

Guide to

Equality and the Policies, Institutions and
Programmes of the European Union



THE EQUALITY AUTHORITY
AN tÚDARÁS COMHIONANNAIS



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This document was commissioned by the Equality Authority and the views expressed herein are those of the author and do not necessarily represent those of the Equality Authority.



Preface

The European Union has played a valuable role in stimulating and shaping equality strategies in Ireland over the past three decades. The majority of key equality initiatives in Ireland can trace their origins to European Union directives, European case law or European Union action programmes.

This influence continues to the present moment. However, innovation and ambition in our new equality legislation – the Employment Equality Act, 1998 and the Equal Status Act, 2000 – and our related equality institutions have changed this situation to one of mutual influencing. Europe now looks to the Irish experience of implementing a multi-ground equality agenda for learning.

This publication provides an introductory briefing on approaches to equality at the level of the European Union – focusing on policy, institutions and funding programmes. It seeks to resource those who are engaging with the challenge to shape European Union policy and programmes in relation to equality. It aims to assist those addressing the impact of European Union policy and programmes on Ireland or to draw benefit from this influence. It is a unique document in bringing an integrated nine-ground equality focus to policy and programmes at European Union level. We are grateful to Brian Harvey for this work in drawing all this material together in this format. We are also grateful to Jenny Bulbulia B.L. for her assistance.

The Equality Authority has sought to engage with developments at a European Union level. We are active participants on the European Union Advisory Committee on Equality Between Women and Men. We currently hold the chair of this Committee and have contributed to opinions on the employment strategy, on the European Social Inclusion Process and on a new gender equality directive.

We have developed strong links with the European Union Monitoring Centre on Racism, Anti-Semitism and Xenophobia. In partnership with the National Consultative Committee on Racism and Interculturalism we currently act as the national focal point for the Centre in Ireland. We are playing a role in developing a network of independent specialised bodies across the European Union.

The Equality Authority has also worked to shape the impact of European Union policy and programmes in Ireland. We have developed proposals on the incorporation of the European Union Equality Directives into Irish equality legislation. We play a role on the monitoring committees for the operational programmes of the National Development Plan and we are responsible for an Equality Studies Unit within the Employment and Human Resources Development Operational Programme. We are playing a role in supporting mainstreaming of policy and practice learning from Irish projects funded under the EQUAL Community Initiative.

We have sought to support the equality focus in the Irish National Action Plans on employment and on social inclusion. We are also contributing to the European Year for

People with Disabilities. Such wide-ranging work provides evidence of the importance of the European Union to our mandate under equality legislation. It is this that has encouraged us to make this publication widely available.

The European Union is at a moment of change. A convention on the future of Europe is currently debating the nature of this change. Enlargement will be a significant influence on this change. Our hope and ambition is that equality in all its dimensions will continue at the centre of any such change.

A handwritten signature in black ink, reading "Niall Crowley", is positioned above a solid red horizontal line.

Niall Crowley
Chief Executive
Equality Authority

	Introduction	3
Section 1	Policy	
1.1	General introduction	4
1.2	Expansion of social and judicial policy competence	5
1.3	Specific policies	8
1.3.1	Policies with multi-ground relevance	9
1.3.2	Gender	12
1.3.2.1	Equality for women under law	12
1.3.2.2	Broader policies to promote equality for women	16
1.3.2.3	Mainstreaming	17
1.3.2.4	Transgender issues	19
1.3.3	Equality for people with disabilities	20
1.3.4	Equality for older people	22
1.3.5	Racism and equality for minority ethnic groups	24
1.3.6	Marital and family status	25
1.3.7	Sexual orientation	26
1.3.8	Discrimination on grounds of religion or belief	28
Section 2	Institutions and Agencies	29
2.1	Institutions	29
2.2	The non-governmental sector	39
2.3	The decision-making process	43
Section 3	Programmes	46
3.1	Structural funds	47
3.2	Internal operations	50
Section 4	Information Sources	55
4.1	Introductory remarks	55
4.2	Sources of information	56
Section 5	Directory	
5.1	Directory	62

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Introduction

This guide:

- Outlines current policies on equality and discrimination issues in the European Union (EU).
- Identifies the principal agencies, institutions and monitoring bodies involved.
- Outlines the main funding programmes concerned with equality and discrimination.
- Locates the principal information sources on equality and discrimination issues.

It covers the nine grounds of responsibility of the Equality Authority, namely: gender, family status, marital status, sexual orientation, religion, age, disability, race and membership of the Traveller community. The Equality Authority is the state body established under the Employment Equality Act, 1998 with responsibility to promote equality of opportunity and to combat discrimination in the workplace rights across the nine grounds. Its mandate was broadened beyond employment to include goods, services, facilities, accommodation, educational institutions and registered clubs with the introduction of the Equal Status Act in 2000. The general objective of this document will be to assist the Equality Authority and those involved in work on equality and discrimination issues with information on the broader picture of promoting equality and combating discrimination in the European Union.

This guide is divided into the following sections: policy (1); institutions and agencies (2); programmes (3); information sources (4); a directory of contacts (5).

It should be stressed that this is an outline, scoping exercise and has its limits. Additional sources of information, including websites, are proposed which readers should consult in more detail. It should therefore be seen as an introduction.

1 Policy

1.1 General introduction

The level of European policy development in the nine grounds of the Equality Authority's responsibility varies considerably. In some areas, for example gender, there is a long history of European Union Treaties, policy, action and case law. In others, for example sexual orientation, there is very little such development. Some areas of European Union policy development are quite recent, for example combating racism.

Part of the explanation lies in the question of *competence*. Although there is a public perception that the European Union addresses all public policy issues and political matters, in reality the European Union may only address matters of concern permitted to it by the European treaties. The European Union may not develop policies, appoint officials, or propose action programmes in areas of competence not specifically permitted in the treaties. Unless the European Union has a specific, named, authorized competence in a given area listed under the treaties, the matter is a responsibility of the member states. For example, the original work of the European Union was in the area of economic cooperation (the European Economic Community). As such its policies were confined to those involved in the economic process, the workforce, excluding those who lay outside it.¹

Policy competence is defined under the Treaty of Rome and subsequent amendments to that treaty. Of the areas of responsibility of the Equality Authority, gender is the longest standing policy competence of the European Union, dating back to the original treaty. Likewise, this competence initially dealt only with equality between men and women *in the workforce*, not outside it.

An equality rights perspective or a model of protection from discrimination has been slow to come in the European Union. The emergence of such a model may be traced to the late 1980s, when the *Community charter of fundamental social rights of workers*, acknowledging problems of discrimination within the Union, was adopted (1989). This identified the right of men and women to be treated equally, but made reference, for the first time at this level, to the rights of older people and people with disabilities. The charter affirmed the right of every worker, on retirement, to resources necessary to provide a decent standard of living and the right of people with disabilities to concrete measures to improve their social and professional integration. The principal breakthrough took place in 1997, when article 13 of the Treaty of Amsterdam stated:

Without prejudice to the other provisions of this treaty and within the limits of the powers conferred on it by 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, belief, disability, age or sexual orientation.

¹ The term 'European Union' will be used here, even though the term 'European Community' was used from 1957 (and continues in some use).

Article 13 was a significant step forward in European equality law. It identifies a broad-based equality principle and an inclusive vision of equality, rather than the narrow focus of gender discrimination, aiming at eradicating discrimination within the European Union on a broad range of grounds.

This article, while comprehensive in its definition, was limited insofar as it was enabling rather than mandatory. The Union *may* take action, but is not obliged to. Such action must be agreed unanimously by all the member states. Any such action must be within the existing pre-defined limits of the treaties. Restrictions or not, the European Union acted speedily. Following the enactment of the treaty in 1999, the Commission proposed two directives and an 98.4m action plan to apply article 13. These were approved the following year and are now coming into effect.

Equality between men and women was the original area of competence of the European Union of most relevance to the Equality Authority (from 1957), followed by discrimination (from 1997). However, the competence of the European Union has expanded in other important areas which touch on the Equality Authority's areas of responsibility. This process is now reviewed (1.2).

1.2 General expansion of competence in social and judicial areas

Social policy in the European Union can be traced back to the introduction of the European Social Fund in 1965, which, despite its title, was in reality limited to being a training fund. In 1974, with the first social action programme, the European Union began to claim a broader competence in social policy in general and in social inclusion in particular. The first pilot schemes against poverty were funded from 1975, beginning a process which led in 1989 to a Council of Ministers resolution on social exclusion. Competence in social inclusion is important at a general level, foremost because equality and non-discrimination are integral parts of the broad process of inclusion but specifically because social inclusion funding programmes of the European Union may support projects for groups suffering discrimination.

Second, the European Union has developed a competence in the judicial area. The European Union member states have been cooperating in the judicial area since 1975, but this cooperation has been taking place at an intergovernmental level, technically speaking *outside* the scope of activities of the European Union and therefore not accountable to the European Parliament or its other institutions. Under title VI of the Treaty of Maastricht, judicial cooperation was formally introduced into the work of the European Union. This was termed its *third pillar* of activity (the first being the European Economic Community, the second being cooperation in foreign and security policy). Judicial cooperation may be alternately referred to as *third pillar* or *justice and home affairs* (JHA) cooperation. Title VI listed nine areas of cooperation, which now include European

residents from outside the European Union (called third country nationals) and immigration policy; and are therefore of interest because of the interrelationship between discrimination and immigration. The judicial provisions of Maastricht were further refined by the Treaty of Amsterdam which gave the European Union new competences in cooperation in civil law. The nature of legal cooperation as a result of Maastricht and Amsterdam is complex, exacerbated by opt-outs by various states (e.g. in relation to Ireland), but the key issue is that cooperation between the member states in these areas may be expected to grow over the next number of years.

Since 1957, the European Union has continually redefined its role and competence. Under the presidency of Jacques Delors (1985-95), the Union took a quantum step forward toward the integration of its economic and social policies. This movement faced strong resistance from successive British governments, which argued that the European Union should be about broad, multinational cooperation in matters of economic policy, rather than a deeper process of social integration. This debate continues quite intensely in the UK.

Delors' proposals for greater economic integration, epitomized by the completion of the single market in 1992, were accompanied by proposals for social integration, a field of work which had taken second place in the European Union's evolution in the 1980s. The political leadership of the European Commission was also aware that economic integration alone had little popular appeal and that European integration must be rooted in a broad range of concerns to ordinary people, hence the use of terms like 'bringing Europe closer to the citizen'. Accordingly, the European Union paid closer attention to developing what was termed 'the social dimension' and a human rights aspect to its work. The principal landmarks in this process were:

- A green paper, later a white paper, on European social policy (*European social policy, options for the Union*, 1993 and *European social policy - a way forward for the Union*, 1994).
- The incorporation of employment and social policy concerns into the new European treaties of the 1990s (Maastricht and Amsterdam).
- Development of a rights discourse, with the report of a special body to examine social and political rights in the European Union (*For a Europe of civic and social rights - report of the Comité des Sages*, 1996), the subsequent report of expert group on fundamental rights (Simitis report, 1999), leading to the *European Charter of Fundamental Rights* (2000).
- Issuing of annual reports on social protection and the social situation.
- Enhanced importance of social action programmes.

The green paper and white paper on social policy were significant in that they further legitimized and systematized European Union action in areas of work such as family policy, disability and with minority ethnic groups. Following the white paper, the

European Commission issued two 3-year social action programmes, each outlining the European Union's situation in these broad social policy areas, noting progress made to date and proposing further advances on a broad range of fronts for the following period of years. The current policy statement is *Toward a new European social policy agenda*, which covers 2001-5. Its key themes are:

- Conquering unemployment: more, newer, better quality jobs.
- Overcoming poverty through a new system of open policy coordination.
- Addressing gender inequality.
- Employment of people with disabilities, vulnerable groups and minority ethnic groups.
- Involvement of civil society organizations in policy-making.

Every two years, the European Commission issues a scoreboard on its implementation of this agenda.

The *European Charter of Fundamental Rights* (2000) was an important landmark, for it was an attempt to bring together a range of rights-related issues in one political document. The heads of government adopted the charter as a political declaration only and were not prepared to make it an integral part of European law. Although this diminished its value, their decision did not make the charter valueless, for it may come to be cited in support of case law and political change and has already been used by the European Ombudsman in his work against discrimination by the European institutions in employment. The next intergovernmental conference (due 2004), which will prepare a successor to the Treaty of Nice, has already been charged with returning to the status of the charter, so it may yet achieve a fuller legal standing. The present charter has a number of references to equality issues and discrimination, principal of these being (the article in question cited):

- 7: Respect for private and family life.
- 9: Right to marry and found a family.
- 10: Freedom of thought, conscience and religion.
- 20: Right of equality before the law.
- 21: Prohibition of discrimination on grounds of sex, race, colour, ethnic or social origin, genetic features, language, religion, belief, political or other opinion, membership of a national minority, property, birth, disability, age or sexual orientation; and, within the scope of the European treaties, prohibition of discrimination on grounds of nationality.
- 22: Respect for cultural, linguistic and religious diversity.
- 23: Equality between men and women in all areas, including employment, work, pay; permission to adopt measures to provide specific advantages for an under-represented sex.
- 25: Respect of right of elderly to lead a life of dignity, independence and participation in social and cultural life.

- 26: Respect for right of people with disabilities to benefit from measures designed to ensure their independence, social and occupational integration and participation in life of the community.
- 33: Legal, economic and social protection for the family; right to protection from dismissal connected with maternity, right to paid maternity leave, right to parental leave.

1.3 Specific policies promoting equality and against discrimination

Now, specific aspects of EU policy are discussed where they touch on the nine grounds of interest of the Equality Authority: gender, marital status, family status, sexual orientation, religion, age, disability, race and membership of the Traveller community. European Union policies do not fit neatly or clinically into the nine grounds of responsibility of the Equality Authority and the picture is inevitably an untidy one. Some areas of policy are well defined; some are poorly defined; others overlap with one another. It is worth adding that the volume of European Union activity in the area of gender equality probably overwhelms the sum of its efforts in the other eight areas of the Equality Authority's responsibility. A summary of the picture will be made at the end.

The current reference points for policy against discrimination is the legislative framework laid down following the article 13 directives, both approved in 2000 and that laid down on foot of Article 141 on gender equality with a new equal treatment directive in 2002. This comprises:

- Council Directive 2000/43 EC of June 29 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin ("The Race Directive").
- Council Directive 2000/78 EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation ("The Framework Employment Directive").
- Council Directive amending directive 76/207/EEC on the implementation of the principle of equal treatment for women and men as regards access to employment, vocational training and promotion and working conditions.

(Note that the term 'directive', not a familiar one in Ireland, means, in effect, 'legislation'. It must be approved by the European institutions and then put into domestic law in each member state.)

The 'Race' Directive prohibits racial and ethnic origin discrimination in access to employment, vocational training, employment and working conditions, membership of and involvement in unions and employer organisations, social protection (including social security and health care), social advantages, education and goods and services, including housing. It is due to be implemented by each member state by July 19 2003 at the latest.

It comprises 16 articles defining discrimination, laying down the principle of equal treatment, remedies, enforcement and the establishment of monitoring bodies in the member states.

The Framework Employment Directive prohibits discrimination in the employment context (ranging from access to employment, self-employment and professions, vocational guidance and training, employment and working conditions such as dismissal and pay and membership of organisations) on the grounds of disability, age, sexual orientation, religion and belief. It is due to be implemented by each member state by December 2 2003 at the latest. It comprises 16 articles covering such areas as definitions, scope, exceptions, provision for positive action measures, enforcement systems and remedies. The exceptions cover genuine occupational requirements; employment by organizations providing ideological, religious or educational guidance; and age if objectively and reasonably justified.

The directive amending Directive 76/207/EEC on the implementation of the principle of equal treatment for women and men incorporates recent case law including case law on pregnancy providing that “less favourable treatment of a women related to pregnancy or maternity leave shall constitute discrimination within the meaning of this directive.” The directive gives a legal basis to the process of mainstreaming gender equality in relation to the areas covered by the directive. It provides for positive action measures, reinforces the role of the social partners in the implementation of the principle of equal treatment, and employers are encouraged to promote equal treatment for men and women in the workplace in “a planned and systematic way”.

The directives define discrimination and prohibit both direct and indirect forms of discrimination. They expressly define and prohibit harassment and sexual harassment. As with all equality law, exceptions are allowed for in certain circumstances. However, under the directives, any derogation from the principle of equality will only be permitted where the objective is legitimate and proportionate. They also allow for certain forms of positive action. Victimisation is also prohibited. The directives provide for sanctions, which may comprise the payment of compensation to victims that are effective, proportionate and dissuasive. The directives lay down minimum requirements allowing member states the option of introducing or maintaining more favourable provisions.

1.3.1 Policies with a multi-ground relevance

There are a number of cross-cutting policies which cover several areas of equality and discrimination. These are reviewed here.

Social inclusion. Perhaps the most important of these is social inclusion. Until the late 1990s, European action on social inclusion comprised essentially the programmes against

poverty which were first developed in the mid-1970s. The move from a programmatic approach to a policy-based approach began with the new legal competence to promote social inclusion outlined in the Treaty of Amsterdam. At the Lisbon summit (Spring 2000), the heads of government agreed that there should be a process of open policy coordination in promoting Europe-wide policies against poverty. Each member state would report in published documents ('open') on the progress of its policies in a series of social areas ('policy') and these would be placed before the other member states for comment, improvement and refinement ('coordination'). This would be done at each spring heads of government summit. Later in 2000, the Council of Ministers meeting in Nice, France agreed that each member state would draw up three National Action Plans for social inclusion (NAPSIincl), to operate July 2001 - June 2003, 2003-5 and 2005-7. These plans were to follow a common structure, with a detailed set of common objectives under the headings of: facilitating participation in employment, facilitating access to resources, preventing the risk of exclusion, helping the most vulnerable and mobilizing relevant actors. Each country was invited to submit national action plans, outlining the national situation in each country, the strategic approach adopted, policy measures for each of the four objectives, outcome indicators and monitoring mechanisms and examples of good practice. In October 2001, the Commission published its analysis of the NAPSIincl in each member state: its comments on the Irish plan were especially critical of the lack of gender analysis. The Equality Authority has put forward, in its publication *An Equality Authority Position on the National Action Plan for Social Inclusion*, its ideas and ideals as to how equality can be made an integral part of the Irish National Action Plan; while the Commission's advisory committee on equal opportunities between women and men has outlined in its Opinion on the gender dimension to social inclusion how issues of gender equality can be applied across the actions plans in all the member states. In 2002, the European Union began the new Social Exclusion Programme (see 3: Programmes). It is anticipated that issues of discrimination and equality will be addressed by projects and research funded under the new programme.

Employment. European Union policies to promote employment date to the 1970s. In the late 1990s they became much more systematic and coordinated. Following the Luxembourg summit (1997), member states were required to prepare National Employment Action Plans to lay down how the employment guidelines would be operationalized in their state. These enunciated four common pillars: employability, entrepreneurship, adaptability and the strengthening of equality. In Ireland, the plans are operationalized by the Department of Enterprise, Trade & Employment which has, ever since, published an annually revised National Employment Action Plan. In the 2002 guidelines, for example, member states were asked to promote the increased employment of women, address gender inequality, seek a balanced representation of men and women in all sectors and occupations and take action to reconcile family and working life (guideline 17). They were asked to design family-friendly policies and provide more childcare services to eliminate obstacles to the return of women to the labour market (guideline 18). This was alongside a requirement to mainstream policies for gender

equality into the Union's employment policies. Guidelines under the employability pillars make reference of relevance to the age, 'race', Traveller and disability grounds. Each autumn, in advance of the new guidelines, the Commission issues a review of how the different member states have been performing under the guidelines, praising those that have observed them and chiding those that have not done enough. The European Parliament has also been critical of those states that have not done enough for women's equality. The Commission's advisory committee on equal opportunities between men and women has published an Opinion on the employment guidelines 2002 which outlines what more must be done to make them more effective. The Equality Authority has offered advice on how equality issues may best be progressed under the National Employment Action Plan.

Corporate social responsibility. In 2001, the European Commission published a green paper on Corporate Social Responsibility (CSR). This is an effort by the Commission to try to convince businesses to take more seriously their responsibilities for a range of social relationships, including equality, fairness and diversity in the workplace. The green paper outlined ways in which companies could promote equal opportunities for women in their workforce, attract a more diverse workforce and run more family-friendly policies. A white paper is due later.

Public procurement. In the area of public procurement, the European Commission published an interpretative Communication in 2001. At first sight, the issue of public procurement does not seem to have much to do with equality and discrimination, but in fact it does. The present system of public procurement requires that all public contracts over a certain value (€ 200,000) must be put out for tender throughout the entire European Union on an equal playing field. In recent years there has been discussion as to whether, in considering which tender to choose, public authorities may take social considerations into account. Can or should they favour companies which promote equal opportunities, hire diverse workforces or employ people with a disability? Up to now, public service contractors may not take such considerations into account. Campaigners argue that introducing such criteria could have a decisive effect in improving the social behaviour of companies. Such criteria would reward companies which had equal opportunities programmes. Companies which did not make the effort would stand to lose business. The main Community legislation on public procurement dates to the completion of the internal market. What are termed the 'classic directives' were laid down in 1992-3 to accompany the completion of the single market. In response to pressure for social criteria to be included, the interpretative Communication discusses ways in which some limited social criteria can already apply (e.g. requiring buildings to be accessible). The Commission does not propose the extension of social criteria yet - but the Communication is unlikely to be the end of the issue and it may well return.

Privacy. In the area of privacy, the European Union has adopted a directive on privacy requiring standards of privacy in the handling of information in such areas as racial or

ethnic origin, political opinion, religious or philosophical belief, trade union membership, health and sexual orientation or activities (directive 95/46). The possibility of tightening the directive has been under consideration.

Freedom of movement. The Commission has consistently pressed for the freedom of movement for European citizens to move around the Union and to bring their social security entitlements with them. Although the principle of freedom of movement is a simple one, its operationalization has proved difficult and European law has respected the right of member states not to issue residence permits to people who might be a burden on the state. This has particularly affected people with a disability and in a report in 2001 (Wilms) the Economic and Social Committee attacked this practice. In 2001, Justice and Home Affairs Commissioner Antonio Vittorino proposed a directive that would reduce the grounds on which residence permits could be denied.

1.3.2 Gender

The European Union's approach to gender equality may be broken down into efforts to ensure the equality between men and women under law (1.3.2.1), broader efforts to promote equality for women (1.3.2.2) and the application of gender mainstreaming (1.3.2.3). Transgender issues are explored (1.3.2.4).

1.3.2.1 Equality for women under law

The Amsterdam Treaty identifies gender equality as a task of the European Union. It further provides that the European Union shall aim to promote gender equality in all its activities. This marks an important milestone in a long history of initiatives to promote gender equality. Article 119 of the Treaty of Rome specified that:

Each member state shall...ensure and maintain the principle that men and women shall receive equal pay for equal work

Thus the principle of equality between men and women derives from their equality *in the workplace*, rather than a general commitment to equality *in society* as a whole. Nevertheless, article 119 subsequently became the basis of a significant body of legislation, action programmes and case law. It is important to stress that of all the forms of inequality and discrimination addressed here, gender equality has been far the largest area of business in the European Union. There is a committee on women's rights in the parliament; an equal opportunities unit in the European Commission; an advisory committee on equal opportunities between women and men, and an annual report on gender equality issued by the Commissioner. Gender equality features as one of the most prominent issues within social policy.

Article 119 of the Treaty of Rome has been replaced by Article 141 of the Treaty of Amsterdam. It provides a broad legislative power in the context of gender equality in employment and the principle of equal pay for equal work or work of equal value. It also provides for positive action.

Since 1957, there have been several major directives enhancing the rights of women in the workplace. Directives are law and have full legal effect, being proposed by the Commission, agreed by the European institutions and brought into effect in each member state by national legislation (a process called *transposition*). It is important to note that European Union legislation generally refers to *equality between men and women* (which is neutral) rather than 'women's rights' (which shows a preference for one gender over another and would be illegal). Here are some of the main directives:

- 1975 directive on equal pay, introducing the concept of equal work for equal value (75/117).
- 1976 directive on equal treatment, dealing with women's access to employment and training and also with hiring, promotion and dismissals (76/207).
- 1979 directive on equal treatment in social security, requiring men and women to be treated equally in the social welfare code (79/7).
- 1986 directive on equal treatment in occupational social security schemes (86/378, amended 1997 by directive 96/97).
- 1986 directive on equal treatment between women and men engaged in self-employment (86/613).
- 1992 directive on health and safety at work for pregnant workers and workers who have given birth (92/85).
- 1993 Working time directive (93/104).
- 1996 directive on parental leave, providing for the rights of mothers and fathers to take time off to mind children and people with a disability (96/34).
- 1997 directive on the burden of proof under the Social Protocol which provides for a legislative definition of indirect discrimination and provisions regarding the burden of proof in sex discrimination cases (97/80).
- 1997 directive prohibiting discrimination between part-time workers and full-time workers in certain circumstances (97/81).
- 2000 directive implementing the principle of equal treatment between persons irrespective of racial or ethnic origin (2000/43).
- 2000 directive establishing a general framework for equal treatment in employment and occupation (2000/78).
- 2002 directive amending directive 76/207/EEC on the implementation of the principle of equal treatment for women and men.

The progress of some directives proved to be slow. The directive on parental leave, for example, was introduced in 1983 but did not become law till 1996 and was not operational in some member states until 2000. Some of these directives made a

considerable, at the time controversial, impact in Ireland. The equal pay directive obliged the Irish government to introduce equal pay legislation into Irish law sooner than it might otherwise have done, while the 1979 directive on equality in social security led a number of challenges on Ireland's non-compliance, resulting in substantial compensation in the mid-1980s for the women affected. The Free Legal Advice Centres brought a case in support of 1800 married women on this issue.

In addition to directives, the European Union has also agreed recommendations on equal opportunities. These are not legally binding but have some persuasive effect in improving policies and practices in the member states (for example, the *Council recommendation on childcare policies*, 1992). Later, in 1996, the Council adopted a *Recommendation on the balanced participation of women in decision-making*, asking member states to adopt a comprehensive strategy to promote the balanced representation of men and women in places of power, influence and decision - making. A fresh, updated resolution on the more balanced participation of men and women in society was adopted in 2000, outlining 13 areas of action for the member states.

The equal rights legislation has led to a substantial body of case law in the European Court of Justice, as women have challenged the manner in which their state has transposed these directives.

From an early stage, the European Court of Justice laid down the principle of indirect discrimination which enables challenges to be brought against policies or practices which, although apparently non-discriminatory between men and women in fact have a greater adverse effect on individuals of one sex than of the other. Where such adverse effect is established it is for the person/organisation seeking to use such policies or practices to show that it is justified on objective grounds unrelated to sex. Court judgements have strengthened the position of women in the workforce.

The equal treatment requirements of the Treaty of Rome apply equally to social security, be that statutory social security or occupational social security. Schemes, their entitlements and their scope must be calculated by the same methods. There are some exceptions (e.g. retirement ages, entitlements to survivor's pensions). Additional protection for women has been introduced through health and safety directives, protecting pregnant women from night work, exposure to hazardous conditions and ensuring rights to maternity leave.

Here are some examples of recent judgements by the European Court of Justice in the area of gender equality:

Melgar and Brandt-Nielsen. The court ruled (2001) that employers could not dismiss or refuse to re-employ women on fixed-term contracts for the sole reason that they were pregnant.

Leclerc. Maternity benefits built up in one state can still be claimed from that state even if one moves to live in another state (2001).

Defreyn. Women are entitled to receive the same pre-retirement benefits as men, even if men may not retire until a later age (2000).

Fogelqvist. Women may be given priority in appointments when their qualifications are equal or almost equal to those men, but may not be given an automatic or unconditional priority. An objective assessment must be carried out in every case and women may not be promoted over men if they are substantially less well qualified (2000).

Buchner. Men may not qualify for an incapacity allowance at a later age than women (unless the allowance is directly linked to pension qualification age, when a difference may be accepted).

Badeck. States may draw up affirmative action programmes to redress an imbalance of women in public sector posts, provided that there is an objective decision in each case, minorities are not given automatic priority and targets are set rather than quotas (2000).

Mahlburg. A woman could not be refused an appointment because she was not available to take it up immediately on account of pregnancy (2000).

Kreil. Women are entitled to serve in the armed services, in this case electronic weapons maintenance, although under circumstances that are proportionate they may be excluded from situations likely to bring them into frontline combat (2000).

Taylor. Men are entitled to apply for fuel subsidies at the same age as women, even if men's pensions start at a later date (2000).

The new directive entitled 'an amendment to Directive 76/207/EEC on the implementation of the principle of equal treatment for women and men as regards access to employment, vocational training, and promotion and working conditions' incorporates recent case law in gender equality. Of particular importance is the legal basis it provides to the process of gender mainstreaming in relation to the areas covered by the directive. This will require a gender equality proofing of legislation, policy making and human resource strategies by the public sector in these areas. A similar duty is suggested for the private sector where the directive requires member states to 'encourage employers to promote equal treatment for men and women in the workplace in a planned and systematic way.'

The directive:

- Updates the old directive 76/207 on equal treatment in the workplace.
- Deals with equal treatment in employment, vocation training, promotion and working conditions.
- Take account of the case law of the European Court of Justice since 1976 (no less than 40 cases) and of changes in the treaties (articles 13 and 141 of the Treaty of Amsterdam).
- Notes the passing of the directives against discrimination in 2000.
- Defines and prohibits sexual harassment, putting an onus on employers to provide a sexual harassment-free workplace.

- Incorporates case law on pregnancy providing that “less favourable treatment of a women related to pregnancy or maternity leave should constitute discrimination”.
- Implements the objective of gender mainstreaming set out in Article 3 of the EC Treaty.
- Reinforces protection for complainants of sex discrimination where the relationship of employment has ended.
- Recognises the right of a victim of discrimination to compensation which guarantees real and effective judicial protection, has a real deterrent effect on the employer and is proportionate in relation to the damage sustained.
- Clarifies the right to exceptions from the principal equal access to employment in relation to genuine occupational qualifications.
- Provides that member states are entitled to adopt positive action measures to ensure “full equality in practice” and should report on their activities on a regular basis.
- Requires the establishment of independent national bodies for the promotion of equal treatment between men and women.
- Reinforces the role of social partners in the implementation of the principle of equal treatment.

A further gender equal treatment directive is promised, dealing with non-employment areas. A commission proposal is currently under discussion. The Advisory Committee on Equal Opportunities between Women and Men has published an Opinion on this proposed directive.

It must be stressed that the volume of European legislation and subsequent case law in the area of gender equality is substantial. The manner of transposition of the legislation into the law of the different member states varies in a number of areas. The description of the issues here is a limited outline only. Further texts for consultation are referenced in Section 4 under Books.

1.3.2.2 Broader policies to promote equality for women

European Union policies have emphasised the importance of equality between men and women across the full, broad range of European Union policies, not just legal equality reviewed above.

The principal means for the development of broader policies for equality between men and women has been the action plan. There have been four action plans on equal opportunities for men and women, the first dating to 1982-5. The 5th programme - *Towards a Community Framework Strategy on Gender Equality 2001-5* - is now in operation. As is the case with other action plans, these assess current concerns, summarize European Union progress to date and propose a broad range of future action. The current plan promotes seven key strategic objectives: equality in economic life, equal participation and representation, equality in social life, attacking gender stereotyping,

equality in civil life, gender equality in development and gender equality in the accession process. From 1996, the European Commission has published annual reports on the achievement of equal opportunities for men and women.

The situation of women in the applicant member states was a growing focus for the European Commission and European Parliament in the early 2000s. Aspiring member states are required to adopt the full range of European law (called the *acquis communautaire*), including European law for equal opportunities. In 2001, several countries (e.g. Poland) were warned that they could not be admitted to European Union membership unless they speeded up their equal opportunities legislation.

Promoting greater participation by women in the workforce has been a broad objective of European social policy since the early 1990s. By 2001, the average rate of female participation in the labour force had risen to 52% (by coincidence, the same as the Irish rate). At the Stockholm summit in spring 2001, the heads of government agreed to set new targets for the participation of women in the labour force: 57% by 2005 and 60% by 2010.

The most recent articulation of policy for the participation of women in decision-making may be found in the Karamanou report of the European Parliament, adopted in 2001. Named after its author Anna Karamanou, now chairperson of the European Parliament's committee on women's rights, this called for a range of measures to promote the greater involvement of women in public life, suggesting a target of women comprising 40% of all political representation. Examples of measures suggested were the use of quotas, leadership training for women in decision-making, improved research, more networking and intensifying the attack on gender stereotyping.

1.3.2.3 Mainstreaming

Mainstreaming is a concept which has developed in recent years and has been applied to issue of gender. 'Mainstreaming' means that policies specific to one area should be applied to all. Many policies, according to the Commission, appear at first sight to be neutral and to have no obvious relationship to gender. However, the way that policies in the area of training, education, enterprise and transport actually operate have important gender dimensions. An example of mainstreaming may be found in enterprise promotion. At first sight, this is gender neutral. In reality, men have benefited most from policies to promote enterprise. Ways must therefore be found to ensure that women have equal opportunities to participate in enterprise promotion. Mainstreaming means that at least one project in three funded by the Commission to promote small to medium-size enterprises must benefit women entrepreneurs.

In simple terms, mainstreaming means incorporating equal opportunities for women and men into all Community policies and opportunities. The formal statement articulating

the concept may be found in the Commission Communication Incorporating equal opportunities for women and men into all Community policies and activities (1996). This Communication focussed on areas where the participation of women in Community policy and practice was least visible, such as industry, rural areas, farming and business.

It proposed a definition of mainstreaming as:

Not restricting efforts to promote equality to the implementation of specific measures to help women but mobilizing all general policies and measures specifically for the purpose of achieving equality by actively and openly taking into account at the planning stage their possible effects on the respective situations of men and women.

Mainstreaming has a legal basis in the treaties (articles 2 and 3, which impose a positive obligation to promote equality in the areas covered) and in article 23.1 of the Charter of Fundamental Rights which commits the Union to ensuring equality between men and women is now a task of the Community.

Updated articulations of mainstreaming may be found in subsequent policy documents of the Commission and in the Community framework strategy on gender equality. In the area of the structural funds, the Commission has issued Mainstreaming equal opportunities for women and men in structural fund programmes (2000) and a Guide to gender impact assessments. Guideline 16 of the 2002 employment guidelines is called the Gender mainstreaming approach and this proposes improved consultation between government and gender equality bodies, procedures for gender impact assessments, the development of indicators to measure progress in gender equality and the breakdown by gender of employment statistics. Ideally, the mainstreaming of gender equality should serve as a model for other issues of equality.

Gender mainstreaming is a feature of the Irish National Development Plan and is supported by a gender mainstreaming unit in the Department of Justice, Equality and Law Reform. The Department also convenes a working group on equality proofing that covers a wider equality agenda. The Equality Authority has an important role to play in the development of mainstreaming in the interface between Ireland and Europe. The Equality Authority is attempting to develop equality proofing across the nine grounds within a broad range of government measures. The Equality Authority also aims to ensure that there is coherence in mainstreaming between north and south so as to fulfill the equivalence of rights promised under the 1998 Belfast agreement.

Gender mainstreaming in this context is defined as:

The reorganisation, improvement, development and evaluation of policy processes so that a gender equality perspective is incorporated in all policies at all levels and at all stages, by the actors normally involved in policy making.

The pursuit of gender equality is therefore no longer the preserve of exclusive policy or legislation to combat gender discrimination but should be incorporated into the general policy making process across the European Union. It also anticipates involving affected groups in the decision-making processes themselves.

1.3.2.4 Transgender issues

Dealing with transgender issues, the first reference in EU to transgender issues may be found when on 9th October 1989 the European Parliament passed a resolution on the rights of transsexuals. There has been some limited case law on transgender issues in the European Court of Justice. In *P vs S & Cornwall County Council*, 1996, the most prominent case, the European Court of Justice ruled that discrimination against someone who planned to undergo gender reassignment was a form of sex discrimination which was prohibited by the Treaty of Rome.

In case law, the rights of transsexuals are based on implied sex discrimination, whereas transsexuals argue that they should be recognized as transsexuals *per se*, rather than as deriving rights from their original, now-altered birth sex. The Advocate General, in the course of the *Cornwall County Council* case, *op cit*, appeared to endorse this view when opining that the Court should make an explicit recognition of the situation and rights of transsexuals. It is reasonable to presume that over the next number of years the case law for transsexuals will develop further within the European Court of Justice.

The Treaty of Amsterdam, article 13, provides that the Community has specific powers to take action to combat discrimination based on sex. Transgender activists may well seek to vindicate their rights within this new context, though bearing in mind that this context falls far short of their ultimate goal, namely full legal recognition of choice of gender identity.

Significant developments were seen in 2002 in the cases of *Goodwin v United Kingdom* and *I v United Kingdom* which were heard before the European Court of Human Rights in Strasbourg. Both applicants complained about the lack of legal recognition of their post-operative sex and about the legal status of transsexuals in the United Kingdom. They complained in particular about their treatment in relation to employment, social security and pensions and their inability to marry either as a man or as a woman. In mounting their challenge they relied on articles 8 (the right to respect for private and family life), 12 (the right to marry and found a family) and 14 (prohibition of discrimination) of the European Convention on Human Rights. The Court found that the United Kingdom had by its laws violated these rights.

1.3.3 Equality for people with disabilities

As explained earlier, up until 1997 and the introduction of the Treaty of Amsterdam, the potential for Directives on the area of disability did not exist. European-level NGOs involved in disability issues campaigned vigorously and successfully in the lead up to the Treaty of Amsterdam for such changes. From Article 13 of the Treaty came the impetus for the Framework Employment Directive which prohibits discrimination in employment and occupation on various grounds including disability. The scope of the directive is comprehensive and covers all categories of workers and aspects of working life from application to dismissal.

The World Health Organization has estimated that 10% of the population of the European Union has a disability, meaning over 30m people. European Union competence for people with disabilities was formally based on its competence to protect workers with a disability, even though it was well known that most people with a disability were, in practice, outside the workforce. Projects for workers with a disability were funded, from an early stage, by the European Social Fund. An action programme for people with disabilities, the first of three, was set in train by the Commission in the 1980s and two main funding programmes were run (HELIOS I and II). A strand of the EMPLOYMENT Community Initiative Programme, HORIZON, was devoted to people with disabilities. Dedicated programmes and action plans on disability were discontinued in 1996, the needs of people with a disability being mainstreamed into other programmes. Critics have questioned whether this mainstreaming process has been successful and in 2001 both non-governmental organizations and the European Parliament demanded a return to dedicated programmes for people with disabilities.

European Union action for people with disabilities has focussed on workplace integration, promoting cooperation between Non-Governmental Organizations (NGOs) and support for technological development and aids. Until the past four years, discrimination and rights issues were a distinct, but minor part of this discourse. The current articulation of European Union policy on disability may be traced to the *Communication on equality of opportunity for people with disabilities* (1996) which led to a council resolution in the same year, revised as *Council resolution on equal opportunities for people with disabilities*, adopted by the German presidency in 1999. The European Union formally declared that the situation of people with a disability would now be seen within a rights, participation and equality perspective. People with disabilities should be encouraged to participate fully in European Union programmes; special facilities, institutions and rights for people with disabilities should be supported; and this should be matched by the principle of mainstreaming, whereby people with disabilities should be accepted as full members of society, with opportunities for integrated education, training and employment, so that they should lead their lives independently, especially through the removal of barriers and disincentives and the development of accessible buildings and transport. The promotion of equal opportunities for people with a disability became part of the employment guidelines of

the European Union in 1998. In 1999, the social partners, employers and trade unions adopted the *European compendium of good practice for the employment of people with disabilities*.

In 2000, the European Commission adopted a Communication *Toward a barrier-free Europe for people with disabilities*. This is the most recent expression of European Commission policy for people with a disability and outlines areas where future progress should be expected, such as improved access to transport, more friendly websites, improved research, exhortation to the construction sector to work toward design-for-all, more effective mainstreaming of disability issues and the idea of a year for people with disabilities.

A recent articulation of European Union policy on disability may be found in a hard-hitting resolution adopted by the European Parliament in 2001 called the Hermange report, named after its author, French MEP Marie-Therese Hermange. This was a lengthy report with 37 parts. Its most striking feature was its implicit rejection of the European Commission view that disability had been sufficiently or successfully mainstreamed into European Union policies and practice. The Hermange report demanded the preparation of a fresh action programme in disability to run from 2004 to 2007.

In 2001, the Commission issued a Communication on how websites should be made accessible to people with disabilities. There already is an accessibility standard called W3C/WAI and the Communication outlined how its own sites should conform to the standard by 2004, encouraging others to do the same. A new copyright directive was approved by the European Union in 2001, to apply throughout the member states by 2003. This exempts from copyright law the reproduction of documents by people with disabilities for non-commercial, personal use.

The European Institutions designated 2003 as the *European year of people with disabilities*. This builds on the European day of disabled persons, so designated by the United Nations *International day of disabled persons* and endorsed by the European Commission since 1993. Normally this day has been honoured during the first week of December with speeches, awards and conferences. The theme of the European day in 2001 was *Design for all* and awards were given to those enterprises which have done most to assist people with disabilities.

Returning to the European year, the Commission has set six objectives for the year:

1. Raise awareness of the rights of people with disabilities.
2. Reflect on what should be done to promote equal opportunities.
3. Promote the exchange of experience.
4. Boost cooperation between the stakeholders.
5. Highlight the positive contribution made by people with disabilities.

6. Awareness of the difficulties and discrimination endured by people with disabilities.

The Commission proposed that several measures be taken to achieve these objectives: meetings and events; information and promotional campaigns; media work; surveys and reports; events; local, regional, national and transnational activities. Member states have been asked to consider a range of possible actions to undertake, such as:

- Convene a broad-based forum to heighten awareness and mobilize commitment. This could review the national disability situation and draw up long term goals to improve the situation. Suggested participants were government departments, national coordinating committees, organizations of people with disabilities, professional people, citizen's groups, communities and families.
- Set up a task force comprising government, people with disabilities and civil society organizations to promote the rights of people with disabilities
- Draw up a long term policy statement or update an existing one to promote the rights of people with disabilities.
- Develop the knowledge base on disability, 'aimed at ensuring the availability of data and an accurate picture of living and working conditions faced by people with disabilities'.
- Strengthen the organizations of people with disabilities by improving their resources, skills and participation in decision-making.
- Establish broadbased partnerships to act on disability, involving groups not traditionally involved in the area, such as the media, education sector, business, civil and religious leaders, sports and leisure.

1.3.4 Equality for older people

The European population is, on the whole, an older and ageing one. The proportion of older people in the European population has risen from 8.7% in 1950 and is heading to reach an estimated 18.4% by 2025. Ireland has been an exception to this pattern, having the smallest proportion of older people in Europe, though this will change from 2015.

Until recently, there was only a limited basis for European Union competence for older people, since, by definition, most were outside the workforce. The European Union adopted a recommendation on flexible retirement policies in 1982 and later adopted an action programme for older people (1991-3), the highlight of which was that 1993 was declared *European year of older people and solidarity between the generations*. Proposals for a second action programme for 1995-8 fell, following British court action successfully challenging the legal basis for the programme. European Commission proposals to include a competence for European Union action for older people in the Treaty of Amsterdam proved unsuccessful.

The scope of European Commission action was recently outlined in its Communication *A Europe For All Ages*. The main points were:

- To support studies, research and the development of strategies in support of active ageing.
- To explore the possibilities of some form of an action programme based on articles 13 and 127 of the treaty.
- Creation of a European older persons platform.

Issues of discrimination against older people featured rarely in these discussions, though they were promoted by European NGOs. The first concrete proposal against age discrimination was not made until 1999, when the European Union published its proposals under article 13 of the Treaty of Amsterdam. This led to Council Directive 2000/78 EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation ("The Framework Employment Directive"). Article 4 of the directive against discrimination in employment lists a number of exceptions, permitting differences of treatment where a characteristic constituted a genuine occupational qualification for a job or the context in which it is carried out. Article 5 permitted differences of treatment on grounds of age where they were objectively justified, necessary and proportionate. Examples given were where it is necessary to protect older workers, where a minimum training period is involved, where there were requirements for a length of professional service and where there were age limits for legitimate labour market objectives. These exceptions came under sustained attack from the European lobby for older people, EurolinkAge, for enabling a broad range of discrimination against older workers to continue. The time period for implementation by member states of the Framework Employment Directive can be extended from December 2 2003 to December 2 2006 for the provisions dealing with age discrimination.

Promoting greater participation by older people in the workforce has emerged as an objective of European economic policy in the past five years. At the Stockholm summit in spring 2001, the heads of government agreed to set new targets for the participation of older people in the labour force: from 37% in 2001 to 50% by 2010.

1.3.5 Racism and equality for minority ethnic groups

It is estimated that over 15m people in the European Union belong to minority ethnic groups, including the Irish Traveller community. This figure comprises long-standing minority ethnic groups, families and workers who arrived in the European Union after its establishment and those seeking to enter the European Union as refugees and asylum seekers.

The European institutions first addressed the problems of racism in Europe when the European Parliament, Commission and Council adopted a joint declaration against racism in 1986. During the 1990s, the European Union associated itself prominently with condemnations of racism, xenophobia, holocaust denial and the emergence of right-wing groups, marking 1997 as *International year against racism*. In 1995, the social partners, meeting in Florence, adopted a joint declaration against racial discrimination in the workplace. In 1996, the European Council formally invoked the judicial and home affairs provisions of the third pillar to commit member states to taking action against racism and xenophobia. The first action plan against racism was adopted in 1998.

Non-governmental organizations (NGOs) at European level have drawn attention to the apparent contradiction between the European Union promoting respect for minority ethnic groups while at the same time operating what they criticise as restrictive policies for the admission of refugees and asylum seekers which they feel will promote the intolerant attitudes the European Union objects to. They have also drawn attention to the fact that the protection and benefits of the European Union extend primarily to European Union citizens, a status not automatically available to many recent residents of the European Union belonging to minority ethnic groups who are not yet citizens or who have little chance of so becoming.

The treatment of minority ethnic groups in those countries applying to join the European Union has been an important feature of the accession negotiations which opened in the late 1990s. Aspiring member states are required to adopt the full range of European law (called the *acquis communautaire*), including European anti-discrimination law, but are also scrutinized for the manner in which they respect the human rights of their minorities. During the accession process, the treatment of the Roma minorities became a fractious point in the negotiations with some states, notably Romania and Slovakia.

The Race Directive is to be implemented by member states no later than July 13 2003. This scope of the directive extends outside the workplace and therefore greatly extends the rights of those discriminated against by reason of their 'race' or ethnic origin to a larger number of areas other than specific groups. This shows recognition at European level of the prominence of racial and ethnic discrimination and a willingness to actively outlaw it. The expanded areas of application of the directive may have far-reaching consequences for members of the Traveller Community, and for other Black and minority ethnic communities in Ireland.

The Race Directive contains a provision requiring member states to designate a body or bodies for the promotion of equal treatment of all persons free from discrimination on the grounds of racial or ethnic origin. Such bodies shall ensure the provision of independent assistance to victims of discrimination in pursuing complaints: conduct independent surveys concerning race discrimination: publish independent reports and make recommendations on any issue relating to such discrimination. Such bodies do not have to be involved exclusively in the area of discrimination on the race ground and may have a broader human rights or equality agenda. The Equality Authority already plays a role in the Irish context.

1.3.6 Marital status and family status

European family policies may be formally traced to a resolution of the Parliament in 1983. The European Commission issued a *Communication on family policies* in 1989, which led to a Council resolution on family policies in the same year. The Commission Communication referred to the importance of measures to assist deprived and single parent families though the resolution did not give the European Union authority for the equalization of relationships according to family or marital status. The European Union came to establish a budget line on family and child protection and for an observatory on national family policies. However, the terminology of the observatory should be noted: it is an observatory on *national* family policies, conceding the primacy of member states in determining policy.

Marital and family *status*, although distinct categories of discrimination for the Equality Authority, are not seen as distinct areas of work for the European Union. The European observatory on the family effectively defines family and marital status as encompassing the following legal situations:

- Equality of children born inside and outside marriage.
- The rights of children to legal representation, defence and hearing.
- Equality of adopted children.
- Equality of children whose parents have been divorced or are separated and their families.
- Equality of people of different nationalities, including couples of different nationalities.
- Equality of people inside or outside marriage or in same sex-relationships.

Traditionally, these concerns did not fall within the legal competence of the European Union (though some do fall within the competence of the Council of Europe, the European Court of Human Rights and the *European convention on human rights*). The 1989 Communication was extremely cautious in its language, referring to shared concerns, the need for Community action to be pragmatic, and reiterating the primacy

of national policies. Indeed, several member states made plain their opposition to European Union competence in some of these areas. Insofar as issues of family and marital status have been the concerns of the European Union, they have been indirect concerns, raised through European Union competence in other areas such as gender equality or social inclusion. The situation of single parents attracted attention under the first programme against poverty (1975-80), the European Commission subsequently funded single parent projects under the second programme (1985-9) and a network of single parent organizations.

Marital and family status are not grounds covered explicitly by either Article 13 of the Treaty of Amsterdam or by either of the two directives emanating under that article. The only current European law basis for prohibiting discrimination on these grounds is contained in the new 2002 Equal Treatment Directive where it is limited to indirect discrimination in the employment context. More worryingly, it appears that European law may permit, in some circumstances, measures which treat married persons preferentially. Recital 22 of the Framework Employment Directive states that the directive is without prejudice to national laws on marital status and the benefits dependent thereon.

As noted in the discussion on gender equality, the European Commission introduced a directive for parental leave (96/34), which member states were required to transpose by 2000. This permits parents to take unpaid parental leave in order to mind young children, with the right to return to their jobs. Many organizations have campaigned for the directive to provide for paid parental leave, arguing that only a parent in a well-off household can afford to take unpaid parental leave.

Article 61c of the Treaty of Amsterdam gives the Union new competence in civil judicial matters and these may in the course of time affect family and marital status. Invoking these competences for the first time, the European Commission made proposals for a European Council regulation on the jurisdiction and enforcement of judgements in matrimonial matters and in matters of parental responsibility for joint children (e.g. consequent on divorce, separation and annulment and dealing also with adopted children and the children of unmarried parents) (COM 1999/220). This would have the effect of developing the existing set of international rules on responsibilities for children across borders, which are currently regulated by what are called the Brussels conventions (Brussels I and Brussels II).

1.3.7 Discrimination on grounds of sexual orientation

Discrimination here is understood to refer to discrimination against gays and lesbians. Although reference to sexual orientation is now part of article 13 of the Treaty, it is important to point out that sexual orientation does not feature in the discourse of social policy of the European Union and references to sexual orientation in, for example,

Communications, official texts and action programmes are extraordinarily rare. Such changes as have been made in these areas were the outcome of limited case law brought to the European Court of Justice indirectly as a part of the European Union's competence in matters of gender discrimination or right to freedom of movement.

Interest by the European institutions in issues of sexual orientation dates to 1984 when the European Parliament approved a report urging the decriminalization of homosexuality and the outlawing of workplace discrimination against homosexuals. In a second report, in 1989, the European Parliament proposed that there be equal protection for all workers, regardless of sexual preference. The European Commission, however, failed to respond and insisted that the Treaty of Rome gave it no clear responsibility to tackle discrimination against gays and lesbians outside the workplace. In 1998, the European Court of Justice refused to recognize relationships between the same sex as equivalent to the married relationship. In *Grant vs South-West Trains*, the court ruled that a railway company had not discriminated by refusing travel concessions to the female partner of a female employee, since stable relationships between persons of the same sex could not be regarded as equivalent to marriages or stable relationships between persons of the opposite sex. However, the court left it open to national legislatures to adopt changes which might affect that position (e.g. as Denmark had done); and to the European Union to change the situation through amending the treaty of grounds of discrimination arising from sexual orientation. Moreover, with the adoption of the Framework Employment Directive, it would now appear that a benefit provided by an employer to unmarried opposite sex partners and not to unmarried same-sex partners would constitute direct discrimination and be prohibited.

In the event, the latter eventuality ensued, with the passing of article 13 of the Treaty of Amsterdam. The 2000 employment directive outlawed discrimination in employment on grounds of sexual orientation, but the International Lesbian and Gay Federation (ILGA) expressed its deep disappointment that the directive on services covered only discrimination on grounds of ethnic or racial grounds. ILGA says that the European Union has missed an opportunity to prevent discrimination on grounds of sexual orientation in the areas of goods, services, social protection, healthcare, housing and education. However, in Ireland under the Equal Status Act, 2000 discrimination on the basis of sexual orientation is prohibited in the areas of goods and services, accommodation and educational establishments (but subject to a number of exceptions).

In 2001, the European Court of Justice upheld a staff decision by the Council of Ministers not to give his gay partner the same marriage allowances as a heterosexual partner. The Court of Justice took the view that Council staff regulations were not obliged to reflect the situation in the member state concerned and noted that most member states did not recognize gay partnerships as the equivalent of marriage. Marriage laws in the member state were quite diverse, the court noted.

The treatment of gay people in those countries applying to join the European Union arose in the course of the accession negotiations which opened in the late 1990s. Aspiring member states were scrutinized for the manner in which they respected human rights. In 2000, the European Parliament publicized the lack of civil rights for gay people in Romania, Cyprus and Slovakia, leading to commitments by these countries that anti-discriminatory policies would be fully put in place before they joined the European Union.

1.3.8 Discrimination on grounds of religion or belief

Discrimination on grounds of religion forms a very minor part of the policy work of the European Union and the case law of the European Court of Justice. It is infrequently referred to in the documentation of the European Union on rights issues, indicating either a lack of concern in the area or a lack of preparedness for the European Union to accept jurisdiction. Issues of religious discrimination in Europe, insofar as they have been brought to any international jurisdiction, will more likely have been brought to the Council of Europe's European Court of Human Rights. The report of the expert group on fundamental rights in the European Union, chaired by Spiros Simitis (1999), recommended that the right to freedom of thought, conscience and *religion* embodied in the European Convention of Human Rights, be brought into European Union law. The most relevant judgement of the court in this regard is a ruling that examinations for the European Community's civil service should not be held on the Sabbath (Saturday). The then existing practice was ruled to be discriminatory against Jews. The 2000 employment directive has a general provision to prohibit discrimination on grounds of religion. However, following strong Irish pressure, it permits discrimination that upholds the religious ethos of denominational schools. It remains to be seen how widely this provision will be interpreted by the European Court of Justice.

2 Institutions and agencies

Here, the briefing examines institutions and agencies which have a bearing on European Union policies in the areas of gender, marital status, family status, sexual orientation, religion, age, disability, ethnicity/racism and membership of the Traveller community. First, the main elements of the European institutions are outlined (2.1). Addresses for all these bodies are listed in the directory (5). These are:

- Council of Ministers
- Irish representation in Brussels, COREPER
- *Cellule de Prospective*
- European Commission
- European Parliament
- European Court of Justice
- Economic and Social Committee
- Committee of the Regions
- Advisory committees
- Special institutions and agencies
- Oversight bodies
- Observatories

The work of relevant European NGOs is noted (2.2) before we review the way decisions in Europe are taken (2.3).

2.1 Institutions

Council of Ministers

The Council of Ministers is the most powerful decision-making body in the European Union. The phrase 'Council of Ministers' actually covers a number of possible ministerial meetings: the meeting of agriculture ministers is called the 'Council of Agriculture Ministers' and so on. The twice-a-year summit meeting of heads of governments (prime ministers or presidents), the ultimate Council of Ministers, is formally called the 'European Council'. Not all categories of ministers meet, and those that do vary in the scope and importance of their meetings. There are normally four meetings of the employment & social affairs ministers each year, two in each presidency. One is normally a formal, decision-making meeting, the other an informal meeting during which issues are discussed and positions taken, but matters rarely decided. Meetings of social affairs ministers have been attended in the past year, on Ireland's behalf, by the Minister of State at the Department of Enterprise & Employment; the Minister for Justice, Equality and Law Reform and the Minister for Social, Community & Family Affairs.

The meetings of the Council of Ministers are presided over by each country in turn for a period of six months. For example, the presidency for January - June 2003 is held by Greece and for July - December 2003 by Italy. The highlight of each presidency is the

end of presidency summit. The heads of government come together each June and December to reach key strategic decisions and to summarize the business of the European Union over the previous six months. A text is normally issued at the end of each summit (called *Conclusions*) and these are important in summarizing agreements reached and mapping the way forward for the Union.

From 1997, the European Union got in the cycle of holding an additional, special summit during each presidency. The first such summit was the Luxembourg summit of November 1997, an important one, for it drew up the employment guidelines (see 1.3.1 above). These special heads of government summits, generally held in October/November and March, are sometimes dedicated to a special theme. Following the Lisbon summit in spring 2000, it was decided that each spring summit should take reports on progress in achieving social cohesion.

The question as to which country holds the presidency at any time is of more than academic or administrative interest, for the presiding country is primarily responsible for deciding on the agenda of the meetings during its presidency. It has become the norm in the past number of years for a presidency to select a number of themes and to sponsor conferences on these themes (e.g. sustainable development was a theme of the Swedish presidency in 2001). Presidencies are coordinated, in the first instance, by the prime minister's office in each country concerned; and in detail by its Department of External Affairs. Many EU countries have a Minister for European Affairs exclusively responsible for handling European business.

Two committees of importance to the equality agenda work to the Council of Ministers. These are the Social Protection Committee with representation from the Department of Social and Family Affairs and the Employment Committee with representation from the Department of Enterprise, Trade and Employment. The Social Protection Committee works on the European Social Inclusion Process and the Employment Committee works on the European Employment Strategy.

Irish representation in Brussels: COREPER

The business of Council meetings is prepared not just by the country holding the presidency of the European Union at any given time, together with the Council of Ministers, but by the committee of permanent representatives in Brussels, called COREPER. Staffed by public servants, COREPER consists of each member State's ambassador to the European Union and his or her supporting team. They have the key role in preparing the meetings of the councils of the different ministers. The Irish representation generally includes a civil servant assigned to cover the work of each domestic Irish government department (e.g. Justice, Equality & Law Reform).

Cellule de Prospective

The European Union now has a strategic planning body, called the Forward Studies Unit, or the *Cellule de Prospective*. This was originally set up to anticipate developments in foreign affairs and security policy, but has a broader brief of advising the Commission of future economic, social and political developments in Europe. Its most significant work to date has been *Scenarios Europe 2010: five possible futures for Europe* (2000) and a white paper on the future governance of Europe (2001).

European Commission

Despite being referred to as the 'civil service' of the Union, the European Commission is much more powerful than a domestic civil service department. Unlike a domestic government department, the European Commission is expected to propose legislation on its own initiative. Thus not only does it execute policy, but it has an important role in the formulation and development of policy - in effect, a role of political leadership. The European Commission also has an important legal function as the guardian of the European treaties. Members of the European Commission are required to be completely independent in the performance of their duties in the general interest of the community. They may neither seek nor take instructions from any government or external body. The European Commission draws up the preliminary draft budget which is then put before the Council.

The European Commission is divided into 20 directorates-general, or DGs, which are, broadly speaking, the equivalent of government departments. These in turn are subdivided into directorates (A, B, C, D etc), and then in sections and units. The main directorate-general in the equality field is the Directorate General for Employment and Social Affairs, called DG EMPL for short. DG EMPL has seven directorates, including:

- A: Employment strategy and European Social Fund.
- B, C: National employment and social inclusion monitoring and European Social Fund operations.
- D: Adaptability, social dialogue and social rights.
- E: Social protection and social integration.
- G: Horizontal issues.

Within these directorates, the relevant units are:

- A/2: Employment strategy.
- B/3: European Social Fund in Ireland (also UK, Bulgaria and Hungary).
- D/4: Anti-discrimination, fundamental social rights and civil society.
- E/1: Social and demographic analysis.
- E/2: Social protection and inclusion policies.
- E/4: Integration of people with disabilities.
- G/1: Equality for men and women.

Some units have a higher level of administrative prominence than others. For example, G/I is known as the Equal Opportunities Unit, is important in policy development and publishes a substantial output, including a range of material on its website. E/4, which has three staff, has become more prominent as 'the Disability Unit'.

The European Commission has several institutional means of promoting gender equality:

- The Equal Opportunities Unit. This comprises a head of unit, six administrators, two experts on secondment from the member states and twelve other assistants.
- The European Commission is advised by a group of experts in equality law who make an annual report to the Commission on the application of equality rights across the Union.
- There is a cross-cutting Group of commissioners responsible for equal opportunities. This comprises President Romani Prodi with commissioners Anna Diamantopoulou (Employment & Social Affairs), Neil Kinnock (Administrative Reform) and Viviane Reding (Education & Culture). Meeting three times a year, this has a mainstreaming role in monitoring progress on equal opportunities and ensuring consistency in the measures taken across EU policies.
- Advisory committee on equal opportunities, with representatives from each member state (see Advisory Committee, below). The advisory committee on equal opportunities (for its members, see 5: Directory) is important and has issued short but informative commentaries on gender equality. Recent examples are *Opinion on the Employment Guidelines 2002*, *Opinion on Gender Statistics and Indicators* and *Opinion on the Gender Dimension to Social Inclusion*.

In respect of family policies, there is an annual meeting of Commission officials with responsibility for policies which impact on families (called the inter-service group) and twice-a-year meetings of senior officials from each member state responsible for family policies.

In the area of disability, there are two committees of importance to the development of policy for people with disabilities:

- The high level group (15 members and 15 substitutes); and
- The inter-service group on disability (representatives of each DG, with 35 members).

Following the 1996 Communication, the European Commission set up what is termed the 'High level group of member state representatives on disability'. Its role is to review the latest policies and priorities of governments, pool information and experience and advise on reporting on the situation throughout the Community - in summary, to identify, analyse and compare policies. Its brief invited the group to work around the four axes of empowerment, enablement, mainstreaming and awareness and to bear a civil rights perspective in mind. It has published a compendium outlining disability policy in each member state and the structures associated with these policies. There are two members from each member state (delegate and alternate), generally drawn from government ministries or specialized agencies dealing with disability. The interservice disability group, comprising representatives of each of the directorates general. Its aim is to promote mainstreaming, exchange information and promote cross-sectoral cooperation.

European Parliament

The European Parliament is a large body, with 626 members, of which Ireland has 15 members (Northern Ireland a further three); (from 2004, the 15 members may be reduced to 12). The European Parliament meets monthly, rotating between Brussels and Strasbourg (with offices in Luxembourg). The European Parliament has responsibility for the adoption of legislation, the approval of the budget and may censure or dismiss the European Commission. MEPs may ask questions of Commissioners. On policy questions, the Parliament plays a key role by amending and commenting on legislation and reports. The comments of MEPs are treated seriously by the Commission and the Council of Ministers; and parliament has been often successful in beefing up legislation and reports in the equality area. Although the media tends to focus on the full-scale debates of the Parliament, much of the real work is done in 17 committees which meet in Brussels. Most legislation and reports are referred to committees, where members do the detailed work of preparing commentaries and amendments. An individual MEP, called a rapporteur, is routinely assigned to prepare a report that will best express the views and reasoning of the committee. MEPs opt for different committees where they feel they can make the most impact. Some are very large (e.g. employment and social affairs has 55 members, but is by no means the largest). The key committees are:

- Women's rights and equal opportunities.
- Employment and social affairs.
- Citizen's freedoms and rights, justice & home affairs.

The citizen's freedoms and rights, justice and home affairs committee, for example, published a large report on human rights in the European Union in 2001. This included information, comments and criticism, taking to task states for their treatment of minorities such as Travellers and discrimination against gays and lesbians. In the same year, the women's rights committee presented a report on equal pay for women. This will likewise have effect in pressing for improvements both by member states and European policy-makers.

The European Parliament also organizes its work according to political blocks. There are five main political blocks in the Parliament:

- The Christian Democrats, the largest, to which Fine Gael belongs.
- The Socialist group, the second largest, to which the Labour Party belongs.
- The Greens, to which the Green Party belongs.
- Europe of the Nations, to which Fianna Fail belongs.
- The Liberal, Democrat and Reform Party group.

Although the policy-making work which takes place in the political blocks is less crucial than that of the parliamentary committees, it is nevertheless important. The political blocks take up agreed positions on the more substantial European issues and issue

policy positions on more specialized issues from time to time. The groups are provided with secretarial, administrative and research support. These staff are important, performing a combination of press work, briefings, research, and correspondence roles.

In addition to committees, there are intergroups of MEPs. These are cross-party groupings of MEPs pursuing particular interests or issues. They have no constitutional or legal standing within the Parliament, but they can be important. There are now about 60 such intergroups. A number of intergroups deal with social issues. An example is the intergroup on ageing, which was promoted by EurolinkAge, the European network of organisations concerned with older people and prominent in raising issues of age discrimination. It is a cross-party group of 100 MEPs, though only about a third of this number attend meetings. There is a disability intergroup (its full title is the All-Party Disablement Group). It has 81 MEPs as members chaired by Richard Howitt MEP (Socialist), with Irish members Brian Crowley (Fianna Fail/Europe of the Nations), Jim Fitzsimons (do.), Mary Banotti (Fine Gael/Christian Democrat) and Patricia McKenna (Greens). The secretariat is provided by the European Disability Forum. The intergroup meets six times a year to discuss how policies in favour of people with disabilities may best be advanced in the parliament, watches for upcoming issues and relays news to the non-governmental community. The intergroup has its own work programme, website and newsletter.

Economic and Social Committee

The Economic and Social Committee fulfills a role slightly similar to the Seanad in Ireland. It has much less power than the European Parliament, but it must be consulted by the European Commission and the Council of Ministers on economic and social questions. It has influence, rather than power. It has an advisory power and informs the institutions responsible for Community decision-making of the opinion of the representatives of economic and social activity. All legislation and key policy proposals in the economic and social area must go the 222-strong Committee, which has the opportunity to comment (its comment is called an *Opinion*). The Economic and Social Committee has the authority to issue opinions on any subject it chooses on its own initiative (called *Own Initiative Opinions*). Ireland has nine members on the committee, appointed by government following nomination by the traditional social partners. The Commission is consulted on all nominations to ensure that there is adequate representation between economic and social activity. All members are required to be completely independent in the performance of their duties.

Committee of the Regions

The Committee of the Regions fulfills a function similar to that of the Economic and Social Committee. It must be consulted on new proposals in the area of regional policy and may develop opinions on its own initiative. Generally, its members are selected from the regional and local authorities of member states, and speak on behalf of their interests. Ireland has nine out of 222 members, appointed by the government and drawn from the elected members of local authorities. The Committee of the Regions is an attempt to bring the decision-making process closer to the citizens of the European Union.

Advisory Committees

The European institutions, mainly the Council and the Commission, are assisted by a broad range of advisory and regulatory committees drawn from representatives of the governments of the member states (the Commission alone has 244). These committees have different names, being called working parties, policy groups, working groups, policy committees, expert groups, networks and coordination groups. These committees are rarely publicized in directories of the European institutions, but they play an important role in shaping legislation, programmes and decisions by the Council and the Commission. The advisory committee on equal opportunities between women and men (see Commission, above) plays an important role in policy development and in helping to mainstream gender policies across other policy fields. These committees help to shape just how far policies, decisions and proposals can go and what is and what is not acceptable to the different member states. The Department of Finance, for example, is represented on 47 such committees. Some of these have a direct or indirect bearing on areas concerning the Equality Authority, such as the working group on ageing, the working group on public procurement and the advisory committee on public procurement. Several others deal with the structural funds, which have an important equality dimension. The Department of Enterprise, Trade & Employment is represented on 105 advisory committees. Those of most interest to equality issues would be the social questions group, the European Social Fund Advisory Committee and the EQUAL programme.

Special agencies of the European Union

The European Union has a small number of special agencies, corresponding to semi-state bodies in Ireland. The most relevant one is located in Ireland, the European Foundation for the Improvement of Living and Working Conditions (often called 'the European Foundation' for short). Its work is broader than its title might suggest. The foundation's work programme for 2001-4 includes commitments to research into gender and employment, with a specific focus on work organization, working time and flexibility, access to employment opportunities and integration in the labour market; equal opportunities for participation and representation in the workplace and in the wider community; equality in social and civil life in the areas of goods and services, health, social protection, leisure and family life; and gender mainstreaming.

Oversight bodies

People who believe their rights as citizens have been infringed under the European treaties may complain to the European Commission, which is the guardian of the treaty. Such a complaint may be made by any EU citizen to any Commission office in a member state. If the Commission considers the complaint to be well-founded, it will ask the member state for an explanation. If the response is unsatisfactory, the Commission may bring infringement proceedings against the member state through the European Court of Justice. For example, Ireland was the subject of what are termed 'infringement proceedings' for insufficiently transposing into Irish law the Council directive 92/85 on the health and safety of pregnant workers.

The European Ombudsman is a relatively recent institution, set up on the initiative of, and responsible to, the Parliament. The ombudsman may investigate complaints of maladministration by the European institutions (not the national governments). The complaints procedure takes about two years. In the past two years, the Ombudsman has taken a number of initiatives to eliminate age discrimination by the European institutions themselves. In 2001, the European Court of Justice, the Council of Ministers, the Court of Auditors, the Office for the Harmonization of the Internal Market and the Economic and Social Committee still imposed an age limit of 45 for the hiring of their staff while the Commission, the Parliament and the Committee of the Regions had still failed to remove their age-based restrictions. The Ombudsman has pressed strongly for a lifting of these restrictions and also launched an investigation into the under-representation of minority ethnic groups among the staff of the European institutions.

Citizens or organisations with a grievance against the European Union are entitled to petition for redress of their grievances. The initial procedure is simple, the petitioner forwarding the text of his or her grievance to the President of the Parliament. The parliament's committee on petitions decides whether the petition falls within the Union's sphere of competence ('admissibility'). Assuming it is, the petition is then forwarded for action to the other institutions of the European Union or to national member governments. At this stage, the process becomes much slower, the outcomes less predictable. There are some examples of petitions which led to political change, for example in pension entitlements.

Finally, the financial operation of the Union is scrutinized by the Court of Auditors which checks against irregularities or fraud, either within individual institutions or in programmes co-funded by the Union with member states.

Observatories

In the late 1980s, the Commission began to set up a number of observatories to monitor and report on policy, trends and developments in distinct fields of work. Observatories have the function, as the name suggests, of observing key developments in their field in the course of the year. Typically, the work of an observatory is contracted out to an independent agency, university or network. The working methods of each observatory vary, but a standard approach is for the observatory to collect in national reports from a network of correspondents in each member state. These are then synthesized in an annual, European report. Some observatories focus on different sets of themes from one year to another. The observatory on family policies, hosted by the Austrian Institute for Family Studies, has produced valuable annual research reports on the different treatment of family groups in the various social welfare and tax systems. It issues an e-newsletter, *Puzzleweise*, and a periodical, *Family Observer*. In Louvain, the social security observatory MISSOC has issued voluminous tables on the treatment of different groups under social benefit schemes, e.g., in 2001, on systems to protect older people.

The most relevant observatory is the monitoring centre on racism, anti-semitism and xenophobia in Vienna. The monitoring centre opened in 1997, became fully operational in 1999 and now has over 20 staff with a budget of nearly €5.27m. The centre's primary task is to provide the European Union with objective, reliable and comparable data on racism, xenophobia and anti-Semitism so as to help both the European Union and the member states to formulate a coherent response. The centre studies the extent and nature of racism, analyse its causes and examine aspects of good practice in response. In its most recent annual report, the centre dealt with the following themes:

- The need to standardize and improve the system of monitoring racist incidents.
- The importance of political leadership in combating racism.
- The strengthening of institutional mechanisms which address racism.
- The problem of racism on the internet and in computer games.

In 2001, the centre published *Attitudes toward minority groups in the European Union*, examining in detail the attitudes towards minorities across the Union as a whole and state by state - an important tool in planning campaigns to promote tolerance. The observatory works through an affiliated network called RAXEN, a national system of monitoring racism. The centre set up and works through national focal points in each member state, whose role it would be to map the situation regarding racism, xenophobia and anti-semitism in each member state; promote cooperation in the field and collect data for onforwarding to Vienna. The Irish focal point is run by the Equality Authority and the National Consultative Committee on Racism and Interculturalism. Each national focal point began its work with the collection of data on organizations active the field of racism, xenophobia and anti-semitism; found out what data existed and the publications available. The outcome of the mapping exercise is now available on the centre's website (<http://eumc.eu.int>). Researchers are now able to search for information on racism by:

- Member state
- Organizations working against racism
- Their activities
- Data on racism, xenophobia and anti-semitism
- Publications

Key word searches are then further possible (e.g. under 'Traveller'). The national focal points have been asked to identify good practices - initiatives which prevent racism, xenophobia and anti-semitism, as well as to collect background information on minorities and immigrants. They have been asked to collect statistical, descriptive and analytical information, including grey literature on conferences, campaigns and events. In 2001, for example, the national focal points were asked to prioritize data in the following areas:

- Employment
- Violence

- Education
- Legislation

The European Court of Justice

The role of the European Court of Justice is to ensure that in the interpretation and application of the treaties the law is observed. All member states undertake to uphold the competence of the Court regarding disputes concerning the interpretation of the treaties. Both Judges and Advocates-General are completely independent in the performance of their duties.

The Court consists of 15 judges and nine Advocates-General. Advocates-General make reasoned submissions to the Court to assist the Court in reaching its decision.

The European Court of Justice has stressed that the European Union is not merely an economic union but is intended by common action to ensure social progress and seek constant improvement in living and working conditions. It has further stated that the social aim pursued by Article 141 of the Treaty of Amsterdam constitutes a fundamental right. The interpretation of equality law, especially under the Article 13 directives may in many instances be a matter for the European Court of Justice to determine. It is therefore of critical importance in the development of European equality law.

People who believe that their legal rights under European legislation have been breached are expected to exhaust all domestic legal court remedies first. Should that fail, they may bring a case to the European Court of Justice. This is a slow process, generally taking at least two to three years. Irish courts, which are both enjoined and required to uphold European law, may refer a case to the Court of Justice at an early stage in order to resolve a point of European law.

2.2 The non-governmental sector around the European Union

In the 1980s, voluntary organizations began to organize themselves at European level. International cooperation between voluntary organizations is nothing new - indeed, it can be traced to the 1920s - and after the second world war, federations of international organizations came together to present a united viewpoint to the United Nations (from 1945) and the Council of Europe (from 1951). Many such groups were headquartered in Geneva and Strasbourg accordingly. In the 1980s, international federations began to open Brussels offices, to the point that Brussels has probably now superseded Geneva and Strasbourg as the prime European location for international federations.

For these non-governmental organizations, there were a number of advantages to locating in Brussels. First, they found that the European Commission was relatively approachable on policy matters, certainly in comparison to some national governments. So too were the other European institutions. Second, a presence in Brussels gave them early warning of new policy initiatives and funding programmes. This enabled them to provide timely advice on policies and prepare, in good time, funding proposals. The 1990s were times of considerable growth in the presence of the non-governmental sector in Brussels. These groups termed themselves federations, association and networks (the terms are sometimes used interchangeably). 200 such networks may now exist in the social policy field.

For the European Union, there were a number of advantages in working with international federations. First, it was much easier to deal with an international body representing all 15 member states than to listen to 15 different national viewpoints separately, one by one. Second, international federations provided important independent sources of information, advice and expertise in the preparation and execution of European Union policies. In the course of time, the European Union came to provide some funding for the activities of some international federations and networks.

Typically, European networks issue policy documents, make representations to the European institutions (principally the Commission and the Parliament), report on the implementation on European policies in the member states, inform their members of issues of European integration and funding programmes and publish newsletters and other informational material. A typical European network comprises two, three or four staff, holds an annual general meeting each second year, elects an administrative council of 15 (one place for each member state) and is run by an executive committee of six or seven which meets monthly in Brussels.

The following are the main networks concerned with issues of equality and discrimination in Europe. They are reviewed under key headings.

Gender

The main and most influential network is the **European Women's Lobby, EWL**, set up 1990 with the encouragement of the Commission. It is a broad-based lobby, designed to bring the concerns of each of the national member organizations to a European level. It makes representations to the European Commission and the other institutions on legislation, action programmes, funding and other measures designed to influence the equal opportunities agenda. Several of its key personalities have moved to work on women's issues in the Commission itself. The Irish member organization is the National Women's Council of Ireland.

A second, smaller network is ENOW, the European Network of Women, set up in 1983. It brought together associations of women from the different member states and aimed at furthering the exchange of information on the implementation of EU policies and their consequences on women's lives. It has contributed to the development of policies for women in the areas of women and violence, women and poverty and the promotion of economic independence for women.

Older people

There are two networks concerned with older people in Europe. The longest standing is **EURAG** (1962), based in Graz, Austria and focusses primarily on the Council of Europe. In 1981 **EurolinkAge** emerged as one of the more effective networks, set up on the initiative of Age Concern in Britain. EurolinkAge employed lobbyists in Brussels and Strasbourg and was perhaps the first body at European level to draw attention to discrimination against older people. In 2001 EurolinkAge merged in a broader platform with the European Platform of Seniors Organizations (EPSO) and Fédération Européenne des retraités et des Personnes Agées (FIAPA). The new network was called AGE. AGE took a little time to get established, but has since contributed actively to the debate on European pensions policy.

Family

A small number of European organizations deal with family issues. While the term 'family' may have a conservative political ring, in fact European family networks have been to the forefront in arguing for progressive family policies and combating inequality in the treatment of family relationships. The main family umbrella body in Europe is **COFACE**, or the Confederation of Family Organizations in the European Union (estd. 1979). It is one of the larger and more professional lobby groups and has worked closely with the family intergroup of MEPs in the European Parliament. The **European Network for One Parent Families** arose from the second European programme against poverty (1985-9) and brings together self-help and advocacy groups of single parents in the member states.

Sexual orientation

The principal organization dealing with the rights of gays and lesbians is the **International Lesbian and Gay Association (ILGA)**. Set up in 1978, this is a well organized, effective and well informed network, with links throughout the world. Its main objectives are equality in law for gay and lesbian people, the right to organize and the legalization of homosexuality where this does not yet exist. It issues a range of policy documents (e.g. *Equality for lesbians and gay men - a relevant issue in the civil and social dialogue*) and bulletins, also running a comprehensive website. ILGA deals with issues of transgender.

Rights of minority ethnic groups and Travellers

Several thousand local and national associations of ethnic groups exist throughout Europe, but few appear to organize as European associations or have a presence around the European institutions. One which does is the **Roma National Congress**. There is also a **European Centre for the Roma** in Budapest, Hungary.

A network with one of the longest titles of all the European groups: **United for intercultural action - European network against nationalism, racism, fascism and in support of migrants and refugees** was set up in 1992 as a broad-based coalition to bring together youth, anti-racist, refugee, human rights and refugee organizations. It organizes conferences and rallies, publishes information, and holds an international day of action against racism and anti-semitism every 9th November, the anniversary of *Kristallnacht*, the 1938 pogrom of the Jews in the Reich. It is based in the Netherlands but has now opened a Brussels office.

A new network was formed in 2001 to bring together over 600 non-governmental organizations concerned with racism in the European Union. Called the **European Network against Racism (ENAR)**, its aims are to raise awareness of the problem, influence European policy and promote networking.

At this stage, it may be worth mentioning groups which campaign for refugees, exiles, asylum-seekers and migrant workers, many of whom deal with issues of discrimination. The principal such European networks are the **European Migrants Forum (Brussels)**, the **Council on Refugees and Exiles**, based in London; the **Churches' Commission for Migrants in Europe**, located in Paris; the Geneva-based **Conseil des Associations d'Immigrés en Europe**; and the **International Catholic Migration Commission**, also in Geneva. Several of the Church-based networks located in Brussels have been outstanding critics of discrimination against minorities, principally the **European Ecumenical Council for Church and Society**.

Disability

Disability organizations are well established at European level. Some date to the post-war period and focussed on advising the Council of Europe and the World Health Organization in Europe, which is based in Copenhagen. **Disabled People's**

International has been especially active in the debate on the directives against discrimination. There are also many specialized networks and federations (e.g. deaf people, blind people). There are networks for cooperatives and social firms which employ people with disabilities.

Following a resolution of the European Parliament, the Commission helped to establish a **European Disability Forum** (EDF) of NGOs. Originally this was a consultative mechanism within the HELIOS II programme (1993-6) but since became an independent network of European NGOs concerned with disability (1997). It has nine staff, 17 national member councils and 71 affiliated non-governmental organizations. The EDF deals with the full broad range of disability issues and policies, running an impressive, informative, up-to-date and comprehensive website.

Generic social organizations

A number of broad-based, cross-cutting networks operate at European level. While not dedicated to specific equality concerns, equality issues are nevertheless an important part of their brief. Several of these have good access to the European institutions, principally the Commission and the Parliament. An example is the **European Anti-Poverty Network** (EAPN), set up on the initiative of the European Commission in 1990. This brings together 15 national anti-poverty networks in each of the member states and over 20 European federations concerned with poverty issues. EAPN has presented a range of strategic policy issues to the Commission and other high-level bodies, issues a regular monthly newsletter and has several working groups dealing with equality-related issues.

EAPN and other social federations in Europe belong to the **Platform of European Social NGOs**. This group meets monthly in Brussels and attempts to synthesize the concerns of the European networks for consideration by European policy-makers. The platform was invited recently, for example, to make a presentation to the European Parliament's Committee on Employment and Social Affairs. Issues of social rights, gender equality and discrimination are frequently raised by both groupings. Within these social NGOs groupings, several have taken a prominent role in the struggle against social exclusion, such as **ATD Quart Monde**.

Think tanks

Finally, a number of think tanks in Brussels should be mentioned. The **Centre for European Policy Studies** (CEPS) (estd. 1983) is an independent research institute which encourages the study and discussion of public affairs in Europe. Publications include *CEPS papers*, working documents and policy reports, research reports, special reports and books. More recent (1997) is the **European Policy Centre**. This works through fora, conferences, seminars, rapid analysis of current events, briefings, on-line policy papers, breakfast meetings but is different insofar as it welcomes as members non-governmental organizations and civil society bodies.

2.3 The decision-making process

Here we look at how political agendas and decisions are determined in Europe, with particular respect to equality issues. As is the case with most political institutions elsewhere in the world, there is no one single point in the European Union where political pressure is always decisive. Looking at the broad picture, lobbying in the EU is often a confusing mosaic of actions by the Commission, Parliamentarians, NGOs, the other institutions, national governments, and cross-cutting interests and groups.

The formal procedures for decision-making in the European Union are regulated by a complex set of procedures, which have been refined over the years and elaborated again by the Treaty of Amsterdam. They are set in train whenever the European Commission issues a proposal (e.g. legislation, action programme). Proposals go from the European Commission to the European Parliament for an opinion, called a first reading. The European Council then makes known its view (called a 'common position'), and sends the proposal to the European Parliament for a second reading. If the European Parliament approves the proposal, the European Council then confirms it, and the matter is settled. Should the European Parliament amend the proposal, the European Council may accept the amendments and the process is amicably concluded. If there is still a disagreement, which is often the case, disputed legislation will normally go to a conciliation conference of European Parliament, Commission and Council. Here matters are normally resolved and the compromise is then confirmed by the three parties at a formal third reading. This description is a simplification of an enormously complicated procedure, one with numerous permutations depending on the issue under consideration and the avenues pursued.

From the point of view of bodies wishing to influence the process, it means that the opportunities for influencing decision-making are multiple and they can have many more openings than would be the case in national parliaments. Although legislation is the main element of the procedure, the same procedure applies to the European Union budget. A lesser form of legislation is the Recommendation. A recommendation is a set of proposals to the member states, outlining certain actions which they should take, but are not obliged to do so. In 1992, for example, recommendations were approved on a minimum income and on the convergence of social protection systems.

The following are the main points of influence at European level. Most proposals and all legislation come from the European Commission - whether prompted or issued on the European Council's recommendations. Almost all groups wishing to influence European policies find themselves dealing directly with the European Commission at some stage and with the official responsible for their area of interest. Here, this is likely to be the desk officers dealing with discrimination and equality issues within the European Commission in the Directorate General for Employment and Social Policy (DG EMPL). The number of such officials is limited in number and relatively identifiable. Officials

stress that representations made to them at the earliest stage of the preparation of a proposal are those which are likely to be most effective. They become progressively more difficult to change as they go through the decision-making machinery.

Organizations dealing with broad policy issues give attention to the senior officials within the directorate concerned. In this case, this means the Commissioner's cabinet (a group of 6-7 political advisors attached to each), the director general and directors. Some organizations also work through their national representatives within the European Commission. Commissioners and their officials are enjoined to work on a basis of the European Union's interest as a whole, however, it is not unknown for Commissioners, *cabinet* members and other officials to be sensitive to representations from their own country.

Government and statutory bodies have the advantage that they can make their case known through the Council of Ministers, a channel generally difficult for non-governmental organizations to use. Here these channels are:

- For social issues, the Council of Employment and Social Affairs Ministers and the Irish officials supporting their contribution (generally this is done through Enterprise, Trade & Employment).
- For justice-related issues, the Council of Justice & Home Affairs Ministers and the appropriate officials (Department of Justice, Equality & Law Reform).
- The Irish representation in Brussels (COREPER).

The European Parliament has an important role in the approval of legislation and the budget. First, MEPs have the power to approve, reject or amend legislation and to approve budgets. Second, where neither legislation or finance are involved, they have an important role in setting the tone for debates, discussions and issues. The Commission, for example, follows the comments of MEPs closely and in the interests of good working relationships, tries to accommodate their views. Generally, there is strong pressure for progress on gender, equality and discrimination issues in the Parliament and members of appropriate committees are likely to respond positively to briefings on equality and discrimination issues.

NGOs, while outside the institutional picture, play an important role in the shaping of ideas, proposals and programmes at European level, though they would like to play an even more important role than they do already. As already noted, they are present in significant numbers around Brussels and some are effective lobbyists. They can add weight to the equality agenda from the outside.

In summary, the key points of influence for organizations, groups and people concerned with equality and discrimination will be:

- Irish representatives at the Council of Ministers meetings (ministers & officials).
- COREPER.
- Irish MEPs, members of the Economic and Social Committee and the Committee of the Regions.
- MEPs responsible for social affairs, women's rights and justice issues.
- Intergroups (e.g. older people and disability).
- Key European NGOs concerned with equality and discrimination issues.
- Senior officials in the Directorate General for Employment & Social Affairs (Commissioner, cabinet, director general).
- Desk officers in the Directorate General for Employment & Social Affairs responsible for equality and discrimination issues and in other directorates general.

3 Programmes

Here, the guide examines European Union programmes which are concerned, either directly or indirectly with the grounds of gender, marital status, family status, sexual orientation, religion, age, disability, race and membership of the Traveller community.

Within its various defined spheres of competence, the European Union has introduced a range of programmes to put its aims and objectives into operation. These range from the structural funds to large, multi-annual funding and policy programmes to small, year-on-year initiatives to promote particular activities of concern to the Commission, the Parliament and the other European institutions. Many of the funding programmes have individual names. Some are well known in Ireland, being used to fund government agencies and non-governmental organizations.

Following these programmes can be quite difficult. The structural funds, though well known, are complex instruments. Others emerge at short notice, sometimes on foot of an initiative in the European Parliament. Some are well promoted, others hardly at all. Some are transparent, others opaque in their operation. Some are run efficiently, others are notoriously slowly administered and even run two years behind their scheduled dates.

Although some groups, especially non-governmental organizations, view these programmes purely as opportunities to obtain grants and project funding, these programmes are quite distinct from most national funding programmes, in the following respects:

- First, they are designed to promote European integration, not to fund national, regional or local projects or activities, however worthy. They are dominated by the European agenda of their work not national interests.
- Second, related to this, most emphasize the importance of ideas, policies and concepts. The size of the applicant, the financial value of its services and its role in national provision, count for much less.
- Third, with very few exceptions, they require co-funding by the funded body, the national local or regional government, or other bodies, or various combinations thereof.
- Fourth, European cooperation is an important part of these programmes. Project participants are expected to take part in the work of networks or link together with partners in other member states. The underlying assumption is that this is an effective way to ensure that best practice is transferred effectively across the member states.
- Fifth, these programmes generally fund large projects, at least by Irish standards. The Commission is increasingly moving away from funding small-scale projects, preferring a smaller number of larger projects, which are easier to administer.

What are called European funding programmes may be divided in two: the structural funds (3.1) and internal operations (3.2). The structural funds are the large-scale budgets used to fund structural operations in the member states and are subject to national agreements between the Commission and the member states. The funds for internal operations are, overall, much smaller. These are budget lines used by the Commission to fund selected areas of policy, often on the prompting of the Parliament. Generally, one applies to the Commission or one of its agencies for funding for internal operations.

3.1 Structural funds

The structural funds are the best known of the European programmes. There are three European Structural Funds:

- European Regional Development Fund (ERDF);
- European Social Fund (ESF); and the
- European Agricultural Guidance and Guarantee Fund (EAGGF).

In addition, there are two other funds associated with the structural funds, although, strictly and technically speaking, they were created as financial instruments rather than Structural Funds:

- Financial Instrument for Fisheries Guidance (FIFG) and
- Cohesion Fund.

The structural funds date to the 1960s, but were not organized as a package until 1988. They were then grouped and distributed in multi-annual periods, called programming periods. These were 1989-93, 1994-9 and 2000-2006. They have names associated with them (*Delors I*, *Delors II* and *Agenda 2000* respectively). Broad budgets are laid down for each period, called the financial perspective.

The third round of the reformed structural funds was introduced in 2000. The funds operate under the Irish National Development Plan (NDP) and the subsequent legal agreement for its operation agreed between Dublin and Brussels called the Community Support Framework (CSF). They are designed by the national governments.

The main, national operational programmes in Ireland are:

- Economic and social infrastructure.
- Employment and human resources.
- Productive sector.

There are two regional operational programmes - one for the Border, Midlands and Western region (BMW), one for the Southern and Eastern region (S&E).

There are four Community Initiative Programmes - LEADER+, EQUAL, INTERREG III and URBAN II. These are small in size, comprising only 5.35% of the overall structural funds. They are different insofar as Community Initiative Programmes are drawn up in Brussels and apply through the Union. They are designed to test new approaches to specific Europe-wide problems before being mainstreamed in the structural funds as a whole. In addition, there is the *Peace II* programme which operates in the border areas.

Social inclusion is one of four over-arching objectives of the structural funds in Ireland. Several aspects of the new round of the structural funds deal with issues of equality and discrimination, for example:

- The *Equality* sub-programme of the operational programme for employment and human resources. This is allocated to an expansion of the women's educational initiatives (4.4m), the monitoring of equal opportunities (25.5m), vocational training and pathways to employment for people with disabilities (222.2m) and a refugee language support unit (3.5m) (see National Development Plan, pp 115-118). The monitoring element is spent on technical assistance to enable the Department of Justice, Equality and Law Reform to support gender mainstreaming (which is now a legal requirement of the Regulations governing the Structural Funds); the funding of an equality unit in the Department of Education & Science; and the reinforcement of equality policies in third level institutions. The Equality Authority plays a role in running an Equality Studies Unit under the Employment and Human Resource Operational Programme.
- The social inclusion sub-programme of each of the two regional programmes. Here, 29.5m is allocated to the promotion of equality.
- The promotion of equality in the *Peace II* programme (measure 5 of the *Economic renewal* priority is entitled *Positive action for women*).

Of the four main Community Initiative Programmes, two are particularly important. There is one project in the URBAN II programme, located in Ballyfermot, Dublin. It is supervised by the Department of the Environment and Local Government and led by Dublin Corporation. Projects are expected to integrate minority ethnic groups in local communities, ensure equality between men and women and involve excluded persons.

32m is available over seven years for the EQUAL programme. Its general objective is to combat exclusion, discrimination and inequalities in connection with the labour market. The programme emphasizes innovation, the empowerment of the target group and the taking of a policy-based, strategic approach. EQUAL operates in four thematic fields, the same as the EU employment guidelines. There are 22 Irish projects, called Development Partnerships (DPs) or Sectoral Partnerships (SPs), the average funding

being 36,429. They are divided under the four headings of the European employment strategy, with the fifth strand for asylum seekers. The Equality Authority has advised on how the programme can best benefit those experiencing inequality and is playing a role within a mainstreaming strategy for the programme.

The following is a list of the Irish EQUAL projects, under their appropriate headings:

<i>Pillar</i>	<i>Budget</i>	<i>Target groups</i>
Employability		
Laois Rural Employment Partnership	23,331	Unemployed
Kildare and Wicklow EQUAL	45,898	Under-employed
North-east Training Initiative	45,898	Over 40 unemployed
Roscommon EQUAL	40,269	People with disabilities
Work Integration Network	45,898	Several groups
N Cork and SE Limerick Development Partnership	45,898	Several groups
Access Ability	45,234	Several groups
Blanchardstown EQUAL	40,504	Several groups
Clare Equality Partnership	27,934	Several groups
Westmeath EQUAL	45,898	Several groups
Entrepreneurship		
Leitrim Partnership for Arts & Crafts	13,287	Unemployed, women
Traveller Economy Sectoral Partnership	45,898	Traveller men
Longford Women Enterprise Development	17,731	Refugee women
Adaptability		
Diversity at Work Development Partnership	36,157	Employers
EQUAL Ireland Development Partnership	36,157	Unemployed
Interact II	36,157	Unemployed
Training Response to Equality & Diversity (TRED)	36,157	Several groups
Dublin Employment Pact	36,157	Several groups
Equal Opportunities		
National Flexiwork Partnership	45,898	Several groups
Equality Networks	45,729	Decision-makers
Asylum Seekers		
Sonas Ireland	45,195	Asylum seekers

Women are targets of the Work Integration Network, Access Ability, Clare Equality Partnership, Westmeath EQUAL, Leitrim Partnership, Longford Women in Enterprise Development, TRED, Blanchardstown EQUAL and the Dublin Employment Pact. Travellers are the focus of the Traveller Economy Sector Partnership and are also targets in Access Ability, Clare Equality Partnership, Westmeath EQUAL, TRED and the Dublin Employment Pact. People with disabilities are the focus of Roscommon EQUAL but also feature in the projects of N Cork/SE Limerick, Access Ability, Blanchardstown EQUAL, Clare Equality Partnership, Westmeath EQUAL, TRED and Dublin Employment Pact.

The Equality Authority plays an important role in the structural funds through:

- The Equality Studies Unit.
- Employment equality reviews under the Equality for women measure.
- Family-friendly initiatives under the Equality for women measure.
- Representation on the monitoring committees responsible for the structural funds.

3.2 Internal operations

Now we examine specific budget lines under the headings of gender, marital status, sexual orientation, religion, age, disability, race and membership of the Traveller community. Details of contact points for funding programmes are provided in Section 5: Directory.

Generally, project proposers apply to the Commission for funding under some of these headings. Most budget lines are advertised each spring and organizations are given two months in which to apply. It is normal for programmes to be advertised primarily on the internet. The selection process can be slow. Some of these funds are more transparent than others: some publish details on who gets funded for what and for how much, but others are more reticent. These funds can be difficult to follow, for some budget lines change from year to year.

These funds have changed over the past number of years and there has been a process of consolidation recently. For example, hitherto separate budget lines funding work for older people and people with disabilities have been consolidated in the action programme against discrimination.

Gender

The 5th gender action programme runs from 2001 to 2005 and 50m is available. The current budget line is called B3-4012. The 5th action programme is interested in funding projects in the areas of economic life, equal participation and representation, social rights, civil rights, gender roles and stereotypes. Projects must be transnational and are

expected to involve voluntary organizations, local authorities, social partners, gender equality agencies and European networks. There are three strands to the programme:

- 1 Values and practices underlying gender equality.
- 2 Improving an understanding of gender inequality.
- 3 Development and capacity of the players.

Three types of action are singled out for support:

- A Awareness-raising - publications, campaigns, events.
- B Analysis: research, statistics, studies, indicators, benchmarks.
- C Capacity building and transnational cooperation.

Typical funding for a project is expected to be 317,500 to 635,000. Projects must find 20% of their budget from their own resources.

Under the 2002 round of the programme, the Commission expected to fund 10 to 15 projects with a total value of 4.4m. Different themes are developed for the programme from year to year. For 2002, the theme was 'reconciliation between work and family life' specifically:

- Measures aimed at promoting the take-up of parental leave by men as well as women.
- Fathers should be encouraged to take more part in family life.
- Ways of developing adequately financed care services for families and for the elderly.
- Improving the status of care work, the recognition of appropriate professional qualifications and promoting the participation of men in the care sector.
- Coordination of working times and services policies which will reconcile working and family life to respond better to the needs of men and women. Examples are in the coordination of housing policies, town planning, the opening hours of services and school hours.

Discrimination on multiple grounds

Hitherto there were separate budget lines working with older people and people with disabilities. Now there is a universal budget line (B5-803) for the action programme against discrimination worth 94m altogether (12.3m in 2001, rising to 18m in 2006). This has three strands: analysis and evaluation, capacity-building of organizations and awareness raising. This provides funding for:

- 77 transnational partnerships, each with up to 50,000 of funding (3.85m).
- 10 European networks, with a maximum of 100,000 each.
- National authorities to promote awareness of the programme.
- Five European umbrella networks: one each in the areas of minority ethnic groups, religion or belief, disability, age and sexual orientation.
- Once-off proposals.
- Thematic reports on discrimination.

The programme is supervised by a committee with two representatives from each member state and 75 experts working in five thematic groups.

Disability

There is now a boost to the funding of work with people with disabilities, due to activities associated with the *European Year of People with Disabilities, 2003*. There is a budget of 12m, with 8m spent in 2002 and 4m in 2003. Funding will be available at three levels:

- 100% grants for Commission - sponsored meetings and events; information and promotional campaigns; and surveys and studies on a Community-wide basis.
- 80% grants for other Europe-wide initiatives by European NGOs.
- 50% grants for local, regional, national and transnational initiatives, such as meetings and events, information and promotional campaigns, surveys and studies and other events which might support the year. 'This co-funding will be distributed to member states following a restricted call for proposals requesting member states to submit a work programme drafted by each of the national coordinating bodies and agreed by the Commission'. This may include events to open or close the year.

Thematically, funding will be divided as follows:

- High-profile meetings and events: 1.3m. This will include a grant for the special olympics in Ireland.
- Europe-wide informational and promotional campaign: 2.8m.
- Surveys and studies: 0.55m. These will cover a study of disability policy, a study on free movement and an awareness survey.
- National actions: 7.15m. Here national actions will receive 50% funding, designed 'to act in synergy with Europe-wide action creating a structure whereby large and smaller scale measures will share the same objectives and contribute to each others' success'. This will include a launch event in every state to which the Commission will contribute 50,000 for each state in 2002 (total: 0.7m). The rest of the national actions will comprise an average of 430,000 distributed to a national coordinating bodies in each of the member states (total 6.45m).

Refugees

Several budget lines for the protection and integration of refugees have now been consolidated under budget line B5-810 which runs from 2000-4. This is the largest of the budget lines under consideration, valued at 34.2m. It is a very broad fund, designed to support projects to receive refugees and displaced persons, respond to emergency mass arrivals, integrate refugees and support voluntary repatriation. Funding may be available to provide accommodation, food, clothing, medical or psychological assistance, social services, health care or assistance with administrative and judicial formalities. This budget line is co-funded by the member states. Applicants may be government bodies or agencies, social partners, NGOs, training bodies or various combinations thereof. 5% of

the line is available for innovative actions of interest to the Community as a whole. In Ireland 708,514 was made available under this fund in 2001, advertised by the Directorate for Asylum Support Services of the Department for Justice, Equality and Law Reform.

There is a related budget line, B5-813, called *Support for the victims of human rights abuses*. This is a 6m fund to operate both inside and outside the European Union for projects run by governmental and non-governmental organizations to assist victims of torture and human rights abuses, promote democratization and human rights and provide rehabilitation services. Projects should have a gender perspective.

Family

There are two budget lines which specifically address family situations. These are the *Daphne* programme, funding measures to combat violence against women and children (4.7m, B5-302) and B3-4102, which provides 2m for the study of the social situation, demographics and the family. Although the latter budget line does not deal directly with discrimination, it funds research into changing trends in family life in Europe, new social situations and will touch on issues of equality and inequality. *Daphne* funds projects to work against violence against children and women, against sexual exploitation and abuse and to raise public awareness of the vulnerability of women and children. It is a four-year programme to fund non-governmental organizations, with calls for proposals in spring 2002 and 2003 (generally a March call date and May closing date).

Social inclusion

The Commission has long run a budget line for actions against poverty, B3-105. A new Social Exclusion Programme was launched in 2002. This will fund a set of policy-driven projects against poverty involving governments, policy-makers and leading non-governmental organizations - no longer small-scale, community-based, on-the-ground projects. 75m will be available. There will be several calls for proposals for the lifetime of the programme.

There will be three strands:

1. Analysis of the characteristics, processes, trends and causes of social exclusion, through studies, meetings, statistics and thematic reports. This strand will be coordinated by EUROSTAT and the national statistical offices. This strand is divided into studies of common methodologies (5.7m), the collection of comparable statistics (16.8m) and thematic studies (5.1m).

2. Policy cooperation and exchange of information and best practice through workshops, meetings, seminars and the development of monitoring, indicators, benchmarks, and studies. These will be 30 to 40 actions involving at least four member states at a time (the

largest single element, 22.2m), expert work and specific studies (4.6m) and an annual report on social exclusion (2.5m).

3. Participation of various stakeholders and networking at EU level, supporting funding for European networks and an annual conference (13.1m).

4 Information Sources

Here, we examine the main European information sources which may be relevant to an on-going understanding of European issues of gender, marital status, family status, sexual orientation, religion, age, disability, ethnicity/racism and membership of the Travelling community. Information strategies, information sources and publications are suggested.

4.1 Introductory remarks

By way of some introductory remarks, there is a vast volume of information available from and about the European Union. However, a number of cautions should be entered:

- Some of it is quite dated by the time it reaches the reader's desk.
- Much information is repeated.
- Some of it is poorly presented and badly translated.
- Critical commentary and analysis are generally absent.

In the past number of years, the speed and quality of European information have improved because of the internet. The European Union developed websites from an early stage and they are constantly in revision. Most key documents are posted promptly on the internet and can be downloaded quite readily (PDF, or Portable Document Format software is required but is available for downloading from some Commission sites).

An organization wishing to keep itself up to date on European issues is recommended to adopt a number of approaches:

- Use a number of fast information sources, for example sections of the Commission which issue e-mail bulletins (here DG EMPL does);
- Ensure a supply of regular bulletins on European Union events and activities;
- Obtain original documents where possible, as commentaries can often miss important points of detail;
- Use different information sources within the European Union institutions (i.e. not just the most dominant one, the Commission);
- Buy a number of directories of European Union agencies, institutions and personnel;
- Use private, independent and NGO information sources and critical commentaries.

Some information is free, and useful. Some information is free, but not very valuable. Some information is expensive, but available free in other places. Some information is expensive, not available elsewhere and well worth paying for. The 'get it if it's free' approach is the worst possible way to address the issue.

4.2 Sources of information

The main different sources of European information are now reviewed.

Walk-in services

There are four sources of walk-in European information in Ireland. These are:

- The Commission and Parliament office in Dublin
- European Documentation Centres in the Universities
- Info-points
- euro-info-centres

Offices in Dublin.

Both the European Commission and the European Parliament have offices in Dublin (beside one another, at the Molesworth St./Dawson St. intersection). The Commission office provides a range of leaflets, information booklets and has direct internet access to European Union websites. As a general rule, there will normally be some publications available on the European Union's broad work in the area of gender equality. The Commission library, upstairs, provides a range of shelved material. Visitors (11am-1pm, 2pm-4pm) must wait for an appointment to see a librarian and explain one's query (it is worth arriving at the start of business to get to the head of the queue). Phone enquirers must leave a message and ask to be called back by a librarian (which they will be).

European Commission:

18 Dawson st, Dublin 2; tel 634 1111, fax 623 1112; site: www.euireland.ie

European Parliament:

43 Molesworth st, Dublin 2, tel 605 7900, fax 605 7999, site: www.europarl.ie

European Commission:

Windsor House, 9-15 Bedford st, Belfast BT2 7EG, tel 028.90.240708, fax 028.90.248241, site: www.europa.eu.int/comm

European Documentation Centres (EDCs).

The EU institutions reach arrangements with the universities to stock all their publications. One condition is attached to this arrangement, namely that these publications are accessible to the public. Places which receive the documentation of the European Union are termed European Documentation Centres, or EDCs. EDCs must take *all* documentation coming from the institutions, so (in theory at least) all the publications of the European Union should be there. These comprise Dublin University (Trinity College), the National University colleges in Dublin (UCD), Cork (UCC), Galway (UCG) and St Patrick's College, Maynooth; the University of Limerick, Queen's University Belfast and the University of Ulster. Equality issues will, of course, be available in EDCs as much as any other category of information. The quality of EDCs varies. Some EDCs sort and box their material in more attractive ways than others, making it easier to find. Some EDCs may be overwhelmed by the volume of incoming information and as a result are slow to shelve material. Others are exemplary in their user-friendliness. Most universities do not advertise their role as EDCs, but they are required to admit

any citizen presenting to a university library wishing to consult EU publications.

Info points.

These are mini-information centres, stocking a more limited range of European documentation. There are two, located in the Institute of Technology in Dundalk, Co Louth and in the Chamber of Commerce in Mullingar, Co Westmeath.

Euro-Info-Centres.

These carry a range of European information material. While designed for the benefit of small and medium-size enterprises, in practice they stock a much wider range of material than their title suggests. There are six, located in Cork Chamber of Commerce, Galway Chamber of Commerce, Shannon Development, Waterford Chamber of Commerce, Sligo Chamber of Commerce and Enterprise Ireland (Sandymount, Dublin).

Information specifically on the structural funds may also be obtained from:
National Development Plan/Community Support Framework Unit, 15 Lower Hatch St,
Dublin 2, tel 639 6280, fax 639 6281, e-mail: csinfo@iol.ie, site: www.csinfo.com

All published European Union information should be available or may be ordered from
Government Publications:
Government Publications walk in service in Molesworth St., Dublin 2;
Ordering service 4-5 Harcourt Road, Dublin 2, tel 647 6000, fax 478 0645, site: www.opw.ie

or from the authorized distributor in Ireland:

Alan Hanna's bookshops, 270 Lower Rathmines Rd, Dublin 6, tel 496 7398, fax 496 0228
or 3 Lower Kevin St., Dublin 2, tel 475 1828, fax 496 0228, e-mail: hannas@iol.ie

Official texts

Obtaining original documents is always important, granted that commentaries may be selective in the material that they summarize. The official journal of the Union records all the decisions, legislation and programmes of the European Union in two forms: OJ-C (Official Journal - C), which reports proposals and other information and announcements; and legal texts, such as final, agreed legislation, classified as OJ-L (Official Journal - Legal). European Documentation Centres (EDCs, see above) receive all OJ-C and OJ-L reports. Paper records of the journal are being phased out in favour of on-line access and there is now an omnibus site for all journal material: <http://europa.eu.int/eur-lex>

This portal has :

- The official journal, C and L series.
- The treaties.
- Legislation in preparation.
- Approved legislation (directives) in force.
- Case law.
- Parliamentary questions.
- Green papers and white papers.

Here, older documents and archive material are subject to payment but there is no charge for most of the information.

The European Commission does publish a compendium of Community legislation in force at any given time (it has now reached 36 editions). This includes legislation in the area of equal opportunities, discrimination and equality as much as any other area and covers all European Union legislation now operative, from 1959 to end 2000. Volume 1 arranges the legislation by subject while volume 2 arranges the legislation chronologically and alphabetically. Total length is 608 pages. 110 from Office of Official Publications, L2985 Luxembourg or on line at <http://europa.eu.int/eur-lex/en/lif/index.html>

For the application of European law in Ireland, see the twice yearly *Irish Journal of European law*, published by Round Hall press, 43 Fitzwilliam place, Dublin 2, tel 662 5301, fax 662 5302. The principal statement of the application of European social policy law in Ireland may be found in Mel Cousins: The EEC social security regulations in Ireland, *Irish Journal of European law*, 1993, 1, 105-128.

In the area of gender equality law, the Commission has published a *Handbook on Equal Treatment for Men and Women in the European Union*. Now in its second edition, this is a 348-page guide to case law and the situation of women within European law. It must be indispensable for anyone offering legal or or related advice to anyone in gender equality law. 15 from Office of Official Publications, L 2985 Luxembourg.

The Commission has also issued a *Code of Guidance on the Implementation of Equal Pay for Work of Equal Value for Women and Men* to explain the current practice of the operation of gender equality and an information booklet *Equal Rights and Opportunities for Women and Men in the European Union*.

An important official document to watch for is the COM DOC (short for COMmission DOCUMENT). COMDOCs are generally proposals for a decision, but in their early stages of discussion, or other documents circulated for comment and are important in outlining European Commission thinking before decisions are hardened up. Over 1,000 COM DOCs are published each year, and they are available in the EDCs. Some can be obtained from the Commission officials handling the brief in question. Others are posted on the appropriate DG's website.

While still dealing with official texts, an important document is the Commission's annual report (more precisely called the *General report on the activities of the European Union*). It is a hefty 450-page summary of all EU activities under one roof and records all the key European decisions under a number of well-organized headings (cost: 35).

Keeping up to date - regular information sources

Obtaining a regular, on-going supply of information on equality issues is important. Traditionally, each European institution and each directorate general in the Commission ran its own publishing programme and readers obtained information this way. Now most people now go directly to each institution's or directorate general's website. There is a universal portal for the European institutions: <http://europa.eu.int>

People should then click on the 'welcome' sign in English where they will be offered a choice of the European institutions. Generally these sites are very navigable and offer indices, what's new, publications and so on.

The European Commission is probably the dominant information provider among the European institutions and is normally the first port of call for people seeking information on European policies in a given area. The DG EMPL website, for example, has an index offering such headings as disability, discrimination and fundamental rights and gender issues. There is now an electronic bulletin of the Directorate General for Employment & Social Affairs, to which one can subscribe on the DG EMPL site (empl-esmail@cec.eu.int). DG EMPL used to issue a regular *Employment and Social Affairs* series available on subscription. This has now been discontinued, replaced by the more speedy placing of reports on the internet and the publishing of occasional bulletins in the same series. Watching out for them is more difficult, but these reports can be substantive and informative. Examples are: *Report on Member States' Legal Provisions to Combat Discrimination*, *Science Policies in the European Union* (gender) and *Gender Equality in the European Union - Examples of Good Practice*.

The Equal Opportunities Unit has a website which provides a range of information on gender equality issues, under such headings as framework strategy, news, links, legislation, decision-making, the reconciliation of work and family life, funding opportunities, annual reports, documents, information on specific policies and mainstreaming.

Site: http://europa.eu.int/comm/employment_social/equ_opp/index.htm

Similarly, the disability unit provides information on disability policies, with details of who to contact, links, statement of mission, list of members of the interservice group, disability strategies, news and details of key events.

Site: http://europa.eu.int/comm/employment_social/soc-prot/disable/index_en.htm

The opinions of the Advisory Committee on Equal Opportunities can be obtained from the Commission: European Commission, Directorate General for Employment & Social Affairs, Advisory Committee on Equal Opportunities, rue Joseph II 37, B 1000 Brussels

The European Parliament offers a range of information and it is possible to search for reports by titles of rapporteurs, subjects headings or report numbers. The European Court of Justice site provides press releases of key judgements and the full texts of recent decisions which can be searched under subject headings (see Section 5, for full details).

EUROSTAT is a substantial source of information on the social situation in the European Union. Each year, the key facts are summarized in *Eurostat Yearbook* (the 2001 edition costs 40). Helpfully, social data are brought together in the annual *Social situation in the European Union* (15). Available from Office of Official Publications, L 2985 Luxembourg or through the Irish distributors, Hannas, as above.

Independent sources of information

European Voice

Turning to independent sources of information, *European Voice* provides news, analysis of key European Union policy developments, profiles and features. Cost per year is in the order of 294. *European Voice*, rue Montoyer 17-19, B 1000 Brussels, tel 322.540.9090, e-mail: info@european.voice.com, site: www.european-voice.com

European Information Service

The European Information Service offers dedicated monthly bulletins according to a varied set of subject headings (eg energy, transport, integration to the east) including one devoted to European social policy. Omnibus daily bulletins are also available. The service is expensive but reliable, informative and essential for people requiring a level of detail. European Information Service, avenue Adolphe Lacomblé, B 1030 Brussels, tel 322.737.7709, fax 322.732.6757, e-mail: ieis@eis.be, site: www.eis.be

Euro Citizen Action Service (ECAS)

ECAS, or Euro Citizen Action Service, is a non-profit organization set up in 1990 to work with voluntary organizations in Europe on social policies and civil society issues. ECAS is an important information source and it issues a monthly bulletin, *European Citizen* (by subscription) and publishes an annual guide to NGO funding in Europe, called *Europe's Most Colourful Flowers*, now in its 7th edition. Membership costs from 50 to 1,500 a year, according to category. ECAS, rue de la Concorde 53, B 1050 Brussels, tel 322. 548.0490, fax 322.548.0499, e-mail: info@ecas.org, site: www.ecas.org

Directories

Several directories are recommended. Principal of these are:

European Public Affairs Directory.

This provides information on all the European institutions, their key personnel as well as details on lobbying bodies in Brussels. 105 from Landmarks. It is updated every year. Landmarks, Avenue de Tervuren 402, B 1150 Brussels, Tel: 322.779.95459, Fax: 322.779.9563; www.landmarks.be/epad

A Practical Guide to the EU Labyrinth.

A Practical Guide to the EU Labyrinth by Editions Apogée Europe, 22. Editions Apogée Europe, Avenue Plasky 119, B 1030 Brussels, Tel: 322.736.5800, Fax: 322.738.7120.

Interinstitutional Directory

The European Union publishes an *Interinstitutional directory*, listing every section of the European institutions, with the name and coordinates of each official. Price: 30. Available from: The Office of Official Publications, L 2985 Luxembourg or the Irish distributors, Hanna's (see above).

European Companion

Vacher's Publications issue a *European Companion*, A5 size, which is updated quarterly. It costs UK£69 (annually) and is a useful means of keeping up to date with developments in European governments and in the European institutions (e.g. it publishes a list of recent EU legislation). The guide provides details of the sections and personnel in the directorates-general of the Commission and full information on Members of the European Parliament and the committees which they attend. There is a national section which provides country-by-country summaries of each nation's government, with lists of government ministers and addresses of government departments. Vacher Dod publishing, PO Box 3700, Westminster, London SW1E 5NP. Tel: 0207.838.7256, Fax: 0207.828.7269, e-mail: politics@vacherdod.co.uk; www.vacherdod.co.uk

Funding Minorities and Multiculturalism in Europe

For those wishing to identify funding opportunities in the area of work with minority ethnic groups the European Foundation Centre has published *Funding minorities and multiculturalism in Europe*. This is a joint project between the centre and the Freudenberg Stiftung in Germany and the European Monitoring Centre on Racism and Xenophobia. The work of 99 funders is outlined under a series of handy headings and cross-references. 50 from: European Foundation Centre, Rue de la Concorde 51, B 1050 Brussels, Tel: 322.512.8938, Fax: 322.512.3265; e-mail: efc@efc.be; www.efc.be

5 Directory

The principal agencies and officials relevant to the work of the Equality Authority are now listed. They follow, broadly speaking, the listing of institutions and agencies already given.

Council of Ministers

Council of Ministers

General Secretariat

rue de la Loi 170

B. 1048 Brussels

Tel: 322.285.6111

Fax: 322.285.7381

<http://ue.eu.int>

Head of division for social policy: Andrew George, tel 322.285.7354

Irish representatives on Council advisory committees

Economic Policy Committee:

Cathal O'Loughlin, Dermot Mulligan, Department of Finance

Economic Policy Committee, Working Group on Ageing:

Alan Barrett, Department of Finance

Working Group on Public Procurement:

Jim O'Farrell, Billy Noone, Department of Finance

Irish representation in Brussels

Irish representation in Brussels (COREPER)

rue Froissart 89-93

B. 1040 Brussels

Tel: 322.230.8580

Fax: 322.230.3203

Dept. Social, Community & Family Social Affairs representative: Eamonn Moran

Dept. Justice, Equality & Law Reform representative: Billy Byrne

Dept. Enterprise, Trade & Employment representative: Paul Cullen

Northern Ireland representation in Brussels: rue Wiertz 50, B 1050 Brussels

www.nics.gov.uk/index.htm (Tony Canavan)

Cellule de Prospective

Forward Studies Unit

European Commission, rue de la Loi 200

B 1049 Brussels

Tel: 322.295.2499

Fax: 322.295.2305

e-mail: sgf-info@cec.eu.int

European Commission

European Commission
Rue de la Loi 200
B 1049 Brussels
Tel: 322.299.1111 (omnibus phone number)
<http://europa.eu.int/comm>

The European Commission procedure for e-mail is:
First name.Lastname@Short title of directorate general. (e.g. EMPL, AGRI) Cec.eu.int
Thus: mary.smith@agri.cec.eu.int

Directorate General for Employment and Social Policy

Commissioner: Anna Diamantopoulou
Cabinet: Giorgios Glynos, Joanna Tachmintzis, Themistoklis Galeros, Barbara Hellerich, Gerassimos Zorbas, Natalia Kokoni
Director General: Odile Quintin
Deputy Director General: Karl-Johann Lonnroth (responsible for monitoring employment and social inclusion policies)
A/2: Employment strategy: Helene Clark
B/3: European Social Fund in Ireland: Vassiliki Kolotourou
B/4: Community Initiative Programmes: Luis Riera Figueras
D/3: Labour law: R Gonzales Dorrego
D/4: Anti-discrimination and fundamental rights: Barbara Nolan
E: Social protection and social legislation: Gabrielle Clotuche
E/1: Social and demographic analysis: Christos Fotakis
E/2: Social protection and social inclusion: Armindo Silva
E/4: Integration of people with disabilities: Brendan Sinnott
G/1: Equality for women and men: Marie Donnelly

The Equal Opportunities Unit

European Commission, Directorate General for Employment and Social Affairs, rue de la Loi 200, B 1049 Brussels, tel 322.296.3562, site:
http://europa.eu.int/comm/employment_social/equ_opp/index.htm
EQUAL programme: www.europa.eu.int/comm/employment_social/equal

Disability Unit:

European Commission, Directorate General for Employment and Social Affairs, rue de la Loi 200, B 1049 Brussels.
This comprises a head of unit (Brendan Sinnott), information officer (Enrique Rojas) and secretariat (Nina McArthur). The unit also hosts a group of officials drawn from the different directorates - general, in order to mainstream coordinate disability policies across the whole range of Commission policies. This is called the interservice group on disability and it has 35 members.
Disability issues: http://europa.eu.int/comm/employment_social/soc-prot/disable

Racial Issues

Although there is no unit responsible for racial issues, an official is assigned to deal with these issues in unit D/4 (anti-discrimination and fundamental rights): Mr Luca Pirozzi (tel 322.295.1703, e-mail: luca.pirozzi@cec.eu.int). Further information on the Commission's work against discrimination:

http://europa.eu.int/comm/employment_social/fundamri/index.htm

Social Exclusion Programme

Armindo Silva, Hugh Frazer, Ruth Paserman, Luc Tholoniati, European Commission, Directorate General for Employment and Social Affairs E/2, rue de la Loi 200, B 1049, Brussels, tel 322.299.0509

Directorate General for Justice & Home Affairs

rue de la Loi 200

B 1049 Brussels

Commissioner: Antonio Vitorino

European Commission in Dublin

18 Dawson st, Dublin 2, Tel 662 5113, fax 662 5118, www.euireland.ie

Irish Representatives on Advisory Committees

European Social Protection Committee

The Irish representatives: Tom Mulhearn and Gerry Mangan (Department of Social, Community & Family Affairs, Aras Mhic Dhiarmada, Store st, Dublin 1, tel 874 8444, fax 704 3868/69/70/01, e-mail: info@welfare.ie, site: www.dscfa.ie

Advisory Committee on Equal Opportunities

Niall Crowley (Equality Authority), John Kenny (Department of Justice, Equality & Law Reform)

Committee to implement the Community Framework Strategy on Gender Equality

Irish representatives: Kathleen Connolly, Dermot Kilgallon, Department of Justice, Equality & Law Reform

Committee to Oversee Action Programme Against Discrimination

Irish representatives: Niall McCutcheon, Stephanie O'Donnell, Seamus Hanrahan.

High-level Group on Disability

Donal Costello, Anne Doyle (substitute), Department of Justice, Equality & Law Reform, Mespil road, Dublin 4, tel 667 0344, fax 667 0366

Social Questions Group

Paul Cullen, Dept. of Enterprise, Trade & Employment (COREPER, Brussels)

European Social Fund Advisory Committee

Clare Dunne, Brendan O'Leary, ESF Section, Dept. of Enterprise, Trade & Employment
European Employment Committee
Eugene Forde, Labour Market Policy Unit, Dept. of Enterprise, Trade & Employment

EQUAL programme

Clare Dunne, Thomas Murray, ESF Policy & Operations, Dept. of Enterprise, Trade & Employment

Advisory Committee on Public Procurement

Jim O'Farrell, Billy Noone, Department of Finance

Social Exclusion Programme

Eoin O Seaghdha, Department of Social, Community & Family Affairs; Jim Walsh, Combat Poverty Agency

European Parliament

Rue Wiertz
B 1047 Brussels, Belgium
Tel: 322.284.2111
www.europarl.eu.int

Allée du Printemps
BP 1024, 67070 Strasbourg Cedex
France
Tel: 33.388.17 40 01

European Centre
Plateau du Kirchberg
L 2929 Luxembourg
Tel: 352.43001
Fax: 37009

The current Irish MEPs (1999 - 2004) are as follows:

Dublin: Niall Andrews, Mary Banotti, Proinsias de Rossa, Patricia McKenna
Leinster: Nuala Ahern, Avril Doyle, Jim Fitzsimons, Liam Hyland
Munster: Gerard Collins, Brian Crowley, John Cushnahan, Pat Cox
Connact/Ulster: Pat the Cope Gallagher, Joe McCartin, Dana Rosemary Scallan

Irish MEPs may be contacted through the:

European Parliament Office

43 Molesworth Street
Dublin 2

Tel: 605 7900

Fax: 605 7999. Most also have their own websites.

European People's Party
rue Wiertz
B 1047 Brussels
Tel: 322.284.2111
Fax: 322.231.1183

Socialist Group
rue Wiertz
B 1047 Brussels
Belgium
Tel: 322.284.2111
Fax: 322.230.6664

The Liberal, Democratic and Reformist Group
rue Wiertz
B.1047 Brussels,
Tel: 322.284.2111
Fax: 322.230.2485

Union for Europe Group
rue Wiertz
B.1047 Brussels
Tel: 322.284.2944,
Fax: 322.284.4988

Green Group
rue Wiertz
B.1047 Brussels
Tel: 322.284.3045
Fax: 322.230.7837

Committee for Women's Rights
Anna Karamanou (socialist, Greece) chairperson

Committee on Employment & Social Affairs
President: Theo Bauwman (green, Netherlands); Irish members: Proinsias de Rossa (Labour), Brian Crowley (FF)

Citizen's Rights and Freedoms and Justice & Home Affairs
President: Ana Palacio (christian democrat, Spain); Irish members: Niall Andrews (FF), Mary Banotti (FG)

Intergroup on Disability

Sophie Beaumont, European Parliament and Policy Officer, European Disability Forum
Square Ambiorix 32
B 1000 Brussels
Tel: 322.282.4602,
Fax: 322.282.4609
e-mail: ep@edf-feph.org
www.edf-feph.org/apdg/index-en.htm

Economic & Social Committee

rue Ravenstein 2
B 1000 Brussels
Tel: 322.546.9011
Fax: 322.513.4893
<http://www.esc.eu.int>

Irish members of the Economic and Social Committee:

William Attley (Irish Congress of Trade Unions)
Harry Byrne (Irish Business and Employers Confederation)
Clare Carroll (Irish Business and Employers Confederation)
Roy Donovan (Chambers of Commerce in Ireland)
Joan Carmichael (Irish Congress of Trade Unions)
John Freeman (Irish Congress of Trade Unions)
John Donnelly (Irish Farmers Association)
Cornelius Scully (Irish Creamery and Milk Suppliers Association)
Jillian Hassett (National Youth Council).

Committee of the Regions

Committee of the Regions
rue Montoyer 92-102
B 1000 Brussels
Tel: 322.282.2211
Fax: 322.283.2325

Irish members:

Betty Coffey (Dublin County Council)
Declan Bree (Sligo County Council)
Tony McKenna (Tipperary County Council (NR))
Maurice Cummins (Waterford Corporation)
Sean O'Neachtain (Udaras na Gaeltachta, Galway County Council)
Constance Hannify (Offaly County Council)
Annette McNamara (Cork County Council)
Seamus Murray (Meath County Council)
Mae Sexton (Longford County Council)

Statistical bodies

EUROSTAT

EUROSTAT - Statistical Office of the European Communities

L 2920 Luxembourg

Tel: 352.4301.33107

Fax: 352.4301.33015

www.europa.eu.int/eurostat.html

Section responsible for living conditions: directorate E/2

Special institutions and agencies

European Foundation for the Improvement of Living and Working Conditions

Loughlinstown House

Shankill

Co Dublin

Tel: 204.3100

Fax: 282.6456

e-mail: postmaster@eurofound.ie

www.eurofound.ie

Director: Raymond-Pierre Bodin, Press officer: Brid Nolan

Oversight bodies

European Court of Auditors

rue Alcide de Gasperi 12

L 1615 Luxembourg

Tel: 352.43981

Fax: 352.439342

www.eca.eu.int

European Ombudsman

avenue du President Robert Schuman

BP 403 F

67001 Strasbourg cedex, France

Tel: 33.3.88 17 23 13

Fax: 33.3 88 17 90 62

www.euro-ombudsman.eu.int

European Court of Justice

Palais de la Cour de Justice

L 2929 Luxembourg

Tel: 352.43031

Fax: 352.4303-2600

www.curia.eu.int

Press Tel: 352.4303.2500

European observatories

European Observatory on Family Matters, Austrian Institute for Family Studies

Gonzagagasse 19/8

A 1010 Vienna

Austria

Tel: 43.1. 535.145426

Fax 43.1.535.1455

http://europa.eu.int.comm/employment_social/family/observatory/home

Personal responsible: Sylvia Trnka.

Chairman: Rudolf Richter

Irish correspondent:

Dr Gabriel Kiely, Family Studies Centre, Department of Social Sciences, University College, Belfield, Dublin 4. Tel: 1 706 8510; Fax: 706 1197

European Observatory on Employment

c/o ECOTEC Research & Consulting

Priestley House

28-34 Albert Street

Birmingham B4 7UD

Tel: 0121.616.3642

Fax: 0121.616.3699.

Irish correspondents: Frank Doheny (Labour Market Policy Unit) and Jerry Sexton (Economic and Social Research Institute).

European Observatory on Social Security

MISSOC

Tiensestraat 41

B.3000 Leuven

Belgium

Tel: 320.1623.9338.

European Monitoring Centre on Racism & Xenophobia

Rahlgasse 3

A-1060 Vienna

Tel: 43.1.580 300

Fax: 43.1.580.3099

e-mail: office@eumc.eu.int or www.eumc.at

Director: Beate Winkler

Research and networks: Peter Fleissner

Information & communications: Bent Sorenson

Irish representative on board: Seamus Cullinane (alternate: Anastasia Crickley)

Irish national focal point: Equality Authority and National Consultative Committee on Racism and Interculturalism

Think tanks in Brussels

Centre for European Policy Studies (CEPS)

place du Congrès 1

B.1000 Brussels

Tel: 322.229.3911

Fax: 322.219.4151

e-mail: info@ceps.be, web: www.ceps.be

European Policy Centre

blvd Charlemagne 42

B 1000 Brussels,

Tel 322.231.0340

Fax 322.231.0704

e-mail: info@theEPC.be

www.theEPC.be

Funding programmes

Budget line related to gender equality:

B3- 4012 Measures to promote equality between men and women, 9.7m

Marie Donnelly, European Commission, Directorate General for Employment & social Affairs,

rue de la Loi 200,

B 1049 Brussels

Tel 322.299.5183

Fax 322.296.3562,

e-mail: eqop@cec.eu.int, site:

http://europa.eu.int/comm/employment_social/equ_opp/index

Budget lines related to ethnic minorities:

B5-810 Measures for refugees 34.2m

Ms Platt-Souka, European Commission, Directorate General for Justice & Home Affairs

rue de la Loi 200

B 1049 Brussels

Tel: 322.296.5780

Fax: 322.295.8401

europa.eu.int/comm/justice_home/jai/prog_en.htm

In Ireland: *Directorate for Asylum Support Services*
Dept. of Justice, Equality & Law Reform
94 St Stephen's Green
Dublin 2
Tel: 418 3264
Fax: 418 3225
e-mail: siobhan_a_o'higgins@justice.ie
site: www.gov.ie/justice

B5-813 Support for victims of human rights abuses 6m
Ms Martine van Wassenhove
European Commission
rue de la Loi 200
B 1049 Brussels
Tel: 322.296.6630
e-mail: martine.van-wassenhove@cec.eu.int

Budget line related to discrimination:

B5-803 Action programme against discrimination 12.8m
Flaminia Bussacchini, European Commission, Directorate General for Employment & Social Affairs
rue de la Loi 200
B 1049 Brussels
Tel: 322.296.9488
e-mail: empl-antidiscrimination@cec.eu.int,
http://europa.eu.int/comm/employment_social/fundamri/index

Here, the Department of Justice, Equality and Law Reform has issued a small pamphlet guide to the programme.

Budget lines related to family:

B5-302 Daphne - Measures to combat violence against women and children, 4.7m
Rita Bloome
rue de la Loi 200
B 1049 Brussels
Tel: 322.295.1780
Fax: 322.299.6711
e-mail: rita.bloome@cec.eu.int

B3-4102 Study of the social situation, demographics and the family, 2.04m
Rita Sallustio, Directorate General for Employment & Social Affairs
rue de la Loi 200
B 1049 Brussels
Tel: 322.295.7049

Budget line related to social inclusion

B3-4105 Preparatory measures to combat and prevent social exclusion
Armundo Silva, European Commission, Directorate General for Employment & Social Affairs
rue de la Loi 200
B 1049 Brussels
Tel: 322.299.0512
Fax: 322.295.6561

NGO networks

Networks concerned with gender equality

European Women's Lobby
rue Hydraulique 18
B.1210 Brussels
Tel: 322.217.9020
Fax: 322.219.8451,
www.womenlobby.org

European Network of Women (ENOW)

rue Blanche 29
B.1050 Brussels
Tel: 322.537.7988
Fax: 322.537.5596.

Women Lawyers Association: <http://www.ewla.org>

Networks concerned with older people

European Federation for the Welfare of the Elderly (EURAG)
General Secretariat
Wielandgasse 9
A-8010 Graz,
Austria
Tel: 43.316.872.3008
Fax: 43.316.872.3019,
<http://www.eurag.org>

AGE: rue Froissart 6
B 1040 Brussels
Tel: 322.280.1470
Fax: 322.280.1522
e-mail: marianne.dwarshuis@skynet.be

Networks concerned with family issues

Confederation of Family Organisations in the European Community (COFACE)
rue de Londres 17
B.1050 Brussels
Tel: 322.511.4179
Fax: 322.514.4773
e-mail: coface@email.mig.be

Networks for people with disabilities

European Disability Forum
square Ambiorix 32
Box 2/A
B 1000 Brussels
Tel: 322.282.4600
Fax: 322.282.4609
e-mail: info@edf-feph.org
www.edf-feph.org

Autism-Europe
rue E van Becelaqere 26B/21
B 1170 Brussels
Tel: 322.675.7505
Fax: 322.675.7270
e-mail: autisme.europe@arcadis.be
<http://www.autismeurope.arc.be/>

Action Européenne des Handicapés (AEH)
(European Action by Handicapped People)
Generalsekretariat
Wurzerstrasse 2-4
D 5300 Bonn 2
Tel: 49.228.820930
Fax: 49.228.820.9343

Handicap International

rue de Spa 67

B 1000 Brussels

Tel: 322.280.1601

Fax: 322.230.6030

e-mail: headoffice@handicap.be

www.handicapinternational.be

Mobility International

square Marguerite 1/5

B 1000 Brussels

Tel: 322.201.5608

Fax: 322.201.5763

e-mail: mobint@arcadis.be

<http://www.mobility-international.org/>

Rehabilitation International - European Communities Association (RI-ECA)

square Ambiorix 32

B. 1040 Brussels

Belgium

Tel: 322.230.4397

Fax: 322.230.5390.

Disabled Peoples' International

11 Belgrave road

London SW1V 1RB

Tel: 0207.834.0477

Fax: 0207.821.9539

minicom 071.821.9812

e-mail: dpieurope@compuserve.com

Disabled People's International Europe

Lonnrotinkatu 9 D14

00120 Helsinki

Finland

<http://www.dpi.org>

CEFEC (Confederation of European Social Firms, Employment Initiatives and social Cooperatives)

Hedemannstraße 14

Berlin 10969

Germany

Tel: 49.30.251.1066

Fax: 49.30.251.9382

e-mail: info@cefec.de

<http://www.cefec.de>

European Blind Union

avenue des Arts 24, bte 21,

B 1000 Brussels

Tel: 322.280.3328

Fax: 322.280.8892

e-mail: ebu.cleu@skynet.be

<http://www.euroblind.org>

European Union of the Deaf

rue Franklin 110

B 1000 Brussels

Tel: 322.735.7218

Fax: 322.735.5354

e-mail: eudeaf@pophost.eunet.be

European Association for the Deafblind

Snevdevej 13

DK 9400 Norresundby

Tel: 45.9819.2099

Fax: 45.9819.2057

<http://www.selbsthilfe-on.line.de/>

Institute of Independent Living

Petersens Vag

127 41 Stockholm

Sweden

<http://www.independentliving.org>

Inclusion Europe - European Association of Societies of Persons with Intellectual Disability and their Families

Galleries de La Toison d'Or
Chaussée d'Ixelles 29 393/32
B 1050 Brussels
Belgium
Tel: 322.502.2815, 322.502.8010
e-mail: secretariat@inclusion-europe.org
www.inclusion-europe.org

EG-IPWH (Providers of employment to people with disabilities)

<http://ipwh.org>

Mental Health Europe

Blvd Clovis 7
B 1000 Brussels
Tel: 322.280.0469
Fax: 322.280.1604
e-mail: info@mhe-sme.org
<http://www.mhe-sme.org>

Networks concerned with sexual orientation

International Lesbian and Gay Association (ILGA)

Information Secretariat
rue Marché au Charbon 81
B.1000 Brussels
Belgium
Tel/fax 322.502.2471
e-mail: ilga@ilga.org
<http://www.ilga.org>

Networks concerned with racism and minority ethnic groups

Roma National Congress

Simon-von-Utrecht-straße 85
D.20359 Hamburg
Germany
Tel: 49.30.319.4249
Fax: 49.40.310.475.

European Roma Centre
1386 Budapest 62
PO Box 906/93
Hungary
<http://errc.org>

European Consultation on Refugees and Exiles (ECRE)
Bondway House
3 Bondway
London SW8 1SJ
Tel: 0171.582.9928
Fax: 0171.820.9725
email (greenet): ecre@gn.apc.org.

Churches' Commission for Migrants in Europe (CCME),
rue Joseph II 174
B.1040 Brussels
Tel: 322.230.2011
Fax: 322.231.1413

European Ecumenical Commission for Church and Society (EECCS)
Ecumenical Centre
rue Joseph II 174
B.1040 Brussels
Tel: 322.230.1732
Fax: 322.231.1413
www.cec.kek.org

Conseil des Associations d'Immigrés en Europe (CAIE) (Council of Associations of Immigrants in Europe)
44 rue de Geneve
CH 1004 Lausanne
Switzerland
Tel: 41.21.24.6239.

International Catholic Migration Commission (ICMC)
rue de Vermont 39-9
Case Postale 96
CH 1211 Geneva 20 CI
Switzerland
Tel: 41.22.733.4150
Fax: 41.22.734.7929.

Migrants' Forum
rue Belliard 23a,
B.1040 Brussels
Tel: 322.230.2860 Fax: 322.230.2270
e-mail: forum.migrants@skynet.be.

Solidar
rue du Commerce 22,
B 1000 Brussels
Tel: 322.500.1020
Fax: 322.500.1030
e-mail: solidar@skynet.be
www.solidar.org

United for intercultural action: European network against nationalism, racism, fascism and in support of migrants and refugees
Postbus 413
NL-1000 AK Amsterdam
Netherlands
Tel: 31.20.623.4902
Fax: 31.20.623.4902
www.united.non-profit.nl

European Network against Racism
rue de la Charité 43
B 1050 Brussels
Tel: 322.229.3570
Fax: 322.229.3575
e-mail: info@migpolgroup.com
www.enar-eu.org

Generic social and civil dialogue networks

European Anti-Poverty Network (EAPN)
rue du Congres 37-41
B 1000 Brussels
Belgium
Tel: 322.230.4455
Fax: 322.230.9733
e-mail: team@eapn.skynet.be
www.eapn.org

Platform of European Social NGOs
rue des Arts 43
B 1000 Brussels
Belgium
Tel: 322 511 3714
Fax: 322 511 1909
e-mail: platform@socialplatform.org
www.socialplatform.org

ATD Quart-Monde
ave Victor Jacobs 12
B.1040 Brussels
Tel: 322.647.9900
Fax: 322.640.7384
www.atd-quartmonde.org, <http://www.atd-fourthworld.org>

Red Cross
<http://www.ifrc.org>

International Council for Social Welfare
<http://www.icsw.org>

The Equality Authority
2 Clonmel Street
Dublin 2

Public Information Centre Lo Call: 1890 245 545

Tel: (01) 417 3333
Business queries: (01) 417 3336
Text phone: (01) 417 3385
Fax: (01) 417 3331
Email: info@equality.ie
www.equality.ie