

**European Parliament's Committee on Citizens' Freedoms and Rights, Justice and Home Affairs
Brussels, 11 September 2002**

Commissioner Anna Diamantopoulou's speech on "The erosion of civil liberties in the EU?"

Ladies and Gentlemen:

Thank you for inviting me to address your Committee today.

One year ago, terrorist attacks in New York and Washington left several thousand people dead. The wider economic, political and social impact of those tragic events is still being felt today.

In some ways, the aftermath of the 11 September terrorist attacks has made our job of fighting discrimination and promoting tolerance in the EU more difficult. It has also made this job all the more important.

The climate of suspicion and insecurity created by the terrorist attacks has reinforced prejudices. Some public figures have exploited these fears to spread messages of racism and xenophobia. Far-right parties have made electoral gains in several Member States during the past year.

Muslims and other ethnic minorities living in the EU have been the victims of verbal abuse, physical aggression and harassment. The media have sometimes been guilty of misrepresenting the teachings of the Islamic religion and the beliefs of ordinary Muslims.

Anti-Semitic acts have also been on the increase during the last twelve months. Jewish people and institutions have become targets for those who wish to vent their frustration at events in the Middle East. Human rights organisations warn us that civil liberties are being swept aside in the name of the fight against terrorism.

In this climate, I feel that it is more important than ever for the EU to stand up for fundamental rights and values. The integration of the EU's Charter of Fundamental Rights into the Treaty would be an important opportunity to reaffirm these values. The further development of anti-discrimination policy in the EU can also make an important contribution in this context.

Ladies and Gentlemen:

I know the commitment of members of your Committee to the fight against discrimination. The European Parliament played a key role in extending the Community's powers to take action to combat discrimination based on racial or ethnic origin, religion or belief, age, disability and sexual orientation.

Based on these new powers, the Council adopted two ground-breaking pieces of legislation in 2000. The first is a Directive banning racial discrimination in employment, education, social protection and access to goods and services. The second is a Directive establishing a general framework for equal treatment in the employment field.

Member States must turn these Directives into national law before the end of 2003. The result of this process will be a reinforcement of the legal framework to combat discrimination right across the EU. Victims of direct and indirect discrimination will benefit from new rights and the means to enforce these rights.

Most national authorities have now told the Commission how and when they intend to implement the Directives. I am pleased to say that some Member States plan to go beyond the requirements of the Directives. For example, they intend to set up equality bodies to deal with all of the different grounds of discrimination (and not just racial discrimination as required by the Directives). The Commission has just published a major study of the structures, powers and responsibilities of 21 equality bodies across the Union to inspire national governments and NGOs when they come to transpose this part of the directives. The Commission has established a Legal Working Group made up of national officials involved in the implementation of the Directives. This Group provides a forum for exchange of good practice on anti-discrimination legislation and policy. It will help to ensure that national legislation correctly transposes all of the provisions of the Directives.

The Commission has also begun to engage the services of groups of independent experts to monitor the process of transposition of the Directives in the Member States. Groups on racial discrimination and disability are already up and running. We hope to cover the other grounds of discrimination soon.

Candidate countries must implement the anti-discrimination Directives before they join the EU. Many of them continue to face major challenges in terms of combating discrimination against the Roma and other minority groups. Provisions on racial discrimination, where these exist, are not properly enforced. In most cases, the candidate countries have few or no provisions concerning discrimination relating to age, disability or sexual orientation.

The Commission will keep the situation in the candidate countries under review. A major study on measures to combat discrimination in the candidate countries has been launched and feedback should be available by mid-2003.

I am also pleased to report that the Danish government will be hosting a major EU conference on the implementation of the anti-discrimination directives in Copenhagen on 14-15 November to which this Committee is invited to participate.

The conference will particularly focus on: age discrimination; the provision by employers of "reasonable accommodation" to help people with disabilities reach their full potential in the labour market; and racial discrimination in education, social protection and access to goods and services.

The other element of the "anti-discrimination package" adopted in 2000 is a Community action programme. Experience from the gender equality field has shown us that laws alone cannot alter attitudes and behaviour. We also need to develop positive measures to promote change and to deal with issues that cannot be tackled through legislation.

This is the thinking behind the €100 million anti-discrimination programme that was launched last year. The programme is designed to be a forum for exchanges of experience and joint action involving a wide range of actors. These include: national, regional and local authorities; the social partners; NGOs; universities and research institutes; the media.

Many of these actors have already had the opportunity to come together in the framework of 30 transnational exchange actions supported through the programme. These projects are looking at issues like community policing, access to local services and the portrayal of minority groups in the media. They will run over the next two years.

Other projects are either up and running, or in the pipeline. These include: a study on the use of equality clauses in public procurement contracts; awareness-raising seminars for judges and legal practitioners; and information/media campaigns to inform employers and employees about their new rights and responsibilities under the Directives.

I am pleased to say that several candidate countries will be joining the anti-discrimination programme later this year. I hope that participation in the programme will help them to prepare for the requirements of membership as regards anti-discrimination policy.

We have also launched a major evaluation to accompany the programme. We want to ensure that the programme is effective in developing anti-discrimination policies at EU, national and local levels. I intend to report back to you about the results of this evaluation.

Last year, the EU played an active role in the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance. Under very difficult circumstances and despite the best efforts of some to sabotage the proceedings, the WCAR succeeded in adopting a Declaration and a Programme of Action calling on the international community to take action to combat racism and xenophobia.

The main responsibility for implementing the Durban Declaration and Programme of Action in the EU falls on Member States. However, action at Community level can support these efforts. The Commission has already reported to the Office of the UN High Commissioner for Human Rights on the work that we are doing in this field. The Council of Europe has taken responsibility for follow-up at the regional level. Discrimination is a cross-cutting issue, and several Community policies play an important role in tackling discriminatory barriers and promoting integration.

The European Employment Strategy, the European Social Fund and the EQUAL Community Initiative provide support for the integration of ethnic minorities and other disadvantaged groups into the labour market.

The Commission's proposal for a Framework Decision on Racism and Xenophobia aims to establish an EU-wide approximation of penal laws on racist and xenophobic offences and to facilitate judicial co-operation between Member States. I know that the European Parliament shares the Commission's desire to see this proposal adopted by the Council as soon as possible.

Community education, training and youth programmes aim to promote intercultural learning and tolerance by bringing together young people from different backgrounds.

The European Union Monitoring Centre on Racism and Xenophobia supports our work by providing research and data. Through its RAXEN network of national correspondents, it has provided a useful report on Islamophobia and is about to publish a new report on anti-Semitism.

The PHARE programme funds projects that aim to improve the situation of Roma and other minorities in Central and Eastern European candidate countries.

The Commission has given greater prominence to the need to fight racism and xenophobia in its co-operation with non-EU countries in the field of human rights. This is reflected, for example, in the funding priorities established under the EU's European Initiative for Democracy and Human Rights.

In his book 'The Clash of Civilisations and the Remaking of the World Order', Samuel Huntington argued that culture had replaced ideology as the main source of conflict in the post-Cold War world. Huntington went on to argue that multiculturalism was a threat to the USA and its allies, because it denied "the uniqueness of Western culture".

Some would argue that Huntington's vision has been vindicated by the events of 11 September. In the EU, some public figures are beginning to question the merits of tolerance towards other cultures. They argue that immigrant communities should make greater efforts to integrate into the culture of the countries where they live. Language classes and even pledges of allegiance have been proposed.

I do not share Huntington's scepticism regarding our ability to develop peaceful, cohesive, multicultural societies in "the West". The EU's own experience of integration provides a powerful example of Co-operation based on cultural diversity.

Nor do I believe that there is an inherent conflict between Islam, the Jewish faith and the various branches of Christianity. The three monotheistic religions share common roots and values. They have all provided the inspiration for acts of great humanity. Sadly, at various points in history, they have also been used to legitimise acts of cruelty.

The real threat to peaceful coexistence between different cultures is ignorance and misunderstanding.

That is why I have asked the European Union's Monitoring Centre against Racism and Xenophobia to organise this Autumn a series of round tables on contemporary anti-Semitism and Islamophobia in the EU. The first will take place in Brussels at the end of October.

The round tables will bring together religious leaders, politicians and representatives of civil society. They will look at the evidence of increasing Islamophobic and anti-Semitic incidents both following September 11 and in response to the crisis in the Middle East during recent months and discuss questions such as: How can we gather more reliable information on the extent of the problem? Is there a fundamental difference between the type of acts we are seeing today and more "traditional" forms of prejudice and discrimination? How can we take action to deal with stereotypes and to dispel myths about Islam and other religions?

I would like to invite the European Parliament to participate in this reflection and help us establish a clear and reliable picture of what is happening on the ground in order to refine our policies at all levels.

Thank you for your attention.