete individual actions.

A balanced treatment of discrimination grounds

Actions targeting discrimination based on sex, racial or ethnic origin, religion or belief, disability, age and sexual orientation or a combination of them (see "multiple discrimination" below) will be eligible during the Year. When identifying these actions, participating countries should bear in mind that their final selection should

reflect a balanced treatment of all grounds of discrimination, as clearly stated in the Decision establishing the Year.

This means that participating countries should not propose actions concentrating on a single discrimination ground or a few grounds only, while other grounds will have no dedicated projects. This being said, in some Member States certain issues are clearly more prominent than others, such as for example the Roma issues. It will be possible to reflect such specific situation in the national strategy and priorities, and the related selected actions, providing sound justification. At the same time however, no group that is discriminated against on the basis of the Article 13 (sex, racial or ethnic origin, religion or belief, disability, age and sexual orientation) should be left out of the strategy designed for the Year and its related actions.

Rather than planning actions on each ground of discrimination, actions could be organised around the four specific objectives of Rights, Representation, Recognition and Respect, and/or could target issues related to discrimination and equal opportunities in general, and to the promotion of diversity.

Gender mainstreaming

Article 3 of the Decision on the Year requires the different ways in which women and men experience discrimination on the grounds of racial or ethnic origin, religion or belief, disability, age and sexual orientation to be taken into account. This principle should be applied to all actions that will be funded during the Year.

Multiple discrimination

When negotiating the Decision on the Year, both the Council and the European Parliament underlined the importance of tackling multiple discrimination. Actions targeting this issue during the Year are strongly encouraged.

Multiple discrimination, also known as cumulative or 'intersectional' discrimination, is taken to mean discrimination based on two or more of the grounds listed in Article 13 of the Treaty: i.e. sex and racial or ethnic origin, sexual orientation and religion or belief, etc. However, the effect of multiple discrimination is more than the mere addition of the consequences of the discrimination based on two grounds. Individuals suffering multiple discrimination experience it in a different way from either of the two single groups to which they also belong taken separately. Thus, black or minority women may be excluded from “women’s” work because of their race or colour, and from “men’s” work because of their gender.

During the Year, the European Commission will publish a study on multiple discrimination and organise a European level conference to discuss its findings (see point F.d below).

Are projects that target other grounds of discrimination eligible?

EU funding can only go to actions relating to the six grounds stipulated at EU level. Actions covering grounds other than those in the Treaty should not be included in the list of actions submitted for Community funding. However, participating countries could, at their own expenses, include additional discrimination grounds, which are

duly identified in the national legislation (NB: it will not be possible to take such costs into account in the national share matching the EU funding).

Non-EU nationals

When planning specific actions, it will be important to bear in mind that European legislation on equal treatment covers not only EU nationals, but also third country nationals resident in Europe and all persons legally or illegally present on the territory of the EU.

F. ARTICULATION BETWEEN ACTIONS UNDERTAKEN AT EU LEVEL AND THOSE UNDERTAKEN AT NATIONAL LEVEL

European level activities

7.35 million € will be dedicated to activities undertaken at European level.

The European level activities include an EU-wide information and promotional campaign, which is the largest activity to be undertaken at EU level. They will also include two Eurobarometer surveys, an on-going evaluation of the Year, and the opening and closing conferences of the Year in conjunction with the respective EU Presidencies (Germany for the first half of 2007, and Portugal for the second).

All these measures are designed to add value at European level by raising awareness about European issues (rights to equality and non-discrimination), by promoting and stimulating debate on questions which are of interest to individuals in all Member States and by stimulating a public debate about the increasing diversity of European society. The activities foreseen relate to the provision and exchange of information and good practice. They also involve the further study of areas, where there is a currently a lack of information.

(a) EU-wide information and promotional campaign

On 5 July 2006, the Commission launched a call for tenders¹⁶ to identify a company to design and implement the Europe-wide information and promotional campaign of the *2007 European Year of Equal Opportunities for All* and a number of related activities.

The campaign will be a public communication campaign, also defined as a “*public engagement*” campaign. It will aim to achieve social change: i.e. to change the general public’s perceptions of diversity - from a threat to an asset, and to make people understand that it is not enough not to discriminate: society must also offer equal opportunities to all.

The objectives of the campaign can be summarised as follows:

¹⁶ N° VT/2006/013, of which the NIBs were directly informed by an e-mailed note on 13 July 2007.

- to send to the public a positive message on diversity: diversity is not an exception, it is fact of life in today and tomorrow's Europe; furthermore, diversity is not a threat, it brings benefits;
- to make people understand that it is not enough not to discriminate, society must also offer equal opportunities to all;
- to make people aware that discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation is illegal in the European Union;
- to promote best practices to fight discrimination and to advance equal opportunities;
- to help break stereotypes concerning people or groups discriminated on the grounds of sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation;
- to raise awareness on additional difficulties faced by people suffering from multiple discrimination;
- to raise awareness on the right and need for all people to participate in society and in decision-making;
- to raise awareness of what is happening under the Year.

The target groups of the campaign will be:

(1) the general public;

(2) groups in a position to shape or make an impact on non-discrimination and equality policies (e.g. social partners, policy makers, administrative authorities, business leaders, employers, equality bodies, community leaders, media organisations);

(3) civil society, defined as individuals and organisations defending or representing the interests of people potentially exposed to discrimination and unequal treatment, who by their nature play a specific role in fighting discrimination and promoting equal opportunities (advocacy, awareness raising), as well as shaping or making an impact on non-discrimination and equality policies.

Articulation between the pan-European campaign and the national awareness raising activities

The campaign will take place in all countries participating in the Year. Although the central messages of the Year will aim at the whole of the European Union, the campaign in the various participating countries might need to have some kind of distinctive national character in order to take account not only of the concerns specific to discrimination issues in each country, but also of the opportunities and constraints in each country with regard to the dissemination of information. At the same time, however, all the activities covered by the campaign have to be seen as an integral part of a European Union initiative, and, most importantly, all 6 discrimination grounds have to be covered in each national campaign in addition to the Europe-wide

campaign, bearing in mind that a balanced treatment of discrimination grounds is one of the key principles of the Year.

The successful company will need to have offices or operational partners based in each participating country. These offices or partners will be required to have the capacity to implement and manage the campaign at national level and to work with the NIBs.

The call for tender mentioned above includes among its three main activities a specific one whereby the successful company will provide the NIBs with strategic advice to help them manage and run information and communication activities, public relations and relations with the media, including advice and assistance in presenting information to the media and organising press conferences at national level. The two other activities include at various strands actions that will bring support to and/or require relation with the NIBs (see details from page 19 to 24 of this document).

NIBs will be informed of the name of the company that will run the campaign as soon as it is selected¹⁷. NIBs and their staff will be expected to take the necessary steps to foster the best cooperation possible with the successful company and provide all the required information.

(b) Opening and closing conferences

The Year will be launched by the first Equality Summit organised under German Presidency (Berlin, 29 & 30 January 2007) and will be closed under Portuguese Presidency at the end of 2007.

(c) Surveys and Studies

The Commission will release a number of surveys and studies in 2007, the facts, figures and recommendations of which could feed in the debates at EU and national levels. The following are the most closely related to the Year, without representing an exhaustive list:

➤ Eurobarometer surveys

Changes in attitudes or behaviour over time are an informative indicator of the success of non-discrimination legislation and policies. Information about perception and attitudes with regards to discrimination, diversity and equal opportunities is also extremely useful to design awareness raising measures. Two surveys should be conducted by the Commission in 2006-2007.

➤ Mapping study on existing national legislative measures and their impact in tackling discrimination - outside the field of employment and occupation - on the grounds of sex, religion or belief, disability, age and sexual orientation

This study examines national provisions, which go beyond the requirements of the EC Directives, in Member States and in some third countries. It will also produce a synthesis of cost/benefit analyses of different policy options carried out at national level. The results of the study are expected at the beginning of 2007.

¹⁷ In principle in November/December 2006

➤ **Study on mainstreaming of Community policies and legislations in the field of non-discrimination**

The purpose of this study is to examine whether and how the principle of non-discrimination is respected and promoted by existing Community policies. It will also provide the Commission with independent and authoritative information on how to respect and promote that principle in the future in all relevant Community policies. The results of this study are expected at the end of 2006.

➤ **Study on the social and labour market integration of ethnic minorities**

This study will analyse the extent to which membership of a particular ethnic minority may lead to specific barriers in gaining access to the labour market, and how to tackle these barriers more effectively. The report should also look into the relationship between action to promote integration of ethnic minorities and wider action to tackle social inequality.

This study is intended to inform and support the recommendations to be made by the High Level Group on the integration of ethnic minorities set up in 2006. The Group has been asked by the Commission to deliver its recommendations during the second half of 2007.

➤ **Study on multiple discrimination in the European Union**

This study will seek to improve the understanding of the causes and consequences of multiple discrimination, to raise awareness of the particular difficulties facing victims of multiple discrimination and to facilitate the expertise and experience to be found in this area, which can be then utilised for the development of greater understanding and cross-fertilisation of ideas. The study should also provide practical recommendations on the best ways to address multiple discrimination. A conference should be held at the end of the study period, i.e. in autumn 2007.

➤ **Study to improve the understanding of issues related to the risks of various forms of discrimination in relation to disabled people with complex needs and/or a high dependency**

This study should define precisely the risks of possible discrimination, which people with severe disability could face, in particular in the following fields: social protection (including social security) and access to quality social services (i.e. support and care). In this respect, the study should take into account the aspects of accessibility, availability, affordability and quality of these services in order to identify situations where inequalities and delivery gaps could occur. Protection and procedural safeguards should also be explored.

➤ **Detailed statistical analysis on the data on the situation of disabled persons obtained from the Labour Force Survey (LFS) and its 2002 ad hoc module on the "employment of disabled persons"; and from the Community statistics on the income and the living conditions (EU-SILC)**

This study will analyse/interpret statistical data in the disability field using in particular the 2002 Labour Force Survey data as well as the EU-SILC data in order to

improve the monitoring of the situation of people with disabilities. The aim of the study is to report on the social conditions (employment, income, housing, education and training...) of persons with a disability (of various types), including the comparison of their situation with respect to non-disabled persons.

- **Study compiling statistical data on disabled persons obtained through ‘registers’– including data from the new Member States - mainly from social security authorities, providing a validated picture of the overall situation of people with disabilities.**

The data to be collected would cover the following topics: - prevalence of disability, by age, by degree and type of disability; origin of disability; - education (in ordinary environment and in special education); employment (including sheltered employment) and unemployment. As a result, the proposed study will describe the situation of people with disabilities on the basis of data for each of the 25 Member States as well as issue a summary report for each topic.

- **Study on a conceptual framework for the purpose of measuring progress in combating discrimination and promoting equality**

This study will seek on the one hand to develop a conceptual framework for the purpose of measuring progress in combating discrimination and promoting equality and to make specific suggestions for a selection of a reasonable set of indicators aimed at measuring both above policy objectives in fields such as employment, education, access to goods and services, social protection, social advantages; and on the other hand to examine existing statistical data that could fit the purpose of measuring progress in combating discrimination and in promoting equality - and to identify existing gaps and propose course of actions to meet them. Results of this study should be available by the end of 2007.

- **Handbook on the measurement of discrimination**

This Handbook is meant to raise awareness on the one hand of the need to collect data in relation to discrimination; and on the other hand of the ways in which data collection can be carried out.

As this project is linked to the Community Action Programme, which is itself linked to the two Article 13 Directives, the Handbook will cover the same grounds of discrimination (racial and ethnic origin, religion and belief, age, disability and sexual orientation) and the same areas of life (including employment and education) as the two Directives. Gender will be taken into account as a cross-cutting issue.

The primary target groups include national and European decision-makers and all those who are, or should be, involved in data collection. The project started in November 2005, and the Handbook is expected to be available at the end of 2006 in English, German and French.

(d) On-going evaluation

In July 2006, the Commission launched a call for tenders¹⁸ to identify a company that will run an on-going evaluation of the *2007 European Year of Equal Opportunities*

¹⁸ Idem

for All, will start in early 2007 with a view to delivering intermediate results in mid-2007 and final results in mid- 2008. The objectives of this on-going evaluation are to assess:

- whether the Year has met its objectives both at European and national levels;
- the relevance of organising a specific European Year, taking into account the other existing Community initiatives and measures to combat discrimination and promote equal opportunities, including the Framework Strategy on non discrimination and equal opportunities for all;
- the relevance of launching a large information and promotional campaign at EU level, including the relevance of the chosen activities and the identified target audiences;
- the added value created through the Year, including the synergies created between different actors and areas of intervention at EU, MS/national, regional and local levels.

The on-going evaluation will take overall stock of the different aspects and activities of the Year at European and national levels. It will cover:

- EU-level actions with a dedicated emphasis on the information and promotional campaign;
- national actions;
- any other actions (such as those, which would receive moral support of the Year);
- the monitoring framework and systems set up at Commission level, including the Advisory Committee (MS representatives), the Advisory group (key stakeholders), the *ad hoc* inter-services group;
- national implementing bodies (NIBs) and their respective national strategies and priorities;

When covering the above mentioned points, the evaluation should also specifically address the following issues:

- whether the six grounds of discrimination identified in the EC Treaty (art. 13) were dealt with in a balanced manner;
- whether multiple discrimination was addressed, and if so how;
- whether gender mainstreaming was implemented, and if so how;
- the degree of involvement of the various stakeholders.

In addition, a number of case studies will be conducted, both at national level and at sectoral level. The list of case studies will be communicated to participating countries as soon as it is finalised.

NIBs will be informed of the company that will run the on-going evaluation of the Year as soon as it is selected.

NIBs and their staff will be expected to take the necessary steps to foster the best cooperation possible with the successful company and provide all the required information.

**Appendix: The Europe-wide information and promotional campaign
Relevant information for the NIBs**

(As extracted from the open call for tenders N° VT/2006/013)

The company identified to design and implement the Europe-wide information and promotional campaign of the *2007 European Year of Equal Opportunities for All* is expected to deliver three main kinds of activities, one of which is specifically tailored for the NIBs, whereas parts of the two others will require a sound co-operation with the NIBs and their respective staff.

A. Provision of technical assistance to the national implementing bodies (Activity II of the call for tenders)

The tenderer will provide NIBs with strategic advice to help them manage and run information and communication activities, public relations and relations with the media, including advice and assistance in presenting information to the media and organising press conferences at national level (press packs and press releases for key events, for example).

To this end, the contractor's national partners will contact all NIBs as soon as possible after signature of the contract to identify overall needs. This will be a priority task for the successful tenderer. This first contact will be accompanied, in each participating country, by a presentation of the services to be performed by the successful tenderer for NIBs.

Following this first contact, the contractor's national partners will answer urgent ad-hoc requests from NIBs pertaining to the information and communication activities described above, and contact the members of the NIBs on a monthly basis to cater for short and medium-term assistance needs, provide advice, explain the actions developed at European level, take stock of the national situation and discuss other possible initiatives, etc. This will ensure coherence between activities carried out at national European level. The contractor will report immediately to the European Commission.

The tenderer will also provide the following services to NIBs:

- delivery of all printed material, promotional items, posters, banners and information stands needed for this pan-European campaign (see above);
- organisation, in a European Union Member State, of one seminar of two days duration, aimed at facilitating networking and exchange of good practice between NIBs (in particular looking for the best articulation and synergies between national and EU information campaigns). Travel, accommodation and subsistence expenses should be included in the bid;
- provision of templates for the national websites and of a minimum of 10 pages to be posted on the national websites, in the national languages;
- translation into EN, FR and DE and layout of the document presenting the national strategy to implement the Year, including the Year's logo, for posting on both the national and the European websites;
- advice on appropriate content and presentation of newsletters and other publications aimed at the target audience in the various participating countries. The contractor will not be responsible for producing these newsletters or for

their content (The Commission does not intend to print a newsletter at European level, but will encourage NIBs to include content downloaded - and where necessary translated - from the Year's website in their own publications).

B. Involvement of each NIB in the development and management of the European Year's information and promotional campaign (Activity I of the call for tenders)

1. Promoting the European Year at European and national events

The contractor will help the Commission and the national implementing bodies to raise awareness of the Year and its key objectives and messages by being involved in a wide range of events taking place at European and national levels.

Existing events

Support activities should be provided for a minimum of 5 and a maximum of 10 national events in each participating country. Identifying such national events that are due to take place during the first quarter of 2007 will be a priority task for the successful tenderer.

The contractor will identify these events in advance, in consultation with NIBs at national level. The contractor can also propose other events. Once agreement has been reached with the Commission on which events to get involved in, the contractor will negotiate with the organisers the terms of the Year's participation/presence, and will arrange for any or all of the following:

- presence of a stand or other information point (including delivery, installation and manning);
- presentations through slides in an electronic format;
- ensuring visual identity by way of, for example, posters and banners;
- distribution of printed material and promotional tools;
- facilitating appearances by Commissioners and senior Commission officials, either in person or via video;
- liaison with local, national and/or European media in order to gain favourable coverage of the Commission's participation in the event and of the European Year in general;
- liaison with stakeholders who could participate and/or have a stand;
- liaison with potential sponsors;
- providing speakers if necessary.

Competent personnel supplied by the contractor will be present at such events and implement the strategy decided upon; with or without the presence of Commission staff.

2. Identification and contacts with sponsors

The contractor will identify and make contact with potential sponsors from the public or private sectors for national activities as part of the European Year, and create and maintain a database of such potential sponsors. The contractor should identify a minimum of two sponsors per participating country.

In consultation with the Commission and the NIBs, the contractor will help match sponsors with particular activities and facilitate agreement between sponsors and project organisers. The Commission will not itself accept sponsorship funding or the association of the European Year as a whole with a particular sponsor or small group of sponsors. Similarly, the sponsorship is for events, and not for providing additional funding for the contractor's time inputs or agreed core outputs to be covered by the eventual contract. The contractor will provide an advice service to NIBs and project organisers on all matters connected with obtaining sponsorship and with the preparation and implementation of sponsorship agreements.

The contractor will agree to sponsorship only after consultation with the Commission, keep a record of all sponsorships, and ensure that this is regularly reported to the Commission. This includes sponsorship agreement letters and receipts.

The bid should include an explanation of how the tenderer intends to secure sponsorship for activities within the European Year. This kind of sponsorship strategy should be included in the inception report, with revisions featuring in the regular reports to the Commission.

3. Identification and contact with public figures: "Ambassadors for the Year"

The contractor will help the Commission and NIBs to identify and contact well-known persons with a positive public image in all participating countries and an image compatible with the objectives of the Year, who may be prepared to allow their name and image to be used to promote the European Year. The contractor should identify a minimum of 2 such figures per participating country. Identifying at least one possible Ambassador for the Year to participate in the opening conference to be held in Berlin on 29/30 January 2007 will be a priority task for the successful tenderer.

In consultation with the persons that respond positively (or with their representatives), the Commission and the relevant NIBs, the contractor will draw up and implement a strategy for making the best use of their moral support for the European Year, taking account of the fact that in most cases the impact of that support will be greatest in certain countries, particularly their country of origin. This activity will form a significant part of both the bid and the subsequent contract. The bid should also foresee travel and subsistence expenses for each Ambassador during the Year.

4. Identification of individuals facing or having faced and overcome discrimination: "Faces of the Year"- real life stories

The contractor will also be requested to identify members of the public in each Member State whose life experiences are directly linked to the Year's objectives and who would be willing to share their story publicly by way of written/audiovisual stories or participating in conferences or events. The contractor will identify a minimum of 3 such stories per country, bearing in mind the need both for balanced treatment overall of all discrimination grounds and for gender balance. Once approved by the Commission, these stories will be made available in the form of a 2-page profile with illustrations, in the language of the country the person belongs to. After consultation with the Commission, a selection of the best 30 stories will be translated into English, French and German and posted on the European Year website; some might lend themselves to media stories.

In addition, the contractor will identify young people and other people who have benefited from previous European Years, against Racism (1997) and people with Disabilities (2003), who could explain how the European Year has helped to improve their lives and who would be willing to share their experiences with a larger public by way of media stories or by participating in conferences or events.

5. Production of project examples and good practices

A number of Community programmes have funded projects to fight discrimination and promote equal opportunities and diversity, such as the Action programme to combat discrimination, the EQUAL programme or RTD projects. Numerous activities have also been funded at national level by Member States.

With the help of NIBs, the contractor will identify a minimum of 4 national projects per Member State. The projects selected should be successful projects that can be used to share good practices or simply to illustrate progress made in areas corresponding to the four key objectives of the Year. When selecting projects, the contractor must bear in mind the need to illustrate a variety of discrimination grounds and implementing partners at project level (private sector, NGOs, etc.). The contractor will produce an attractive 2-page presentation of each project, including illustrations and pictures. Once approved by the Commission these presentations will be translated into all Community languages and posted on the internet, and used wherever useful with the media. Some of them might be published in a brochure of the type described above under paragraph I.C.(c) (of the call for tenders). This will be decided during the course of the contract.

6. Production of stands

The successful tenderer will produce a minimum of 30 exhibition stands to help promote the Year and its key messages at different events (1 exhibition stand per country and 3 for the European Commission). These stands will be made available at various European and national events. They will be portable, visually attractive and will include a number of inter-active elements. These stands will be produced in all Community languages.

Producing a stand in German to be ready for the Opening event of the Year (Berlin, 29/30 January 2007) will be a priority task for the successful tenderer

7. Production of audiovisual information

The contractor is asked to give advice, in accordance with instructions from the Commission, on the selection of topics for audiovisual productions and, in cooperation with the Commission, to develop script and produce two three-minute video news releases (VNRs), documentary reports, radio reports and other audiovisual material in a format and quality suitable for broadcast and downloading from the internet and in DVD format for dissemination.

The contractor will also assist the Commission in disseminating these items and in liaising with broadcasters and others to encourage them to make use of the products. One of the VNRs will be released for the closing conference and will deal in particular with events or activities under way at European or national level, which lend themselves to media coverage. The contractor will also take the necessary measures to ensure that the opening and closing events of the European Year are filmed and that short videos are produced. To this end the contractor will supply cameramen and production facilities.

The contractor will monitor the uptake of audiovisual products in the media.

8. Delivery of printed information, promotional material and stands

When submitting their bids for activity I.C (of the call for tenders), tenderers should include an estimate of costs for storage, transport and delivery of the promotional items, banners, posters, printed information and stands described above, covering the whole period of the contract. Under instruction from the Commission, the contractor will be responsible for delivery, within agreed timescales, of all the products concerned to all participating countries. The bid should include a provision for delivery of booklets to other countries, which may join the Year at a later stage, such as Turkey, Croatia, Norway, Iceland or Liechtenstein. If not used, this provision will be reallocated to the production of promotional items. In so far as is possible, deliveries will be made in bulk to the NIBs and, when relevant (promotional items, booklets), to EC representations/delegations in the participating countries concerned.

C. Association of the NIBs to the dissemination of information about the Year

The contractor will be required to disseminate information about the Year amongst the Commission, NIBs and key stakeholders such as EC representations/delegations, civil society and equality bodies. These communication activities will ensure, on the one hand, that the Commission is kept fully informed about implementation of the campaign at national level, and, on the other, that NIBs, EC representations/delegations, civil society, equality bodies and key stakeholders are also kept fully informed of developments at European level and in other European countries, and of how they can be involved.

These activities include:

- setting up a restricted website to allow the Commission and the NIBs to communicate swiftly. This site will not have public access. This restricted website will be available in EN, FR and DE and should be user-friendly;
- producing a monthly newsletter to be made available by e-mail to all key stakeholders in the campaign (European Commission, NIBs, Commission representations/delegations, national working groups of the “*For Diversity, Against Discrimination*” campaign, civil society, equality bodies and stakeholders);
- keeping a calendar of and publicising all key activities at European and national level;
- taking pictures of key European and national events and projects undertaken under the banner of both the campaign and the Year, to be made available on the restricted or public website, as appropriate, in consultation with the Commission, and to be archived on a CD-ROM to be handed over to the Commission at the end of the contract; some pictures may be made available in printed form to NIBs and the Commission (to be agreed with the Commission on an ad-hoc basis);
- organising two meetings in each participating country gathering the national partner or office of the contractor, the NIB, the National working group in charge of the “*For Diversity, Against Discrimination*” campaign and the Commission representation/delegation.