

Equality in the Europe of tomorrow

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Opening address

By Mr Vladimir Spidla

European Commissioner for Employment, Social Affairs and Equal Opportunities

Ministers,
Honourable Member,
Ladies and Gentlemen,

It gives me great pleasure to open this conference today, on the very same day that the new Commission takes office.

I am honoured to have been given responsibility for the portfolio of employment, social affairs and equal opportunities. This is the first time that equality has featured explicitly in the mandate of a European Commissioner: this demonstrates the importance of this subject in an enlarged Europe and my personal resolve to further the cause of equality over the five coming years. As President Barroso said to the European Parliament, fundamental rights and the fight against discrimination will be essential priorities for the newly-appointed Commission.

Much has been said about the "European social model" and – following the recent presentation of the report by Wim Kok – about the need for a radical reform to ensure its survival. We must remember here that this "social model" is founded primarily on a shared basis of democracy and respect for fundamental rights in all of our countries, starting with the rejection of discrimination in all its forms and the promotion of equality between men and women.

The European Union has adopted a Charter that represents a major advance in respect for fundamental rights, as it proclaimed that civil, political, economic, social and environmental rights are indivisible. This Charter has now been incorporated into the new Constitutional Treaty signed by Heads of Government and State on 29 October.

Moreover, four years ago the EU adopted anti-discrimination legislation containing several innovative provisions: the concept of "indirect discrimination", the sharing of the burden of proof, the creation of specialised bodies to defend the victims of discrimination. Finally, mention must be made of the participation by civil society and the social partners in the institutional and judicial mechanisms to fight against discrimination.

It was for this reason that the Commission unhesitatingly mounted a challenge in the Court of Justice against those Member States that had not yet transposed the rules adopted in 2000. It will dedicate all necessary resources to monitoring the correct application of the law in the field.

As someone from a country that has experienced life under a Communist regime, I consider recognition of the role of civil society to be essential.

No political authority can assume the right to speak for society as a whole. No official regulation will ever be enough to put an end to discrimination. Individual citizens, civil society and NGOs must act, to increase awareness of the problems as well as to take an active role in the search for specific solutions. Great advances have resulted

from such commitment on the part of civil society, and this is a sign of a strong and vibrant political democracy. Here, I am thinking about discrimination on the basis of ethnicity, race or sexual orientation, the recognition of the rights of persons with disabilities, and the promotion of equality between men and women.

The legal framework must not remain static. But this does not mean that it should merely adapt to changes that have already taken place in society. It must anticipate and pave the way for changes in mentalities and practices, such as the ones we have been witnessing over the past 30 years as a result of European legislation on equality between men and women. In many countries, this has led to deep-seated social change. It has encouraged participation by women in economic and social life. This in turn has revolutionised their status and their role in society.

The still recent anti-discrimination legislation must take on the same role as a pioneer in social change. This is what prompted the Commission to draw up a "Green Paper" and launch an extensive consultation of all the players involved.

With more than 1500 responses, this consultation demonstrated the interest shown by the public authorities, the social partners and civil society in the future of the legislation based on Article 13 of the Treaty. It also highlighted that it must be linked with the other instruments of the Social Agenda. Finally, it brought home the need to improve our knowledge of the reality of the enlarged Europe.

This collective debate was all the more relevant given the ever-increasing diversity within Europe:

- diversity of generations, since, for the first time in the history of mankind, it is possible for four generations to live under the same roof;
- diversity of physical, mental and sensory capacities, further exacerbated by demographic ageing, meaning that it is more important than ever that our society be made truly accessible to all;
- and finally ethnic diversity, concerning both well-established groups and individuals and recent and future arrivals.

Europe is increasingly aware of this diversity, but it is also unsure how to proceed. For example, immigration will become even more necessary in future. In fact, the increase in employment and productivity rates will not in itself be enough to offset the effects of demographic ageing on our workforce. We are also aware that an inclusive labour market generates growth by distributing revenue to larger numbers and encouraging higher levels of overall productivity.

The quest for an inclusive society must, therefore, be a priority for the European Social Agenda. However, this objective cannot be attained without striking a permanent balance between the rights and obligations of both incoming migrants and the host society. As was stated in the Hague Programme, which has just been adopted by Heads of State and Government, integration is both a duty and a right. It must be based on reciprocal commitments between the host society and the individual. These commitments must be clearly defined and respect our European Charter of Fundamental Rights.

The Commission will therefore continue to promote a balanced approach to immigration, and the policy in support of equality is an essential aspect of this as it increases mutual trust between members of society.

The recent consultation on the basis of the Green Paper provides us with a solid platform for further progress in this area throughout my term of office. I personally undertake to take into consideration the contributions and proposals formulated by all of the parties concerned.

I would like, above all, to push for the incorporation of equal opportunities in all policies – commonly referred to as "mainstreaming". The group of Commissioners with responsibility for fundamental rights, anti-discrimination and equal opportunities, announced by President Barroso, will be the driving force behind this new policy approach.

This process of incorporation rests on two key elements:

First, there is a need to mobilise all of the instruments that can help to bring real and tangible progress for our fellow citizens. In particular, the Social Fund will have to increase support for inclusive policies in the context of the new "financial perspectives" for the period 2007–2013. Other action will be required: social dialogue, the development of the European and national legal framework, increased coordination of national employment and inclusion policies through the adoption of quantified objectives, participation by civil society and social responsibility initiatives.

But this "mainstreaming" cannot succeed without active partnerships involving the interested parties, employers, NGOs, public authorities and the social partners. The legislation serves as a framework and provides opportunities: it is for the players to seize these opportunities to move forward and make tangible changes. The Union's role will then be to increase their capacity to act, to encourage exchanges, to develop a shared knowledge base supporting decision-making by these players. This will be one of the missions of the future action programme entitled "Progress", which will provide support for the implementation of the new social agenda.

Ladies and gentlemen,

I can confirm to you today that I intend to propose to the Commission, by the end of next year, a Communication presenting a framework for the development of Europe's anti-discrimination policy. In this connection, at the start of 2005 my departments will conduct a feasibility study looking into all forms of discrimination. This will enable them to investigate the feasibility of and whether there is a case for initiatives to complement the existing legal framework in the European Union.

As the Green Paper said, the equality and anti-discrimination policy is an exemplary one. It has led to rapid and profound change in a very short period of time. It offers an innovative framework anticipating societal and economic change rather than endorsing them after the fact, as is all too often the case with legal texts. Today, we must therefore live up to its achievements. However, we cannot deny that a great deal remains to be accomplished. We must adapt the laws to changes in the forms of

discrimination, change attitudes and behaviours, and thus contribute to a more open and more inclusive society. I am sure that comparing notes and working together during these two days will help all of the players represented here to crystallise their ideas, enabling us all to move forward and break new ground.