Union of equality: standards for equality bodies in the field of equal treatment between persons, in the field of employment, in matters of social security and in the access to and supply of goods and services

2022/0401(APP) - 29/05/2024 - Final act

PURPOSE: to ensure the functioning of equality bodies according to minimum standards, with a view to improving their effectiveness and guaranteeing their independence, so as to strengthen the application of the principle of equal treatment.

LEGISLATIVE ACT: Council Directive (EU) 2024/1499 on standards for equality bodies in the field of equal treatment between persons irrespective of their racial or ethnic origin, equal treatment in matters of employment and occupation between persons irrespective of their religion or belief, disability, age or sexual orientation, equal treatment between women and men in matters of social security and in the access to and supply of goods and services, and amending Directives 2000/43/EC and 2004/113/EC.

CONTENT: this Directive lays down **minimum requirements for the functioning of equality bodies** to improve their effectiveness and guarantee their independence in order to strengthen the application of the principle of equal treatment. It sets minimum standards for equality bodies in terms of their mandate, competences, independence, structure, powers, accessibility and resources.

In concrete terms, the Directive, *inter alia*:

- provides for the designation of an equal treatment body or bodies by Member States to combat discrimination;

- establishes a general obligation of independence for equal treatment bodies. The specific requirements to ensure this independence relate to the legal structure, accountability, budget, staffing and organisational matters of equality bodies, as well as the rules applicable to their staff and management;

- establishes a general obligation for Member States to provide equality bodies with adequate resources to carry out all their tasks and exercise all their competences effectively;

- clarifies the role of equal treatment bodies in promoting equal treatment and preventing discrimination;

- specifies the way in which equality bodies are required to assist victims after receiving their complaint;

- requires Member States to provide for the possibility of out-of-court dispute settlement;

- allows equality bodies to investigate possible cases of discrimination and to issue a motivated (non-binding) opinion or adopt a (binding) decision, following a complaint or on their own initiative;

- requires Member States to ensure that equal treatment bodies have the right to act in civil and administrative law matters concerning the implementation of the principle of equal treatment;

- requires accessibility of all services and reasonable accommodation for people with disabilities;

- ensures that equality Bodies are regularly consulted by government and other public institutions on public policies with equality and non-discrimination aspects;

- provides that equality Bodies are obliged to collect data on their own activities;

- ensures that the equality bodies regularly plan and publicly report on their work and on the state of equal treatment and non-discrimination.

By 19 June 2026, the Commission will establish, by means of an implementing act, a list of common indicators concerning the functioning of the equality bodies designated under the Directive.

No later than 19 June 2031, and every five years thereafter, Member States must provide the Commission with all relevant information concerning the application of the Directive. Based on this information, the Commission will draw up a report on the application and practical effects of the Directive.

Any processing of personal data by equality bodies under this Directive must be carried out in full compliance with the General Data Protection Regulation.

ENTRY INTO FORCE: 18.6.2024.

TRANSPOSITION: no later than 19.6.2026.