

European Parliament

Brussels, 31 March 2009
Ref: B854

Dear Members of the European Parliament

Subject: Vote of the European Parliament on the Report for a new anti – discrimination directive

On 2 April, the European Parliament will vote on the Report “on the proposal for a Council directive on implementing the principle of equal treatment between persons irrespective of religion or belief, disability, age or sexual orientation (COM2008/426 - 2008/0140(CNS))” of Rapporteur Ms Kathalijne Buitenweg.

Amnesty International has welcomed the new directive proposal presented by the Commission as a first and necessary step to fill an important gap in the existing EU legal framework and put into effect the principle of equal treatment for all beyond the field of employment.

We are supportive of the efforts conducted by LIBE to strengthen the main objective of the proposal to ensure legal protection on all grounds covered in Article 13 TEC and raise them to the same level of protection from discrimination on the basis of sex, race or ethnic origin, already covered by the European law.

However there is also some deterioration with regards to protection in certain areas. Amnesty International is particularly concerned with the deletion of **article 7 paragraph 2** of the Commission's proposal. This article provides for associations, organizations, or other legal entities having a legitimate interest in ensuring the principle of equality to engage on behalf, or in support, of the victims of discrimination. The provision is key to ensure effective access to justice and remedy for victims who most often belong to particularly vulnerable groups of society, are unaware of their rights, or unable or afraid to come forward with a complaint. Such provision is clearly stated in the other Equality Directives and to remove this possibility would go against consistent efforts to improve effective protection against discrimination.

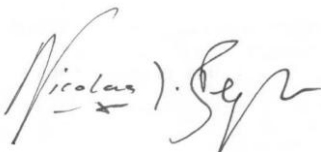
Amnesty International calls on Members of the European Parliament to reject Amendment 63 and make sure that the provision of Article 7 paragraph 2 of the Commission's proposal is reintegrated in the final text adopted by the Parliament.

We further urge the Members of the European Parliament to reject all amendments that would further water down the Commission's proposal.

We hope that the final report will in fact strengthen the scope of the proposal: clarify that respect for competences of member states can never be detrimental to the principle of equality; limit the scope of exemptions to the Directive proposal; and include new proposed provisions on multiple discrimination and discrimination by assumption and association.

By adopting a strong report, the European Parliament will send an important signal to the Council that it is high time for it to adopt new anti-discrimination legislation that can improve protection for all in Europe. This should cover all grounds of discrimination and every area of daily life.

Yours sincerely,



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