

# Resolution on combating discrimination in the EU – the long-awaited horizontal anti-discrimination directive

2023/2582(RSP) - 19/04/2023 - Text adopted by Parliament, single reading

The European Parliament adopted a resolution on combating discrimination in the EU - the long-awaited horizontal anti-discrimination directive.

The text adopted in plenary was tabled by the EPP, S&D, Renew, Greens/EFA and the Left groups.

The resolution highlighted that there are considerable gaps in the protection afforded by the EU anti-discrimination framework. This fragmentation leads to an artificial hierarchy of grounds, which limits the breadth and the scope of EU-level protection against discrimination at work and outside work. While the grounds of sex and racial or ethnic origin are protected to some degree, the grounds of religion or belief, disability, age and sexual orientation are not afforded the same level of protection.

In 2008, the Commission presented a proposal for a horizontal anti-discrimination directive which covered a large number of areas, such as education, social protection and access to and supply of goods and services. The Council has never adopted a position after more than 15 years and despite repeated calls from Parliament, the proposal remains blocked in the Council.

Parliament deeply regretted that the horizontal anti-discrimination directive has been blocked in the Council since 2008 and reiterated its calls on the Council to **urgently unblock** the horizontal anti-discrimination directive. Parliament stressed that this needs to be achieved by the end of this year and that Parliament stands ready to adopt it before the end of this parliamentary term.

According to the last progress report on the horizontal antidiscrimination directive, two delegations have maintained general reservations, two have maintained parliamentary scrutiny reservations and all delegations have maintained general scrutiny reservations. The issues at the core of the discussions in the Council include the **disability provisions**, and in particular the possibility to offer Member States an **inordinately long extension of the transposition period** in respect of their obligation to provide reasonable accommodation.

Parliament deplored the continuous lack of implementation of the EU anti-discrimination framework by Member States and urged them to ensure the full and correct implementation of the current framework.

The upcoming Council presidencies are called on to seriously consider establishing a Council configuration on gender equality and equality to facilitate high-level discussions on these issues and allow appropriate ministerial discussions on the text of this directive. Parliament deplored the fact that unanimity is required in the Council under Article 19 TFEU and called for the **passerelle clause** to be activated.

The Commission should:

- step up its monitoring of the implementation of current legislation;
- pro-actively use all the tools available to enforce EU law in this area, including by launching and advancing infringement procedures against Member States;

- closely monitor the growing current backlash against fundamental rights and the rise in discrimination across the EU;
- explore all possible avenues to overcome the political deadlock on the horizontal anti-discrimination directive and to combat all forms of discrimination in the EU with equal resolve.