

Basic information	
<p><b>2022/0400(COD)</b></p> <p>COD - Ordinary legislative procedure (ex-codecision procedure) Directive</p>	Procedure completed
<p>Union of equality: standards for equality bodies in the field of equal treatment and equal opportunities between women and men in matters of employment and occupation</p> <p><b>Subject</b></p> <p>4.10.04 Gender equality 4.15.08 Work, employment, wages and salaries: equal opportunities women and men, and for all</p> <p><b>Legislative priorities</b></p> <p><a href="#">Joint Declaration 2022</a> <a href="#">Joint Declaration 2023-24</a></p>	

Key players				
European Parliament	<b>Joint committee responsible</b>		<b>Rapporteur</b>	<b>Appointed</b>
	<b>EMPL</b>	Employment and Social Affairs	ANGEL Marc (S&D)	19/06/2023
	<b>FEMM</b>	Women's Rights and Gender Equality	PIETIKÄINEN Sirpa (EPP)	19/06/2023
		<p><b>Shadow rapporteur</b></p> <p>ESTARÀS FERRAGUT Rosa (EPP)</p> <p>OHLSSON Carina (S&amp;D)</p> <p>ORVILLE Max (Renew)</p> <p>TOLLERET Irène (Renew)</p> <p>FRANZ Romeo (Greens/EFA)</p> <p>PETER-HANSEN Kira Marie (Greens/EFA)</p> <p>DE LA PISA CARRIÓN Margarita (ECR)</p> <p>REIL Guido (ID)</p> <p>GUSMÃO José (The Left)</p> <p>RODRÍGUEZ PALOP Eugenia (The Left)</p>		
	<b>Committee for opinion</b>		<b>Rapporteur for opinion</b>	<b>Appointed</b>

	<b>JURI</b> Legal Affairs	The committee decided not to give an opinion.	
	<b>LIBE</b> Civil Liberties, Justice and Home Affairs (Associated committee)	KUHNKE Alice (Greens/EFA)	28/06/2023
Council of the European Union			
European Commission	<b>Commission DG</b>	<b>Commissioner</b>	
	Justice and Consumers	DALLI Helena	
European Economic and Social Committee			

Key events			
Date	Event	Reference	Summary
07/12/2022	Legislative proposal published	COM(2022)0688 	Summary
15/12/2022	Committee referral announced in Parliament, 1st reading		
15/06/2023	Referral to associated committees announced in Parliament		
15/06/2023	Referral to joint committee announced in Parliament		
07/11/2023	Vote in committee, 1st reading		
07/11/2023	Committee decision to open interinstitutional negotiations with report adopted in committee		
10/11/2023	Committee report tabled for plenary, 1st reading	A9-0354/2023	Summary
20/11/2023	Committee decision to enter into interinstitutional negotiations announced in plenary (Rule 71)		
23/11/2023	Results of vote in Parliament		
23/11/2023	Committee decision to enter into interinstitutional negotiations confirmed by plenary (Rule 71 - vote)		
11/01/2024	Approval in committee of the text agreed at 1st reading interinstitutional negotiations	PE757.960 GEDA/A/(2023)007166	
10/04/2024	Decision by Parliament, 1st reading	T9-0196/2024	Summary
10/04/2024	Results of vote in Parliament		
07/05/2024	Act adopted by Council after Parliament's 1st reading		
14/05/2024	Final act signed		
29/05/2024	Final act published in Official Journal		

Technical information	

Procedure reference	2022/0400(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Directive
Legal basis	Rules of Procedure EP 59 Rules of Procedure EP 57_o Treaty on the Functioning of the European Union TFEU 157-p3
Mandatory consultation of other institutions	<a href="#">European Economic and Social Committee</a>
Stage reached in procedure	Procedure completed
Committee dossier	CJ21/9/12285

Documentation gateway				
<b>European Parliament</b>				
Document type	Committee	Reference	Date	Summary
Committee draft report		<a href="#">PE749.992</a>	06/07/2023	
Committee opinion	<a href="#">LIBE</a>	<a href="#">PE751.894</a>	12/10/2023	
Committee report tabled for plenary, 1st reading/single reading		<a href="#">A9-0354/2023</a>	10/11/2023	<a href="#">Summary</a>
Text agreed during interinstitutional negotiations		<a href="#">PE757.960</a>	20/12/2023	
Text adopted by Parliament, 1st reading/single reading		<a href="#">T9-0196/2024</a>	10/04/2024	<a href="#">Summary</a>
<b>Council of the EU</b>				
Document type		Reference	Date	Summary
Coreper letter confirming interinstitutional agreement		<a href="#">GEDA/A/(2023)007166</a>	20/12/2023	
Draft final act		<a href="#">00092/2023/LEX</a>	14/05/2024	
<b>European Commission</b>				
Document type		Reference	Date	Summary
Legislative proposal		<a href="#">COM(2022)0688</a>	07/12/2022	<a href="#">Summary</a>
Document attached to the procedure		<a href="#">SWD(2022)0386</a>	08/12/2022	
Document attached to the procedure		<a href="#">SWD(2022)0387</a>	08/12/2022	
Commission response to text adopted in plenary		<a href="#">SP(2024)377</a>	29/07/2024	
<b>National parliaments</b>				
Document type	Parliament /Chamber	Reference	Date	Summary

Contribution	<a href="#">IT_SENATE</a>	<a href="#">COM(2022)0688</a>	24/03/2023	
Contribution	<a href="#">CZ_SENATE</a>	<a href="#">COM(2022)0688</a>	05/04/2023	
Contribution	<a href="#">PT_PARLIAMENT</a>	<a href="#">COM(2022)0688</a>	15/09/2023	

#### Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EDPS	Document attached to the procedure	<a href="#">N9-0015/2023</a> <a href="#">OJ C 064 21.02.2023, p. 0046</a>	21/02/2023	
EESC	Economic and Social Committee: opinion, report	<a href="#">CES5875/2022</a>	22/03/2023	

#### Additional information

Source	Document	Date
EP Research Service	<a href="#">Briefing</a>	19/06/2024
European Commission	<a href="#">EUR-Lex</a>	

#### Final act

[Directive 2024/1500](#)  
[OJ OJ L 29.05.2024](#)

[Summary](#)

## Union of equality: standards for equality bodies in the field of equal treatment and equal opportunities between women and men in matters of employment and occupation

2022/0400(COD) - 10/04/2024 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 479 votes to 116, with 25 abstentions, a legislative resolution on the proposal for a directive of the European Parliament and of the Council on standards for equality bodies in the field of equal treatment and equal opportunities between women and men in matters of employment and occupation, and deleting Article 20 of Directive 2006/54/EC and Article 11 of Directive 2010/41/EU.

The position adopted by the European Parliament at first reading under the ordinary legislative procedure is as follows:

#### **Independence**

Member States should:

- take measures to ensure that equality bodies are independent and free from external influence, and that they do not seek or take instructions from the government or from any other public or private entity while performing their tasks and exercising their competences;
- provide for transparent procedures concerning the selection, appointment, revocation and potential conflicts of interest of the staff of equality bodies holding decision-making or managerial positions, and where applicable members of the governing board, in order to guarantee their competence and independence;
- ensure that equality bodies establish an internal structure that guarantees the independent, and where appropriate impartial, exercise of their competences.
- ensure that the internal structure of multi-mandate bodies guarantees the effective exercise of the equality mandate.

### ***Awareness raising, prevention and promotion***

Equality bodies should be empowered to carry out activities to prevent discrimination and to promote equal treatment. Such activities may, *inter alia*, include: (i) promoting positive action and gender mainstreaming among public and private entities, (ii) providing them with relevant training, advice and support, (iii) engaging in public debate, (iv) communicating with relevant stakeholders, including the social partners, and (v) promoting the exchange of good practices.

In carrying out such activities, equality bodies can take into consideration specific situations.

### ***Assistance to victims***

The amended text stipulated that equality bodies should provide assistance to victims, initially by informing them about the following: (a) the legal framework, including advice targeted to their specific situation; (b) the services offered by the equality body and related procedural aspects; (c) available remedies, including the possibility to pursue the case before the courts; (d) the confidentiality rules applicable, and the protection of personal data; and (e) the possibility of obtaining psychological or other types of relevant support from other bodies or organisations.

### ***Alternative dispute resolution***

Equality bodies should be able to offer the parties the possibility of seeking an alternative resolution to their dispute. That process may be led by the equality body itself or by another competent entity, in accordance with national law and practice, in which case the equality body may formulate observations to that entity. Such alternative dispute resolution may take different forms, such as mediation or conciliation, in accordance with national law and practice. The absence of a resolution should not preclude the parties from exercising their right to act in court proceedings.

### ***Opinions and decisions***

Equality bodies should be empowered to provide and document their assessment of the case, including establishing the facts and a reasoned conclusion on the existence of discrimination. Member States should determine whether this is to be done by means of non-binding opinions or binding decisions.

### ***Litigation***

The right of the equality body to act in court proceedings should include the right to submit observations to the court, in accordance with national law and practice. It should include at least one of the following: (a) the right to initiate court proceedings on behalf of one or several victims; (b) the right to participate in court proceedings in support of one or several victims; or, (c) the right to initiate court proceedings in its own name, in order to defend the public interest.

### ***Accessibility and reasonable accommodations for persons with disabilities***

Member States should ensure accessibility and provide reasonable accommodations for persons with disabilities to guarantee their equal access to all services and activities of equality bodies, including assistance to victims, complaint handling, alternative dispute resolution, information and publications, as well as prevention, promotion and awareness-raising activities.

### ***Monitoring and reporting***

By 24 months after the date of entry into force of this Directive, the Commission should, by means of an implementing act, establish a list of common indicators on the functioning of the equality bodies designated under this Directive.

Within the context of the monitoring and reporting exercise, and in order to enhance the dialogue between the Union institutions and to ensure greater transparency, the European Parliament may invite the Commission annually to discuss matters concerning the functioning of the equality bodies designated under this Directive. The European Parliament may express its views in resolutions.

## **Union of equality: standards for equality bodies in the field of equal treatment and equal opportunities between women and men in matters of employment and occupation**

2022/0400(COD) - 10/11/2023 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Employment and Social Affairs and the Committee on Women's Rights and Gender Equality adopted the report jointly presented by Marc ANGEL (S&D, LU) and Sirpa PIETIKÄINEN (EPP, FI) on the proposal for a directive of the European Parliament and of the Council on standards for equality bodies in the field of equal treatment and equal opportunities between women and men in matters of employment and occupation, and deleting Article 20 of Directive 2006/54/EC and Article 11 of Directive 2010/41/EU.

The committee responsible recommended that the European Parliament's position adopted at first reading under the ordinary legislative procedure should amend the proposal as follows:

### ***Subject matter, scope***

The Directive lays down minimum requirements for the functioning of equality bodies to improve their effectiveness and guarantee their mandate, competences, independence and autonomy in order to strengthen the application of the principle of equal treatment enshrined in the TEU, the TFEU and the Charter and as derived from Directives 2006/54/EC and 2010/41/EU.

Member States should ensure that when complying with their obligations under this Directive and when equality bodies exercise their tasks thereunder the principle of equal treatment applies to all persons in all their diversity, irrespective of their sex, gender, gender identity, gender expression or sex characteristics.

### ***Designation of Equality Bodies***

Member States should ensure that equality bodies:

- are visible and involved at all stages and shall allow for full transparency and accountability in the process where they are part of national bodies responsible for the promotion of human rights or the protection of individuals' rights;
- cover single or multiple grounds of discrimination with a clear and appropriate focus on each of the grounds;
- ensure **gender parity** in leadership and senior management positions reflecting the diversity of society at large.

To ensure the transparency of these staff selection processes, for example, vacancy notices should be published and experts working with groups at risk of discrimination should be consulted throughout these processes.

### ***Independence***

Members insisted that equality bodies:

- be **totally independent, autonomous and free from any external influence** in the performance of their tasks and in the definition of their objectives and actions;
- not be set up within a ministry, a government agency or a body taking or seeking instructions from the government.

### ***Resources***

Each equality body should have **budgetary and financial autonomy** and be provided with the stable human, material, technical and financial resources necessary to perform all its tasks and to exercise all its competences effectively, on all the grounds and in all fields covered. Member States should ensure that equality bodies are allocated their budget in a stable manner, that their budget is planned on a multi-annual basis and that their resources and budget are adjusted upwards accordingly when their competences are increased. Member States shall ensure that equality bodies' budgets cover costs that might be difficult to anticipate, such as costs linked to litigation.

### ***Prevention, promotion and awareness raising***

Member States should adopt a **strategy** to raise awareness of the general population, throughout their territory, with particular attention to individuals at risk of discrimination, such as young people, families in all their diversity, and groups at risk of discrimination, in a manner and in formats that are accessible for all, on the rights under Directives 2006/54/EC and 2010/41/EU and the way in which they can be exercised.

Equality bodies should be empowered to:

- carry out activities to **prevent discrimination and to promote equal treatment**, to guarantee their independence when they adopt a strategy defining how they will engage in public dialogue;
- provide **training**, advice and guidance to individuals and institutions in the public and private sector on good practices for promoting and achieving equality and preventing discrimination;
- promote **equality duties**, equality and gender mainstreaming and positive action among public and private entities, and to support, and provide guidance on, the implementation of equality duties, equality and gender mainstreaming and positive action, and;
- be able to carry out research on discrimination, including structural or systemic discrimination, and on **online discrimination**, including biases and algorithmic discrimination.

Equality bodies also should engage in the prevention of discrimination and in the promotion of equal treatment, to guarantee their independence when they adopt a strategy defining how they will engage in public dialogue, communicate with individuals, social partners, civil society and groups at risk of discrimination, and to ensure an inclusive approach in combating intersectional and multiple discrimination and underreporting.

### ***Assistance to victims***

Member States should ensure that equality bodies are able to provide support and assistance **free of charge** to victims. Equality bodies should be able to receive complaints of discrimination in any possible means, including orally, in writing and online.

### ***Act in court***

In addition to equality bodies' rights to act as a party in proceedings, to submit observations to the court or to initiate or participate in proceedings on behalf or in support of one or several victims, they should also be able to **initiate court proceedings in their own name** when there is no individual complainant pursuing the case themselves, or to act in court proceedings when collective redress is used.

Member States should provide for the possibility for parties to resolve their disputes by means of **alternative dispute resolution**, including within the framework of a conciliation and mediation structure. Such alternative dispute resolution should be led by the equality body or another existing, independent, dedicated entity which is not related to the government.

### **Cooperation**

Member States need to ensure that equality bodies have appropriate mechanisms in place to cooperate with other equality bodies within the same Member State, and with relevant public and private entities, including civil society organisations, at national, regional and local level, as well as in other Member States and at Union and international level. Local governments should be afforded the opportunity to approach equality bodies when they see examples of discrimination at a national level, irrespective of whether the alleged case of discrimination has taken place within that particular local area. Equality bodies should equally have the right to cooperate with the European Institute for Gender Equality (EIGE), European Network of Equality Bodies (Equinet) and European Union Agency for Fundamental Rights (FRA), as well as social partners and labour inspectorates.

## **Union of equality: standards for equality bodies in the field of equal treatment and equal opportunities between women and men in matters of employment and occupation**

2022/0400(COD) - 07/12/2022 - Legislative proposal

PURPOSE: to establish standards for equality bodies in matters of equal treatment between women and men in matters of employment, occupation, including self-employment.

PROPOSED ACT: Directive of the European Parliament and of the Council.

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: **equality bodies** play a key role in the EU's anti-discrimination architecture.

[Directive 2006/54/EC](#) prohibits discrimination on grounds of sex in access to employment and occupation, including promotion, and vocational training, working conditions, including pay, and occupational social security schemes. [Directive 2010/41/EU](#) prohibits discrimination between men and women engaged in a self-employed capacity.

Directives 2006/54/EC and 2010/41/EU define the competences of the equality bodies, which are to: (i) provide independent assistance to victims of discrimination in pursuing their complaints about discrimination; ii) carry out independent surveys concerning discrimination; iii) publish independent reports and make recommendations on all matters relating to discrimination; iv) exchange available information with corresponding European bodies.

The existing EU equality Directives **do not include provisions on the actual structure and functioning of equality bodies**, but only require that they have certain minimum competences, and that they act independently within the exercise of their remit. Due to the wide margin of discretion left to the Member States in implementing these provisions, there are **significant differences** between equality bodies across Member States, in particular as regards their mandate, powers, leadership, independence, resources, accessibility and effectiveness.

To ensure that equality bodies can achieve their full potential, contribute effectively to the enforcement of all equality Directives and help victims of discrimination access justice, the Commission adopted a Recommendation on standards for equality bodies in 2018. However, most of the issues the Recommendation aimed at addressing remained unresolved.

Therefore, the Commission proposes **binding rules** to strengthen the role and independence of equality bodies. The European Parliament and the Council have expressed their support for the adoption of new rules to strengthen the equality bodies.

CONTENT: the proposed Directive aims to **set minimum standards for equality bodies**, addressing their mandate, tasks, independence, structure, powers, accessibility and resources, to ensure that they can, alongside other actors:

- contribute effectively to the enforcement of Directive 2006/54/EC, including the provisions of the Work-Life Balance Directive, and Directive 2010/41/EU;
- effectively assist victims of discrimination to access justice; and
- promote equal treatment and preventing discrimination.

In concrete terms, the proposal:

- provides for the **designation** of an equal treatment body or bodies by Member States to combat discrimination falling within the scope of Directives 2006/54/EC and 2010/41/EU;

- 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 by providing information on the legal framework, the available remedies, the services they offer, the confidentiality rules applicable, the protection of personal data and the possibilities of obtaining psychological support;
- requires Member States to provide for the possibility of **out-of-court dispute settlement**, led by the equality body itself or by another existing specialised body, if all parties agree to initiate such a procedure;
- 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;
- gives the equality bodies **litigation powers** to ensure compliance with the principle of equal treatment as set out in Directives 2006/54/EC and 2010/41/EU;
- 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 (i) are obliged to **collect data** on their own activities, (ii) are entitled to conduct surveys, and (iii) have the possibility to play a coordinating role in the collection of equality-related data by other public or private entities;
- ensure that the equality bodies regularly plan and publicly **report** on their work and on the state of equal treatment and non-discrimination.

## Union of equality: standards for equality bodies in the field of equal treatment and equal opportunities between women and men in matters of employment and occupation

2022/0400(COD) - 29/05/2024 - Final act

PURPOSE: to lay down minimum requirements for the functioning of bodies for the promotion of equal treatment to improve their effectiveness and guarantee their independence in order to strengthen the application of the principle of equal treatment.

LEGISLATIVE ACT: Directive (EU) 2024/1500 of the European Parliament and of the Council on standards for equality bodies in the field of equal treatment and equal opportunities between women and men in matters of employment and occupation, and amending Directives 2006/54/EC and 2010/41/EU.

CONTENT: equality bodies were set up to promote equal treatment, combat discrimination and provide assistance to victims.

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 as derived from Directives 2006/54/EC and 2010/41/EU of the European Parliament and of the Council.

Member States will take measures to ensure that equality bodies are:

- **independent** and free from external influence;
- provided with the **human, technical and financial resources** necessary to perform all its tasks and to exercise all its competences effectively;
- empowered to carry out activities to **prevent discrimination and to promote equal treatment**. Such activities may, *inter alia*, include promoting positive action and gender mainstreaming among public and private entities, providing them with relevant training, advice and support, engaging in public debate, communicating with relevant stakeholders, including the social partners, and promoting the exchange of good practices;
- able to provide **assistance to victims**. Equality bodies should be able to receive complaints of discrimination. They should provide assistance to victims, initially by informing them about the legal framework, including advice targeted to their specific situation; the services offered by the equality body and related procedural aspects; available remedies, the confidentiality rules applicable, and the protection of personal data; and the possibility of obtaining psychological or other types of relevant support;
- able to offer the parties the possibility of seeking an **alternative resolution to their dispute**;
- empowered to conduct **inquiry** into whether a breach of the principle of equal treatment;

- allowed to act in **court proceedings** in civil and administrative law matters relating to the implementation of the principle of equal treatment.

In addition, Member States will:

- guarantee **access** to equality bodies' services and publications on an equal basis for all;

- ensure **accessibility** and provide reasonable accommodations for persons with disabilities to guarantee their equal access to all services and activities of equality bodies;

- ensure that equality bodies have appropriate mechanisms in place to cooperate, within their respective fields of competence, with other equality bodies within the same Member State, and with relevant public and private entities;

- put in place procedures to ensure that the government and relevant public authorities **consult** equality bodies on legislation, policy, procedure and programmes related to the rights and obligations derived from Directives 2006/54/EC and 2010/41/EU and ensure that equality bodies have the right to make recommendations on those matters, to publish the recommendations and to request follow-up regarding such recommendations.

Within the context of the monitoring and reporting exercise under the Directive, and in order to enhance the dialogue between the EU institutions and ensure greater transparency, the European Parliament may invite the Commission annually to discuss the matters raised by the Directive.

ENTRY INTO FORCE: 18.6.2024.

TRANSPOSITION: from 19.6.2026.