



## **Response of the European Network against Racism (ENAR)**

### **ENAR preliminary remarks on the Proposal for the European Year of Equal Opportunities for All (2007) –COM(2005) 225 final**

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*The European Network against Racism (ENAR) is a network of some 600 European NGOs working to combat racism in all EU Member States. Its establishment was a major outcome of the 1997 European Year against Racism. ENAR is determined to fight racism, xenophobia, anti-Semitism and Islamophobia, to promote equality of treatment between EU citizens and third country nationals, and to link local/regional/national initiatives with European initiatives. Further information is available at: [www.enar-eu.org](http://www.enar-eu.org)*

## 1. Introduction

The European Network against Racism<sup>1</sup>, itself a major outcome of the 1997 European Year against Racism, is particularly aware of the value of the initiative to designate 2007 as European Year of Equal Opportunities for All. Such initiatives are important milestones in raising awareness of the problems of discrimination in European societies, as well as providing a catalyst for action to address discrimination.

Since 1997 there have been considerable developments in the fight against racism at a European level, not least through the adoption of the Article 13 Directives and the implementation of the Community Action Programme on anti-discrimination. Nonetheless racism and discrimination remain persistent, and serious problems linger on in all European Union Member States. Implementing a coherent European anti-discrimination policy is a long-term project that requires both permanent corrective mechanisms to address the root causes of prejudice and exclusion, as well as ongoing activity to promote diversity and shape an intercultural Europe. ENAR welcomes this proposal as one element of a broader European strategy.

Respondents, including ENAR, to the Commission's Green Paper on *Equality and Non-discrimination in an Enlarged EU*, highlighted the need for additional and complementary awareness raising initiatives. As ENAR argued in its response to the Green Paper, NGOs serve as "an essential partner in raising awareness about new rights and obligations under anti-discrimination law and providing assistance to victims."

The following comments are intended as a preliminary analysis of the draft decision, and ENAR looks forward to working on the development of the 2007 Year. These preliminary comments are broadly divided into three main sections. The first looks at the overall objectives of the Year and highlights the need to refine these objectives. The second section focuses on the mechanisms for implementing the Year, and particularly on the need to ensure that all the structures associated with the Year are representative of those who experience racism and discrimination. The final section highlights some initial concerns relating to the timeframe for preparation and access to funding during the Year.

## 2. Objectives & Themes

The Proposal for the Decision on the 2007 European Year of Equal Opportunities for All identifies four specific objectives: rights; representation; recognition; and respect. While these objectives demonstrate a commitment to overcoming the range of manifestations of discrimination, they should be refined and elaborated in order to promote a more detailed understanding of the objectives of the Year.

### *a. Rights: Raising awareness on the right to equality and non-discrimination*

Despite significant developments in legal protections against racism and discrimination, members of minority ethnic communities continue to be vulnerable in

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the European context. ENAR believes that the Year should take the opportunity not only to raise awareness about rights, but also to focus on the legal obligation not to discriminate. Awareness-raising is not limited to knowledge but should also empower minorities to access their rights. This Year should be an opportunity to enhance the capacity of organisations which assist people who experience discrimination in accessing redress. The Year should serve to promote the rights of all minority ethnic and religious groups in Europe, including those of migrants elucidated in council Directive 2003/109/EC concerning the status of third-country nationals who are long-term residents.

Overcoming racism and discrimination is a multifaceted battle. Promoting non-discrimination in employment and access to goods and services cannot be addressed in isolation from protecting individuals and communities from hate crime and violence. The Year should be used to promote awareness of the impact of racist crime and violence, both on minority communities but also more generally on society as a whole.

***b. Representation: Stimulating debate on ways to increase the participation in society***

A key finding from previous years, including the most recent year for People with Disabilities (2003) has been the importance of involving people who face discrimination in activities aimed at combating discrimination. Consequently the theme of participation should be reflected in the design, implementation and evaluation of the 2007 year. The Commission should not only ensure that there is real participation at the national and local level, but also that its own consultation structures for the Year are as participative as possible.

Minority ethnic groups remain seriously under represented in European societies; the 2007 Year provides an opportunity to focus on concrete actions and strategies to overcome this under representation. Detailed guidelines need to be developed by the Commission on how it expects Member States to consider this issue, particularly when one looks at the track record of Member States in implementing the Race Directive.

***c. Recognition: Celebrating and accommodating diversity***

Raising awareness about the positive contribution of minorities is an important element in promoting intercultural societies. The proposal that the Year will foster debate on what diversity means in today's Europe, is a very important one in the current context. However the Year should not only raise awareness about, and acknowledge, the value of diversity, but also foster real debate about the future of an intercultural Europe. NGOs play an important role in advancing this debate at both the national and European levels, and this role should be reflected in the implementation of the Year. Recognition of the contribution already made by diverse ethnic groups will go a long way to encouraging ethnic minorities to feel appreciated and part of the European fabric.

***d. Respect and tolerance: Promoting a more cohesive society***

ENAR is concerned that initiatives which 'raise awareness about the importance of promoting good relations between the various groups in society' should take into consideration the unequal power relationships between majority and minority

populations, and be responsive to the broader issue of discrimination. As well as promoting the elimination of stereotypes and prejudice, the Year should facilitate awareness rising of institutional forms of discrimination and how they impact the most vulnerable groups in society. The changing nature of racism, particularly the shift from ethnic to cultural/religious need to be kept in mind.

In the context of promoting a more cohesive society the Year is an opportunity to explore the concept of multiple discrimination at the national level, and there should be a clear framework for how the EU institutions expect Member States to tackle this issue.

### **3. Mechanisms for implementation**

Evidence from previous years demonstrates that activities have greater impact if the planning and implementation is decentralised to national, regional, and local levels, thus ENAR agrees that there should be an emphasis on national implementation in the proposed decision on the 2007 Year. ENAR would emphasise the importance of 'stricter guidelines' from the European Commission to the Member States to ensure that this initiative is not diluted.

#### *a. National Coordination Bodies*

ENAR welcomes the initiative by the Commission that each Member State should designate a National Coordinating Body. These national bodies should be representative of the full range of actors at the national, regional, and local levels, including NGOs and other civil society actors. In order to meet the Commission's intention of reaching 'beyond traditional interest groups', Member States should invest resources and energy in designating, and supporting, the membership of the Coordinating Body.

#### *b. European Committee*

The commitment to involve NGOs and civil society in the National Coordination Bodies should be reflected at a European Level. The Commission should act to ensure that Member State nominations to the European Committee are inclusive of groups that represent people who face discrimination. In addition European anti-discrimination NGOs should be actively involved in the overall planning of the Year and organisation of EU events.

#### *c. Operational Guidelines and National Policy Plans*

European anti-discrimination NGOs should be actively involved in the process of drafting the Commission's operational guidelines in order to ensure that they respond to the realities of discrimination. Consultation procedures during the preparatory phase should be used to test the guidelines against national realities.

The membership of both the European Committee and the National Coordination Bodies is crucial in ensuring that the guidelines and the national plans reflect the problems experienced by minority ethnic groups on a day to day basis.

In order to effectively reach the most vulnerable groups in society, NGOs need to be able to run targeted projects during the Year, parallel to integrated initiatives looking at issues such as multiple discrimination.

#### **4. Funding and Timeframe**

The commitment to implementing the Year on a devolved basis will facilitate initiatives which can account for the specific problems facing minority ethnic groups at a national level. In particular ENAR shares the commitment of the Commission that it is 'appropriate to decentralise the bulk of activities of the Year to the national level'. However, there is concern that over half of the budget is allocated to Community wide measures; only 47% of the budget is allocated to the National Intermediary Bodies. ENAR is concerned that the allocation of funding by Member States is not used to regulate activities in the area of anti-discrimination.

As only a maximum of 50% funding will be allocated for measures which are local, regional or national, Member States need to be encouraged to provide match funding, particularly for small minority community led organisations, which are not always in a position to access EU funds. Given the acknowledgment that 'the Year will need to reach beyond traditional interest groups on equality/non-discrimination issues', this opportunity should be taken to encourage participation and representation of people who experience racism and discrimination.

ENAR is also concerned that the timeframe associated with the coordination of the Year will serve to undermine its effectiveness. In 2000 the European Parliament acknowledged that the organisation of the European Year against Racism had been 'too rushed'.<sup>2</sup> The Evaluation of the European Year of People with Disabilities found '18 months from the adoption of the Council Decision to the commencement of the Year to be an adequate timeframe'. By cutting short on this timeframe there is a risk that the Year will not fulfil its full potential.

#### **5. Conclusion**

ENAR, as a major outcome of 1997 European Year against Racism, is testament to the potential significance of initiatives such as the proposed 2007 Year of Equal Opportunities for All. This initiative will provide a momentum in the fight against discrimination and has the potential to act as a catalyst for renewed European action against racism, action, which is needed just as much now as it was ten years ago.

In particular ENAR would hope that the 2007 Year will contribute to a number of concrete outcomes, including:

1. Active participation of minority communities in the design and implementation of the 2007 Year.
2. Increased access to rights, and a deeper understanding of the legal obligation not to discriminate.
3. Development of practical strategies for overcoming multiple forms of discrimination.
4. Increased awareness of the value of diversity in an intercultural Europe.

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<sup>2</sup> European Parliament resolution on countering racism and xenophobia in the European Union (COM(1999) 268 ( C5-0310/1999 ( C5-0015/2000 ( 1999/2205(COS))).

5. Enhanced context for the development of the European anti-discrimination framework, including (1) full implementation of the existing Directives, (2) levelling up of protections across the grounds, and (3) promotion of protections against hate crime.

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