Implementing the principle of equal treatment between persons irrespective of racial or ethnic origin. Racial Equality Directive

1999/0253(CNS) - 29/06/2000 - Final act

PURPOSE: to implement the principle of equal treatment between persons irrespective of racial or ethnic origin. COMMUNITY MEASURE: Council Directive 2000/43/EC implementing the principle of equal treatment between persons irrespective of racial or ethnic origin. CONTENT: The Directive is part of a set of three measures implementing the new Article 13 of the EC Treaty, introduced by the Treaty of Amsterdam, aimed at combating discrimination in Member States. For the purposes of this Directive, the principal of equal treatment shall mean that there shall be no direct or indirect discrimination based on racial or ethnic origin. Within the limits of the powers conferred upon the Community, the Directive shall apply to all persons, as regards both the public and private sectors, including public bodies, in relation to: - conditions for access to employment, to self-employment and to occupation, including selection criteria and recruitment conditions, whatever the branch of activity and at all levels of the professional hierarchy, including promotion; - access to all types and to all levels of vocational guidance, vocational training, advanced vocational training and retraining, including practical work experience; - employment and working conditions, including dismissals and pay; - membership of and involvement in an organisation of workers or employers, or any organisation whose members carry on a particular profession, including the benefits provided by such organisations; - social protection, including social security and healthcare; - social advantages; - education; - access to and supply of goods and services which are available to the public, including housing. This Directive does not cover difference of treatment based on nationality and is without prejudice to provisions and conditions relating to the entry into and residence of third country naionals and stateless persons on the territory of the Member States, and to any treatment which arises from the legal status of the third-country nationals and stateless persons concerned. Other provisions in the Directive relate to genuine and determining occupational requirements, positive action, and minimum requirements. Moreover, remedies and the enforcement of obligations under this Directive are considered as well as the burden of proof in relation to determining whether direct or indirect discrimination has occured. Member States are requested to introduce measures into their national legal systems to prevent victimisation and they have the responsibility for the dissemination of information in relation to the Directive. Member States are also requested to promote social dialogue between the two sides of industry with a view to fostering equal treatment. Dialogue with non-governmental organisations is also promoted and Member States shall designate a body or bodies for the promotion of equal treatment of all persons without discrimination on the grounds of racial or ethnic origin. Finally, Member States shall communicate to the Commission by 19.07.2005, and every five years thereafter, all theinformation necessary for the Commission to draw up a report to the European Parliament and the Council on the application of this Directive. ENTRY INTO FORCE: 19.07.2000. TRANSPOSITION INTO NATIONAL LEGISLATION: 19.07.2003.