

Equal treatment: implementing the principle of equal treatment between persons irrespective of religion or belief, disability, age or sexual orientation

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The Council took note of a **progress report** on the directive on equal treatment with regard to religion or belief, disability, age or sexual orientation.

The Lithuanian presidency has brought forward the **technical work** on certain issues, including:

- **The scope (definition of "access"):** the Presidency suggested a differentiated concept of access, access to social protection and access to education being defined more narrowly than access to goods and services. It retained, in a Recital, a clarification of this definition specifying that access does not include the determination whether a person is eligible to receive social protection or education.
- **The concept of discrimination:** the Presidency returned to a single definition of discrimination.
- **The division of competences:** the Presidency reworded a Recital with a view to clarifying the delineation of national competences for social security, social assistance, social housing and healthcare, particularly with respect to the financing and management of social protection systems and matters of eligibility.

Certain delegations have maintained **general reservations**, questioning the need for the Commission's proposal, which they see as infringing on national competence for certain issues and as conflicting with the principles of **subsidiarity and proportionality**.

Further discussion is also needed on a number of other outstanding issues, including the following:

- the overall scope, certain delegations being opposed to the inclusion of social protection and education within the scope;
- anticipatory measures (usually "accessibility") aimed at ensuring equal treatment for persons with disabilities;
- the implementation calendar;
- further aspects of the division of competences and subsidiarity; and
- legal certainty in the Directive as a whole.