

PARLAMENT EWROPEW

2004



2009

Dokument ta' sessjoni

FINALI
A6-0365/2005

28.11.2005

*****I**

RAPPORT

dwar il-proposta għal deċiżjoni tal-Parlament Ewropew u tal-Kunsill dwar is-Sena Ewropea ta' Opportunitajiet Ugwali għal Kulhadd (2007)
Lejn Soċjetà Ġusta
(COM(2005)0225 - C6-0178/2005- 2005/0107(COD))

Kumitat għal-Libertajiet Ċivili, il-Ġustizzja u l-Intern

Rapporteur: Martine Roure

Tifsira tas-simboli użati

- * Proċedura ta' konsultazzjoni *magġoranza tal-voti mitfugħa*
- **I Proċedura ta' koperazzjoni (l-ewwel qari) *magġoranza tal-voti mitfugħa*
- **II Proċedura ta' koperazzjoni (it-tieni qari) *magġoranza tal-voti mitfugħa biex japprovaw il-pożizzjoni komunimāġġoranza tal-Membri komponenti tal-Parlament biex jirrifjutaw jew jemendaw il-pożizzjoni komuni*
- *** Proċedura ta' kunsens *magġoranza tal-Membri komponenti tal-Parlament, barra każijiet koperti mill-Artikoli 105, 107, 161 u 300 tat-Trattat KE u Artikolu 7 tat-Trattat ta' l-UE*
- ***I Proċedura ta' kodeċiżjoni (l-ewwel qari) *magġoranza tal-voti mitfugħa*
- ***II Proċedura ta' kodeċiżjoni (it-tieni qari) *magġoranza tal-voti mitfugħa biex japprovaw il-pożizzjoni komunimāġġoranza tal-Membri komponenti tal-Parlament biex jirrifjutaw jew jemendaw il-pożizzjoni komuni*
- ***III Proċedura ta' kodeċiżjoni (it-tielet qari) *magġoranza tal-voti mitfugħa biex japprovaw it-test kongunt*

(Dan it-tip ta' proċedura jiddependi mill-bażi legali proposta mill-Kummissjoni.)

Emendi għal test leġiżlattiv

Fl-emendi li jsiru mill-Parlament, it-test emendat huwa indikat b'tipa ***qawwija korsiva***. Test *korsiv normali* huwa indikazzjoni għas-servizzi tekniċi li turi partijiet tat-test leġiżlattiv li għalihom qed tkun proposta korrezzjoni bl-iskop li tghin fil-preparazzjoni tat-test finali (pereżempju, zbalji ovvji jew nuqqasijiet f'verżjoni lingwistika minnhom). Il-korrezzjonijiet proposti huma sugġetti għall-qbil tas-servizzi tekniċi involuti.

WERREJ

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ABBOZZ TA' RIŻOLUZZJONI LEĠIŻLATTIVA TAL-PARLAMENT EWROPEW

dwar il-proposta għal deċiżjoni tal-Parlament Ewropew u tal-Kunsill dwar is-Sena Ewropea ta' Opportunitajiet Ugwali għal Kulhadd (2007) - Lejn Soċjetà Ġusta (COM(2005)0225 - C6-0178/2005- 2005/0107(COD))

(Proċedura ta' kodeċiżjoni: l-ewwel qari)

Il-Parlament Ewropew,

- wara li kkunsidra l-proposta tal-Kummissjoni lill-Parlament Ewropew u lill-Kunsill (XCOM(2005)0225)
 - wara li kkunsidra l-Artikolu 251(2) u l-Artikolu 13(2) tat-Trattat KE, skond liema artikolu l-Kummissjoni ppreżentat il-proposta lill-Parlament (C6-0178/2005),
 - wara li kkunsidra l-Artikolu 51 tar-Regoli ta' Proċedura tiegħu,
 - wara li kkunsidra r-rapport tal-Kumitat għal-Libertajiet Ċivili, il-Ġustizzja u l-Intern u l-opinjoni tal-Kumitat dwar Drittijiet in-Nisa u l-Ugwaljanza Bejn is-Sessi (A6-0366/2005),
1. Japprova l-proposta tal-Kummissjoni kif emendata;
 2. Jisħaq li l-approprijazzjonijiet indikati fil-proposta leġiżlattiva għall-perjodu ta' wara l-2006 huma subordinati għad-deċiżjoni rigward il-qafas finanzjarju plurijennali li jmiss;
 3. Jitlob lill-Kummissjoni biex tressaq, jekk ikun meħtieġ, malli l-qafas finanzjarju plurijennali li jmiss ikun adottat, proposta biex taġġusta l-ammont ta' referenza finanzjarja għal dan il-programm;
 4. Jitlob lill-Kummissjoni sabiex terġa' tirreferi l-kwistjoni lill-Parlament jekk għandha l-ħsieb li temenda l-proposta b'mod sustanzjali jew li tibdilha b'test ieħor;
 5. Jagħti istruzzjonijiet lill-President tiegħu sabiex jgħaddi l-pożizzjoni tal-Parlament lill-Kunsill u lill-Kummissjoni.

Test propost mill-Kummissjoni	Emendi tal-Parlament
	Emenda 1 Premessa 1
Fuq il-bażi ta' l-Artikolu 13 tat-Trattat li jistabbilixxi l-Komunità Ewropea, il-Kunsill adotta Direttiva 2000/43/KE li timplimenta l-prinċipju tat-ttrattament	Fuq il-bażi ta' l-Artikolu 13 tat-Trattat li jistabbilixxi l-Komunità Ewropea, il-Kunsill adotta Direttiva 2000/43/KE li timplimenta l-prinċipju tat-ttrattament

¹ Not yet published in OJ.

ugwali bejn persuni irrispettivament mill-origini razzjali jew etnika, *inter alia*, fix-xogħol, it-taħriġ vokazzjonali, l-edukazzjoni, il-prodotti u s-servizzi, u l-protezzjoni soċjali; Id-Direttiva 2000/78/KE *li* tistabbilixxi qafas ġenerali għal trattament ugwali fix-xogħol u fl-impjieg li jipprojbixxi d-diskriminazzjoni fuq bażi ta' reliġjon jew twemmin, dizabilità, età u orjentazzjoni sesswali u d-Direttiva 2004/113/KE li timplimenta l-prinċipju ta' trattament ugwali bejn nisa u rġiel fl-aċċess għal u l-provvista ta' prodotti u servizzi.

ugwali bejn persuni irrispettivament mill-origini razzjali jew etnika, *inter alia*, fix-xogħol, it-taħriġ vokazzjonali, l-edukazzjoni, il-prodotti u s-servizzi, u l-protezzjoni soċjali; Id-Direttiva 2000/78/KE *li* tistabbilixxi qafas ġenerali għal trattament ugwali fix-xogħol u fl-impjieg li jipprojbixxi d-diskriminazzjoni fuq bażi ta' reliġjon jew twemmin, dizabilità, età u orjentazzjoni sesswali u d-Direttiva 2004/113/KE li timplimenta l-prinċipju ta' trattament ugwali bejn nisa u rġiel fl-aċċess għal u l-provvista ta' prodotti u servizzi.

Justification

This amendment seeks to change the order of the recitals, so that they move from general to specific considerations.

Emenda 2 Premessa 2

In-non-diskriminazzjoni hija prinċipju fundamentali ta' l-Unjoni Ewropea ***L-Artikolu 21 tal-Karta tad-Drittijiet Fundamentali ta' l-Unjoni Ewropea jipprojbixxi d-diskriminazzjoni għal bosta raġunijiet.***

(1) In-non-diskriminazzjoni hija prinċipju fundamentali ta' l-Unjoni Ewropea **Dak il-prinċipju għandu jingħata kunsiderazzjoni fil-politiki kollha ta' l-Unjoni Ewropea.**

Justification

This amendment seeks to change the order of the recitals, so that they move from general to specific considerations. The principle of non-discrimination must be established right from the outset. The reference to the Charter of Fundamental Rights has been deleted and has been dealt with in a separate citation.

Emenda 3 Premessa 2 a (ġdida)

(2a) L-Artikolu 2 tat-Trattat li jistabbilixxi l-Komunità Ewropea jipprovdi li l-promozzjoni ta' l-ugwaljanza bejn irġiel u nisa hija waħda mill-ħidmiet essenzjali tal-Komunità. Bl-istess mod l-Artikolu 3(2) tat-

Trattat jitlob li l-Komunità jkollha bħala mira li telimina l-inugwaljanzi u li b'mod attiv tippromwovi l-ugwaljanza bejn irġiel u nisa f'dak kollu li tagħmel.

(This amendment entails deleting Recital 4 of the Commission proposal for a decision, the text of which has been incorporated into this new recital.)

Justification

Equality between men and women is one of the key areas of the fight against discrimination.

Emenda 4 Premessa 3

L-ugwaljanza bejn irġiel u nisa hija prinċipju fundamentali ta' l-Unjoni Ewropea. L-artikoli 21 u 23 tal-Karta tad-Drittijiet Fundamentali ta' l-Unjoni Ewropea **jipprojbixxu kull** diskriminazzjoni fuq bażi ta' sess u jeħtieġ li l-ugwaljanza bejn irġiel u nisa tiġi żgurata fl-oqsma kollha.

L-artikoli 21 u 23 tal-Karta tad-Drittijiet Fundamentali ta' l-Unjoni Ewropea **jistabilixxu projbizzjoni tad-** diskriminazzjoni fuq **ghadd ta'** bażijiet **filwaqt li jitolbu** li l-ugwaljanza bejn irġiel u nisa tiġi żgurata fl-oqsma kollha.

Justification

Although not yet legally binding, the Charter of Fundamental Rights of the European Union is a reference text within the Communities in the area of rights and the fight against discrimination. For that very reason, it has been cited in judgments handed down by the Court of Justice of the European Communities. Moreover, it should be the subject of a separate recital.

Emenda 5 Premessa 3 a (ġdida)

(3A) Il-leġiżlazzjoni Ewropea dwar it-trattament ugwali u n-non-

diskriminazzjoni tkopri lil kull persuna fl-Unjoni Ewropea.

Justification

The scope of European anti-discrimination legislation is not restricted to Community citizens.

Emenda 6
Premessa 4

{ L-Artikolu 3(2) tat-Trattat jitlob li l-Komunità timmira li telimina l-inugwaljanzi u tippromwovi l-ugwaljanza bejn irġiel u nisa fl-attivitajiet kollha tagħha.

Imhassar

Emenda 7
Premessa 5

(5) L-Aġenda Soċjali 2005-2010, li tikkomplementa u tappoġġja l-Istrateġija ta' Lisbona, għandha rwol ewlieni biex tippromwovi d-dimensjoni soċjali tat-tkabbir ekonomiku. Waħda mill-prijoritajiet ta' l-Aġenda Soċjali hija l-promozzjoni ta' opportunitajiet ugwali għal kulhadd bħala mezz għal soċjetà aktar koeżiva.

(5) L-Aġenda Soċjali 2005-2010, li tikkomplementa u tappoġġja l-Istrateġija ta' Lisbona, għandha rwol ewlieni biex tippromwovi d-dimensjoni soċjali tat-tkabbir ekonomiku. Waħda mill-prijoritajiet ta' l-Aġenda Soċjali hija l-promozzjoni ta' opportunitajiet ugwali għal kulhadd bħala mezz ***li jwassel*** għal soċjetà aktar ***soċjalment inklussiva***.

Justification

In addition to fostering the development of a more cohesive society, in broader terms measures to promote equal opportunities for everyone as a value fundamental to our contemporary societies help to produce a more integrative society, i.e. a society more naturally inclined to adopt an inclusive approach towards its most socially disadvantaged members and/or those who suffer the worst discrimination.

Emenda 8
Premessa 6

(6) Is-sena 2007 ***se tkun*** l-għaxar anniversarju tas-Sena Ewropea Kontra r-Razzizmu, li għamlitha possibbli li jsir

(6) Is-sena 2007 ***hija*** l-għaxar anniversarju tas-Sena Ewropea Kontra r-Razzizmu, li għamlitha possibbli li jsir progress

progress konsiderevoli lejn l-eliminazzjoni tad-diskriminazzjoni razzjali.

konsiderevoli lejn l-eliminazzjoni tad-diskriminazzjoni razzjali.

Emenda 9
Premessa 7

(7) Il-leġiżlazzjoni Ewropea għolliet b' mod sinifikanti l-livell ta' ugwaljanza u protezzjoni garantiti kontra l-inugwaljanzi u d-diskriminazzjoni madwar l-UE u serviet bhala katalista għall-iżvilupp ta' approċċ għall-ugwaljanza u n-non-diskriminazzjoni aktar koerenti u bbażat fuq id-drittijiet.

(7) Il-leġiżlazzjoni Ewropea għolliet b' mod sinifikanti l-livell ta' ugwaljanza u protezzjoni garantiti kontra l-inugwaljanzi u d-diskriminazzjoni madwar l-UE u serviet bhala katalista għall-iżvilupp ta' approċċ għall-ugwaljanza u n-non-diskriminazzjoni aktar koerenti u bbażat fuq id-drittijiet.

Minkejja dan, għad hemm nies fl-UE li jsofru minn diskriminazzjoni u trattament mhux ugwali fil-hajja tagħhom ta' kuljum.

Justification

It is important to draw attention to the fact that despite the progress achieved and existing legislation, much still needs to be done.

Emenda 10
Premessa 7 a (ġdida)

(7a) Is-Sena Ewropea għandha toffri spinta ġdida fl-appoġġ ta' l-isforzi ta' l-Istati Membri fl-implementazzjoni ta' leġiżlazzjoni Komunitarja dwar it-trattament ugwali u n-non-diskriminazzjoni.

Justification

A number of Member States are lagging behind in the transportation of Community legislation on non-discrimination. The European Year should give them an incentive to make up lost time.

Emenda 11
Premessa 7 b (ġdida)

(7b) Huwa essenzjali li azzjonijiet li għandhom x'jaqsmu ma' l-età, id-diżabilità, ir-religjon jew it-twemmin, ir-razza u l-orjentazzjoni sesswali iqisu bis-shih id-differenzi bejn is-sessi.

Justification

Equality between men and women is one of the key areas of the fight against discrimination. Discrimination in this area may go hand-in-hand with other forms of discrimination.

Emenda 12
Premessa 7 c (ġdida)

(7c) Il-proċess ta' konsultazzjoni organizzat mill-Kummissjoni permezz ta' Green Paper intitolata 'L-ugwaljanza u d-diskriminazzjoni fl-Unjoni Ewropea mkabbra', adottat fit-28 ta' Mejju 2004, juri li fl-opinjoni tal-biċċa l-kbira tan-nies li rrispondew, l-Unjoni għandha żżid l-isforzi tagħha biex tiġġieled kontra d-diskriminazzjoni fuq bażi ta' sess, razza jew etniċità, religjon jew twemmin, diżabilità, età jew orjentazzjoni sesswali.

Justification

In the wake of the Green Paper, the Commission has decided to launch its framework strategy on non-discrimination and equal opportunities for all. The European Year of Equal Opportunities (2007) is a cornerstone of that framework strategy.

Emenda 13
Premessa 7 d (ġdida)

(7d) Fir-riżoluzzjoni tiegħu dwar is-sitwazzjoni tar-Roma fl-Ewropa, il-Parlament Ewropew jiġbed l-attenzjoni għall-prevalenza ta' sentiment anti-żingaru u l-effett diskriminatorju li dan qed ikollu fuq l-opportunitajiet ta' impjeg, edukazzjoni u servizzi soċjali għall-grupp ta' minoranza etnika l-iktar żvantaġġat fl-Unjoni Ewropea.

Justification

Comprised of 12 million European Union citizens, Roma are one of Europe's largest ethnic minorities, reside in the majority of Member States and Candidate Countries, and as such combating anti-gypsyism should be a central target of the European Year.

Emenda 14 Premessa 8

(8) *Haġa* essenzjali biex il-qafas *leġiżlattiv* dwar in-non-diskriminazzjoni tal-Komunità jkollu impatt pożittiv hija *l-fatt* kemm dan igawdi minn appoġġ popolari wiesa'. Is-Sena Ewropea għandha sservi bħala katalista biex titqajjem kuxjenza u jinholoq momentum. Hija għandha tghin biex tiffoka l-attenzjoni politika u timmobilizza lil kull min hu kkonċernat sabiex titmexxa 'l quddiem l-istrategija tal-qafas il-ġdid ta' l-Unjoni Ewropea dwar l-opportunitajiet ugwali.

(8) *Haġa* essenzjali biex il-qafas *leġiżlattiv* dwar in-non-diskriminazzjoni tal-Komunità jkollu impatt pożittiv hija *l-fatt* kemm ***dawn igawdu*** minn appoġġ popolari wiesa' ***u mill-eżistenza ta' rieda politika ġenwina biex issir bidla. F'dan il-kuntest, l-imsiehba soċjali, awtoritajiet lokali u reġjonali, u l-NGOs għandhom irwol vitali.*** Is-Sena Ewropea għandha sservi bħala katalista biex titqajjem kuxjenza u jinholoq momentum. Hija għandha tghin biex tiffoka l-attenzjoni politika ***fl-Istati Membri kollha*** u timmobilizza lil kull min hu kkonċernat sabiex titmexxa 'l quddiem l-istrategija tal-qafas il-ġdid ta' l-Unjoni Ewropea dwar l-opportunitajiet ugwali ***u n-non-diskriminazzjoni, anke wara l-2007.***

Justification

Only with a real political will and mobilisation of all levels of society will the European Year provide sustainable benefits.

Emenda 15
Premessa 8 a (ġdida)

(8a) Is-Sena Ewropea wkoll se tindirizza kwistjonijiet ta' diskriminazzjoni multipla, jiġifieri diskriminazzjoni skond żewġ raġunijiet jew aktar imsemmija fl-Artikolu 13 tat-Trattat li waqqaf il-Komunità Ewropea. Tippetromwovi wkoll trattament bilanċjat skond ir-raġunijiet imsemmija f'dan ir-rigward.

Justification

The European Year will have to draw attention to the specific issue of multiple discrimination and bring to light all forms of discrimination.

Emenda 16
Premessa 9

(9) Il-livelli li jvarjaw ta' progress li jkun sar f'livell nazzjonali ***u d-differenzi fil-kuntesti soċjo-ekonomiċi nazzjonali, u l-kuntesti u s-sensitivitajiet kulturali jirrikjedu li l-maġġoranza ta' l-attivitajiet tas-Sena jkunu ddecentralizzati f'livell nazzjonali, permezz ta' sistema ta' amministrazzjoni indiretta ċentralizzata skond il-proċeduri stipulati fl-artikolu 54(2) c) tar-Regolament Finanzjarju u r-regoli ta' implimentazzjoni tiegħu¹.***

(9) Il-livelli li jvarjaw ta' progress li jkun sar f'livell nazzjonali ***jirrikjedu li tittiehed azzjoni urġenti f'livell nazzjonali u Ewropew fil-qasam ta' l-ugwaljanza u n-non-diskriminazzjoni; skond il-prinċipju tas-sussidjarjetà, il-maġġoranza ta' l-attivitajiet tas-Sena għandhom ikunu ddecentralizzati f'livell nazzjonali.***

Justification

A number of Member States are lagging behind in the transposition of Community legislation on non-discrimination. The European Year should give them an incentive to make up lost time.

¹ Regolament tal-Kunsill (KE, Euratom) nru 1065/2002 tal-25 ta' Ġunju 2002 dwar ir-Regolament Finanzjarju li japplika għall-baġit ġenerali tal-Komunitajiet Ewropej (ĠU L 248, 16.9.2002); Regolament tal-Kummissjoni (KE, Euratom) Nru 2342/2002 tat-23 ta' Dicembru 2002 li jipprovdi regoli ddettaljati għall-implimentazzjoni tar-Regolament tal-Kunsill (KE, Euratom) Nru 1605/2002 tal-25 ta' Ġunju dwar ir-Regolament Finanzjarju li japplika għall-baġit ġenerali tal-Komunitajiet Ewropej (ĠU L 357, 31.12.2002).

Emenda 17
Premessa 10

(10) Il-Parteċipazzjoni fis-Sena Ewropea ta' Opportunitajiet Ugwali għal Kulhadd għandha tinfetħ għall-Istati Membri, pajjiżi ta' l-EFTA/ŻEE skond il-kundizzjonijiet stabbiliti fil-*Ftehim* taż-Żona Ekonomika Ewropea (ŻEE), għall-pajjiżi kandidati li qed jibbenefikaw mill-istrategija ta' qabel id-dħul u l-pajjiżi tal-Balkani tal-Punent, skond il-kundizzjonijiet stipulati *fil-ftehimiet* rispettivi tagħhom, u għall-pajjiżi koperti mill-Politika Ewropea tal-*Vicinanzi*, skond id-dispożizzjoni tad-dokument ta' l-Istrategija ta' Mejju 2004 u l-Pjanijiet ta' Azzjoni tal-Pajjiż.

(10) Il-Parteċipazzjoni fis-Sena Ewropea ta' Opportunitajiet Ugwali għal Kulhadd għandha tinfetħ għall-Istati Membri, pajjiżi ta' l-EFTA/ŻEE skond il-kundizzjonijiet stabbiliti fil-*Ftehim* taż-Żona Ekonomika Ewropea (ŻEE), għall-pajjiżi ***applikanti u*** għal kandidati li qed jibbenefikaw mill-istrategija ta' qabel id-dħul u l-pajjiżi tal-Balkani tal-Punent, skond il-kundizzjonijiet stipulati *fil-ftehimiet* rispettivi tagħhom, u għall-pajjiżi koperti mill-Politika Ewropea tal-*Vicinanzi*, skond id-dispożizzjoni tad-dokument ta' l-Istrategija ta' Mejju 2004 u l-Pjanijiet ta' Azzjoni tal-Pajjiż.

Amendment 18
Recital 11

Does not apply to English text.

Justification

Does not apply to English text.

Emenda 19
Artikolu 2, punt a)

(a) Drittijiet – Titqajjem kuxjenza dwar id-dritt għall-ugwaljanza u għan-non-diskriminazzjoni – Is-Sena Ewropea se tenfasizza l-messaġġ li n-nies kollha, irrispettivament mis-sess, l-orijini razzjali jew etnika, ir-religjon jew it-twemmin, id-dizabilità, l-età u l-orjentazzjoni sesswali tagħhom ***huma intitolati għal trattament ugwali.***

(a) Drittijiet – Titqajjem kuxjenza dwar id-dritt għall-ugwaljanza u għan-non-diskriminazzjoni ***u dwar il-problema tad-diskriminazzjoni multipla*** - Is-Sena Ewropea se tenfasizza l-messaġġ li n-nies kollha ***huma intitolati għal trattament ugwali***, irrispettivament mis-sess, l-orijini razzjali jew etnika, ir-religjon jew it-twemmin, id-dizabilità, l-età u l-orjentazzjoni sesswali tagħhom. ***Is-Sena Ewropea se tgharraf lil dawk il-gruppi li***

huma fil-periklu li jiġu ddiskriminati biex isiru iktar konxji tad-drittijiet tagħhom u tal-leġiżlazzjoni Ewropea li diġà teżisti fil-gasam tan-non-diskriminazzjoni.

Justification

The objectives of the European Year should include disseminating information on multiple discrimination and the legal redress available.

Emenda 19

Premessa 7 a (ġdida)

(7a) Peress li numru ta' Stati Membri qed jimxu bil-mod biex jimplimentaw il-leġiżlazzjoni Komunitarja rilevanti, is-Sena Ewropea għandha thaffef il-proċess ta' traspożizzjoni billi ttiħ spinta ġdida.

Justification

As a number of reports, drawn up by research centres such as the European Industry Relations Observatory (EIRO), have shown, some Member States have yet to implement in full the provisions of European law which deal specifically with the fight against discrimination and inequality. The Commission has thus initiated infringement proceedings against some Member States for non-transposition. Since the aim of this programme is to make the public aware of these issues and of every individual's rights in this area, it is important to draw attention in the recitals to the urgent need for the Member States to complete the transposition process.

Emenda 20

Artikolu 2, punt (b)

(b) Rappreżentazzjoni – Jitqajjem dibattitu dwar il-mezzi kif tista' tiżdied il-partecipazzjoni ta' gruppi ***l-anqas rappreżentati*** fis-soċjetà – Is-Sena Ewropea se tinkoraġġixxi riflessjoni u diskussjoni dwar il-bżonn li tiġi promossa l-partecipazzjoni akbar tagħhom fis-soċjetà fis-setturi kollha u fil-livelli kollha.

(b) Rappreżentazzjoni – Jitqajjem dibattitu dwar il-mezzi kif tista' tiżdied il-partecipazzjoni ta' gruppi fis-soċjetà ***li huma vittmi ta' diskriminazzjoni kif ukoll li jkun hemm partecipazzjoni bbilanċjata ta' rġiel u nisa*** - Is-Sena Ewropea se tinkoraġġixxi riflessjoni u diskussjoni dwar il-bżonn li tiġi promossa l-partecipazzjoni

akbar tagħhom fis-soċjetà, **u s-sehem tagħhom f'attivitajiet imfasslin biex jikkumbattu d-diskriminazzjoni**, fis-setturi kollha u fil-livelli kollha.

Justification

Persons who are victims of discrimination must be involved in all measures designed to combat the discrimination which they suffer.

Emenda 21
Artikolu 2, punt (c)

(c) Rikonossiment – Tigi **ċelebrata u akkomodata** d-diversità – Is-Sena Ewropea se tenfasizza l-kontribut pożittiv li n-nies jistgħu jagħtu lis-soċjetà kollha, irrispettivament mis-sess, l-orìgini razzjali jew etnika, ir-religjon jew it-twemmin, il-kapaċitajiet, l-età jew l-orjentazzjoni sesswali tagħhom, *speċjalment* billi jiġu aċċentwati l-benefiċċji tad-diversità.

(c) Rikonossiment – Tigi **ffaċilitata u ċelebrata** d-diversità **u l-ugwaljanza** – Is-Sena Ewropea se tenfasizza l-kontribut pożittiv li n-nies, jistgħu jagħtu lis-soċjetà kollha, irrispettivament mis-sess, l-orìgini razzjali jew etnika, ir-religjon jew it-twemmin, il-kapaċitajiet, l-età jew l-orjentazzjoni sesswali tagħhom, *speċjalment* billi jiġu aċċentwati l-benefiċċji tad-diversità.

Justification

Diversity is positive if all persons are treated equally.

Emenda 22
Artikolu 2, punt (d)

(d) Rispett **u tolleranza** – Nippromwovu soċjetà aktar koeżiva – Is-Sena Ewropea se tqajjem kuxjenza dwar l-importanza ta' promozzjoni ta' relazzjonijiet tajbin bejn kulhadd fis-soċjetà, *partikularment* fost iż-żgħażaġh, u l-promozzjoni u t-tixrid tal-valuri bażiċi fil-ġlieda kontra d-

(d) Rispett – Nippromwovu soċjetà aktar koeżiva – Is-Sena Ewropea se tqajjem kuxjenza dwar l-importanza li **jiġu eliminati l-isterjotipi, il-preġudizzju u l-vjolenza**; u l-promozzjoni ta' relazzjonijiet tajbin bejn kulhadd fis-soċjetà, *partikularment* fost iż-żgħażaġh, u l-promozzjoni u t-tixrid tal-valuri bażiċi fil-ġlieda kontra d-

diskriminazzjoni.

diskriminazzjoni.

Justification

Respect for diversity presupposes, among other things, combating preconceived ideas.

Emenda 23

Artikolu 3, paragrafu 1, parti introduttorja

1. L-azzjonijiet *imfassla* sabiex jintlaħqu l-ghanijiet stipulati fl-Artikolu 2 **ghandhom** jinvolve l-iżvilupp jew il-provvista ta' appoġġ għal:

1. L-azzjonijiet *imfassla* sabiex jintlaħqu l-ghanijiet stipulati fl-Artikolu 2 **jafu** jinvolve, **b'mod partikulari**, l-iżvilupp jew il-provvista ta' appoġġ għal:

Justification

There must be a degree of flexibility in implementing the decision.

Emenda 24

Artikolu 3, paragrafu 1, punt (b)

(b) kampanji *informattivi u promozzjonali*;

(b) kampanji *informattivi, promozzjonali u edukattivi*;

Justification

The European Year should have an educational dimension.

Emenda 25

Artikolu 3, paragrafu 1, punt (c)

(c) *kooperazzjoni mal-mezzi tal-komunikazzjoni, man-negozju u ma' l-*

imhassar

intrapriżi;

Justification

Cooperation should not be confined to the media and business; deleting this clause allows greater flexibility.

Emenda 26
Artikolu 3 a (ġdid)

Artikolu 3 a

Ugwaljanza bejn is-sessi

Is-Sena Ewropea ghandha tikkunsidra l-modi differenti kif in-nisa u l-irġiel jiġu ddiskriminati fuq bażi ta' oriġini razzjali jew etnika, ta' reliġjon jew twemmin, ta' diżabilità, età u orjentazzjoni sesswali.

Justification

Equality between men and women is one of the key areas of the fight against discrimination.

Emenda 27
Artikolu 4, paragrafu 1

Il-Kummissjoni trid tiżgura li l-azzjonijiet tal-Komunità koperti minn din id-Deċiżjoni jiġu implimentati f'konformità ma' l-Anness.

Il-Kummissjoni trid tiżgura li l-azzjonijiet tal-Komunità koperti minn din id-Deċiżjoni jiġu implimentati f'konformità ma' l-Anness, **partikularment billi tiżgura li kull forma ta' diskriminazzjoni msemmija fl-Artikolu 13 tat-Trattat u fl-Artikolu 2 ta' din id-Deċiżjoni tkun iffaccjata u solvuta b'mod ġust.**

Justification

The Commission has a duty to ensure that the European Year addresses all forms of discrimination.

Amendment 28 Article 4, paragraph 3

It shall conduct a regular exchange of views with stakeholders particularly at European level on the design, implementation *and* follow-up of the European Year. To that end, the Commission shall make the relevant information available to such stakeholders. The Commission shall inform the Committee established under Article 6(1) of their opinion.

It shall conduct a regular exchange of views with stakeholders, *the NGOs representing the groups which suffer discrimination and civil society* particularly at European level on the design, implementation, follow-up *and assessment* of the European Year. To that end, the Commission shall make the relevant information available to such stakeholders. The Commission shall inform the Committee established under Article 6(1) of their opinion.

Justification

Civil society must be represented at all stages of the European Year.

Emenda 29 Artikolu 5, paragrafu 1

1. Kull Stat *għandu* jistabbilixxi jew jahtar korp nazzjonali ta' koordinazzjoni jew korp amministrattiv ekwivalenti biex jorganizza l-partecipazzjoni tiegħu fis-Sena *Ewropea*. Kull Stat *għandu* jiżgura li dan *il-korp* huwa rappreżentattiv ta' firxa ta' organizzazzjonijiet li jirrappreżentaw nies li huma potenzjalment esposti għal diskriminazzjoni u *għal* trattament inugwali u *ta'* partijiet oħra relevanti.

1. Kull Stat *Membru għandu* jistabbilixxi jew jahtar *Korp Nazzjonali ta' l-Implimentattiv* biex jorganizza l-partecipazzjoni tiegħu fis-Sena *Ewropea*. *Għandu jinforma lill-Kummissjoni sa xahar mill-adozzjoni tad-Deċiżjoni preżenti. Dan il-Korp għandu jkun responsabbli għat-tfassil tal-pjan nazzjonali u tal-prijoritajiet għas-Sena Ewropea kif ukoll biex jagħżel l-attivitajiet individwali li għandhom jitressqu għal għotjiet mill-Komunità. Il-pjan nazzjonali u l-*

prijoritajiet ghas-Sena ghandhom ikunu stipulati skond l-ghanijiet elenkati fl-Artikolu 2 u ghandhom jippruvaw jiżguraw trattament bilanċjat tal-forom kollha ta' diskriminazzjoni kif imsemmija fl-Artikolu 2.

Kull Stat *għandu* jiżgura li dan il-korp ikun involut fit-tfassil, fid-definizzjoni u fl-eżekuzzjoni tal-Pjan tal-Politika Nazzjonali li jrid *ikun* sottomess lill-Kummissjoni sa mhux aktar tard mill-31 ta' Diċembru 2006. Il-Pjanijiet tal-Politika Nazzjonali *għandhom* isarrfu l-ghanijiet stipulati f'Artikolu 2 fil-kuntesti nazzjonali u kulturali.

Il-proċedura biex jinghataw l-ghotjiet tal-Komunità għal attivitajiet f'livell nazzjonali hija stipulata fil-Parti II ta' l-Anness.

Justification

This amendment seeks to rationalise procedures for the award of funding with a view to reducing the administrative burden on the Member States.

Emenda 30 Artikolu 5, paragrafu 2

2. Il-Kummissjoni *għandha* tiddelega l-poter tagħha li timplimenta l-baġit lill-korpi intermedjarji nazzjonali li jintgħażlu mill-Istati parteċipanti u li jkunu approvati minnha skond il-proċeduri stipulati f'Parti II(1) ta' l-Anness, skond id-dispożizzjonijiet ta' l-Artikolu 54(2)c) tar-Regolament Finanzjarju.

Ladarba tkun sodisfatta li l-kundizzjonijiet u l-proċedura msemmija f'Parti II(1) ta' l-Annessi saru kif suppost, il-Kummissjoni tapprova l-korp magħżul għad-delega, u tiddelegalu l-poteri tal-baġit rilevanti.

2. Sabiex tkun tista' tagħmel xogħolha, dan il-Korp għandu jikkonsulta u jikkopera mill-qrib mas-soċjetà ċivili, anke ma' organizzazzjonijiet li jiddefendu jew jirrappreżentaw l-interessi ta' nies li potenzjalment huma esposti għal diskriminazzjoni u għal trattament mhux ugwali u ma' partijiet oħra rilevanti.

Justification

This amendment seeks to rationalise procedures for the award of funding with a view to

reducing the administrative burden on the Member States.

Emenda 31
Artikolu 5, paragrafu 3

3. Il-korpi intermedjarji nazzjonali għandhom jiehdu l-passi kollha neċessarji sabiex iwettqu x-xogħlijiet ta' implimentazzjoni ddelegati lilhom kif imfissra f'Parti II(2) ta' l-Anness fir-rigward ta' l-għażla u l-immaniġġjar ta' l-azzjonijiet lokali, reġjonali u nazzjonali li hemm referenza għalihom f'Parti II(4) ta' l-Anness.

Imhassar

Ftehim dwar id-delega jrid ikun iffirmat bejn il-korp intermedjarju u l-Kummissjoni bhala prerekwizit għall-implimentazzjoni min-naħa tal-korp tax-xogħlijiet ta' delega tiegħu. Il-Kummissjoni għandha tkun intitolata li tikkontrolla u tissorvelja l-korpi intermedjarji f'konformità mal-htigijiet imposti mir-Regolament Finanzjarju.

Justification

This amendment seeks to rationalise procedures for the award of funding with a view to reducing the administrative burden on the Member States.

Emenda 32
Artikolu 6, titlu u paragrafu 1

Kumitat

1. Il-Kummissjoni għandha tkun meġhuna minn kumitat, magħmul minn rappreżentant wiehed għal kull Stat u jkun *ippresedut* minn rappreżentant tal-Kummissjoni. Ir-rappreżentant ***minn kull Stat*** għandu jkun innominat mill-***korp intermedjarju nazzjonali*** kif hemm referenza għalih fl-Artikolu 5(2).

Kumitat ***Konsultattiv***

1. Il-Kummissjoni għandha tkun meġhuna minn kumitat ***konsultattiv***, magħmul minn rappreżentant wiehed għal kull Stat ***Membru*** u jkun *ippresedut* minn rappreżentant tal-Kummissjoni. ***Preferibilmnt*** ir-rappreżentant għandu jkun innominat mill-***Korp Nazzjonali Implimentattiv*** kif hemm referenza għalih fl-Artikolu 5(1).

Justification

This change arises from the new Article 5 as amended by the rapporteur with a view to simplifying the administrative and financial management of this event.

Emenda 33 Artikolu 7, paragrafu 2

2. Miżuri li huma lokali, reġjonali jew nazzjonali, kif deskritti f'**Parti II(4)** ta' l-Anness, jistgħu *jkunu* kofinanzjati mill-baġit tal-Komunitajiet Ewropej sa massimu ta' 50% tat-total ta' l-ispejjeż konsolidati ta' l-azzjonijiet li *jkunu* implimentati f'livelli lokali, reġjonali jew nazzjonali, *u* skond il-proċedura li hemm referenza għaliha f'**Artikolu 5(2)**.

2. Miżuri li huma lokali, reġjonali jew nazzjonali, kif deskritti f'**Parti II(5)** ta' l-Anness, jistgħu *jkunu* kofinanzjati mill-baġit tal-Komunitajiet Ewropej sa massimu ta' 50% tat-total ta' l-ispejjeż konsolidati ta' l-azzjonijiet li *jkunu* implimentati f'livelli lokali, reġjonali jew nazzjonali, *u* skond il-proċedura li hemm referenza għaliha f'**Parti II ta' l-Anness**.

Justification

This change arises from the new Article 5 as amended by the rapporteur with a view to simplifying the administrative and financial management of this event.

Emenda 34 Artikolu 8, paragrafu 2

2. Talbiet għal assistenza finanzjarja għal miżuri skond l-Artikolu 7(2) *għandhom ikunu* sottomessi lill-korpi intermedjarji nazzjonali mwaqqfa mill-Istati. ***Fuq il-bażi ta' l-opinjoni espressa mill-korpi nazzjonali ta' koordinazzjoni, il-korpi intermedjarji nazzjonali għandhom jagħzlu l-benefiċjarji u jallokaw assistenza finanzjarja lill-applikanti li jintgħazlu skond il-proċeduri li hemm referenza għalihom f'Artikolu 5(3).***

2. Talbiet għal assistenza finanzjarja għal miżuri skond l-Artiklu 7(2) *għandhom ikunu* sottomessi lill-***Kummissjoni mill-Korpi Intermedjarji Nazzjonali*** mhejjija mill-Istati ***Membri skond il-proċedura stipulata fil-Parti II ta' l-Anness.***

Justification

This change arises from the new Article 5 as amended by the rapporteur with a view to simplifying the administrative and financial management of this event.

Emenda 35
Artikolu 9, paragrafu 1

Il-Kummissjoni flimkien mal-**pajjiżi parteċipanti** għandha tiżgura l-konsistenza bejn il-miżuri li hemm provvediment għalihom f'din id-Deciżjoni u l-azzjoni u l-inizjattivi nazzjonali u reġjonali l-oħra tal-Komunità.

Il-Kummissjoni flimkien ma' l-**Istati Membri** għandha tiżgura l-konsistenza bejn il-miżuri li hemm provvediment għalihom f'din id-Deciżjoni u l-azzjoni u l-inizjattivi nazzjonali u reġjonali l-oħra tal-Komunità.

Emenda 36
Artikolu 10, titlu

Pajjiżi parteċipanti

Parteċipazzjoni ta' Stati li M'humiex Membri

Justification

Kjarifika.

Emenda 37
Artikolu 10, paragrafu 1, punti (a) sa (c)

(a) **Stati Membri;**

Stati ta' l-EFTA li huma parti mill-Ftehim taż-ŻEE skond id-dispożizzjoni ta' dak il-ftehim;

Il-pajjiżi kandidati li qed igawdu mill-istrateġija ta' qabel is-shubija, skond il-prinċipji ġenerali u t-termini u l-kundizzjonijiet ġenerali għall-partiċipazzjoni ta' dawn il-pajjiżi f'programmi tal-Komunità stipulati, rispettivament, fil-ftehim qafas u fid-deċiżjoni tal-Kunsilli ta' l-Assoċjazzjoni;

(a) **pajjiżi li l-Unjoni Ewropea ffirmat Trattat ta' Adeżjoni magħhom;**

(b) **Pajjiżi kandidati li qed igawdu minn pjan ta' qabel is-shubija, skond il-prinċipji ġenerali u t-termini u l-kundizzjonijiet ġenerali għall-partiċipazzjoni ta' dawn il-pajjiżi fi programmi tal-Komunità, stipulati, rispettivament, mill-ftehim qafas u mid-Deciżjoni tal-Kunsilli ta' l-Assoċjazzjoni;**

Stati ta' l-EFTA li huma parti mill-Ftehim taż-ŻEE skond id-dispożizzjoni ta' dik il-ftehim;

(punt (c) tat-test tal-Kummissjoni sar punt (b) u punt (b) tat-test tal-Kummissjoni sar punt (c))

Justification

This change seeks to clarify what is meant by the reference to non EU Member States.

Emenda 38
Artikolu 11

Il-qafas finanzjarju biex *ikunu* implimentati l-attivitajiet li hemm referenza għalihom f'din id-Deċiżjoni għall-perjodu mill-1 ta' Jannar 2006 sal-31 ta' Diċembru 2007 *għandu* jkun ta' **EUR 13.6 miljun**.

Il-qafas finanzjarju biex ikunu implimentati l-attivitajiet li hemm referenza għalihom f'din id-Deċiżjoni għall-perjodu mill-1 ta' Jannar 2006 sal-31 ta' Diċembru 2007 *għandu* jkun ta' **EUR 15-il miljun, li minnhom EUR 6 miljun huma għall-perjodu sal-31 ta' Diċembru 2006. Għall-perjodu wara l-31 ta' Diċembru 2006, l-ammont jagħti biss indikazzjoni u jitqies li għandu jkun ikkonfermat jekk huwa konsistenti għal din il-fażi mal-qafas finanzjarju plurijennali li qiegħed fis-sehħ għall-perjodu li jibda mill-1 ta' Jannar 2007.**

Justification

Pending an agreement on the Financial Perspective, the amount allocated for 2007 is only indicative. The amount for this European Year has been raised to 15 million euros for the period as a whole.

Emenda 39
Artikolu 12

Fil-qafas tas-Sena Ewropea, il-Kummissjoni tista' tikkopera ma' l-organizzazzjonijiet internazzjonali rilevanti.

Fil-qafas tas-Sena Ewropea, il-Kummissjoni tista' tikkopera ma' l-organizzazzjonijiet rilevanti, ***b'mod partikulari mal-Kunsill ta' l-Ewropa u man-Nazzjonijiet Uniti.***

Justification

It is important to draw attention to the anti-discrimination measures implemented by

international organisations, in particular the many measures taken by the Council of Europe and the United Nations, which have long experience in dealing with these issues.

Amendment 40

Annex, part I, point 2, letter (a)

(a) The development of a logo and slogans for the European Year, for use in connection with any activity linked to the European Year

(a) The development of a logo, ***accessible and available in a variety of formats***, and slogans for the European Year, for use in connection with any activity linked to the European Year

Amendment 41

Annex, part I, paragraph 3, subparagraph 1

Cooperation with corporate, broadcasting and media organisations in particular as partners spreading the information about the European Year

deleted

Justification

This amendment arises from the deletion of Article 3, paragraph 1, point (c)

Amendment 42

Annex, part I, paragraph 4, subparagraph 2

The Commission may make use of technical and/or administrative assistance to the mutual benefit of the Commission and of the ***Participating*** States, for example to finance outside expertise on a specific subject.

The Commission may make use of technical and/or administrative assistance to the mutual benefit of the Commission and of the ***Member*** States, for example to finance outside expertise on a specific subject.

Amendment 43

Annex, part II, paragraph 1, subparagraphs 2 and 3

To that purpose, the Commission delegates its budget implementing power to national intermediary bodies. With reference to

deleted

Articles 35, 38 and 39 of the implementing rules to the Financial Regulation, each Member State shall propose its national intermediary body and testify in writing to the Commission that the intermediary body:

(a) is a public-sector body or private-law body with a public service mission submitted to a national audit body

(b) is subject to the law of the Member State in which it has been set up

(c) satisfies the requirements of sound financial management as shown by prior analysis

(d) has put in place, before it begins performing its tasks, internal control systems, accounting systems, and grant award procedures in place

(e) has a sound track record in dealing with non-discrimination and equal treatment issues

(f) offers adequate financial guarantees, issued preferably by a public authority, in particular as regards full recovery of amounts due to the Commission.

Each Member State shall testify in writing to the Commission that its proposed choice has been made in an objective and transparent manner to match the requirements identified by the Commission.

Justification

This change arises from the new Article 5 as amended by the rapporteur with a view to simplifying the administrative and financial management of this event.

Amendment 44
Annex, part II, paragraph 2

2. Once delegated by the Commission budget implementing power, each intermediary body shall implement the following tasks

(a) select the local, regional and national actions on the basis of a call for proposals developed in accordance with the National Policy Plan and carry out all the activities necessary to launch such a call

(b) award and pay grants and manage the specific subsidy agreements with the selected actions, involving all the activities required to launch and conclude grant procedures, including the signing of the agreements and if needed recovery of the grants paid

(c) check whether the services performed by the selected actions have been implemented correctly

(d) report to the Commission on how the services are performed, supply any information requested and notify without delay any substantial change in its procedure or systems and the reasons for change

(e) take appropriate measures to prevent irregularities and fraud and if necessary bring prosecutions to recover funds lost, wrongly paid or incorrectly used without prejudice to the responsibilities of the European Commission in accordance with Regulations n°2988/95, n°2185/96 and n°1073/99.

(f) shall forward to the Commission and more particularly to the European Anti-Fraud Office (OLAF) without any delay any information relating to suspected and actual cases of fraud or corruption or any other illegal activity.

2. Following the adoption of the present Decision, the European Commission shall issue a call for proposals restricted to the National Implementing Bodies (NIBs) designated by Member States.

Justification

This change arises from the new Article 5 as amended by the rapporteur with a view to simplifying the administrative and financial management of this event

Amendment 45

Annex, part II, paragraph 2 a (new)

2a. Each NIB shall submit a single application for Community funding in response to the call for proposals. This grant application shall describe the national strategy and priorities for the European Year, the activities proposed for funding in the relevant Member State, as well as the organisations that shall be responsible for the implementation of each of the individual activities. The grant application shall be accompanied by a detailed budget setting out the total costs of the activities proposed and the amount and sources of co-funding. Eligible costs may include a provision for personnel and administration costs incurred by the NIB.

Justification

This change arises from the new Article 5 as amended by the rapporteur with a view to simplifying the administrative and financial management of this event.

Amendment 46

Annex, part II, paragraph 3

3. The Court of Auditors and OLAF shall have the same rights as the Commission, especially as regards access.

3. The national strategy and priorities for the European Year shall be set out in line with the general objectives set out in Article 2 of the present Decision, and shall seek to ensure balanced treatment of all grounds of discrimination referred to in that Article.

The Commission may carry out checks on the beneficiaries of contracts and grants

from the national intermediary body.

The Commission may decide to withdraw responsibility for the performance of the tasks assigned when the conditions imposing that the national intermediary body operate in such a way to ensure total compliance with the principle of sound financial management and with the legal and financial conditions for the delegation are no longer fulfilled.

To that effect, the implementing measures and grant agreements arising from this Decision shall provide in particular for supervision and financial control by the Commission (or any representative authorised by it), audits by the Court of Auditors, and for on-the-spot checks carried out by OLAF or any Commission department, in accordance with the procedures of the Council Regulation n°2185/96.

Justification

This change arises from the new Article 5 as amended by the rapporteur with a view to simplifying the administrative and financial management of this event.

Amendment 47

Annex, part II, paragraph 4 a (new)

4a. The Commission shall evaluate and if necessary request modifications to the applications for Community funding submitted by the National Implementing Bodies. The NIBs shall be responsible for coordinating and monitoring the implementation of the various national activities.

Justification

This change arises from the new Article 5 as amended by the rapporteur with a view to simplifying the administrative and financial management of this event.

Amendment 48
Annex, part II, paragraph 5, point (b)

(b) Information campaigns and measures to disseminate the principles and underlying values celebrated by the European Year at national level including the organisation of awards and competitions

(b) Information *and educational* campaigns and measures to disseminate the principles and underlying values celebrated by the European Year at national level including the organisation of awards and competitions

Justification

The European Year should have an educational dimension.

Amendment 49
Annex, part II, paragraph 5, point (c)

(c) Cooperation with corporate, broadcasting and media organisations in particular as partners spreading the information about the European Year at national level

deleted

Justification

This amendment arises from the deletion of Article 3, paragraph 1, point (c)

Amendment 50
Annex, part II, paragraph 5, point (d)

(d) Surveys and studies other than those mentioned in *I(4)* above

(d) Surveys and studies other than those mentioned in *I(3)* above

EXPLANATORY STATEMENT

1. INTRODUCTION

In the Moraes Report on the protection of minorities and anti-discrimination policies in an enlarged Europe which it recently adopted, the European Parliament noted that ‘equal treatment is a basic right, not a privilege, of all citizens,’ and ‘therefore, that all forms of discrimination must be fought with equal intensity’¹.

In fact, since the adoption of the Treaty of Amsterdam, the concept of non-discrimination, which until then had been intrinsically linked to the issue of gender equality, for which an intricate legal battery and abundant case law exists, has been extended to include other parameters, set out in Article 13 of the EC Treaty. The first paragraph of that Article, as subsequently amended by the Treaty of Nice², stipulates that:

1. Without prejudice to the other provisions of this Treaty and within the limits of the powers conferred on it by the Community, the Council, acting unanimously on a proposal from the Commission and after consulting the European Parliament, may take appropriate action to combat discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation.

On the basis of this Article, the EU has equipped itself with an original legal framework for combating discrimination, which has two directives as its cornerstones³.

The first of these directives, which relates to ‘racial equality’, prohibits direct and indirect discrimination in the fields of employment, training, education, social security, health care, housing and access to goods and services.

The second of these directives essentially relates to the field of employment and concerns direct and indirect discrimination on the basis of religion or beliefs, disability, age or sexual orientation. It contains important clauses on the provision of reasonable accommodation for disabled persons to promote their access to employment and training.

These two directives are flanked by a multi-annual Community action programme to combat discrimination, which was adopted in November 2000 by decision of the Council⁴ and relates to the period 2001-2006. From 2007, this multi-annual programme will be replaced by the

¹ A6-0140/2005 of 10.5.2005, recital A.

² The Treaty of Nice added a second paragraph that enables the Council, acting by a qualified majority, to adopt incentive measures: ‘2. By way of derogation from paragraph 1, when the Council adopts Community incentive measures, excluding any harmonisation of the laws and regulations of the Member States, to support action taken by the Member States in order to contribute to the achievement of the objectives referred to in paragraph 1, it shall act in accordance with the procedure referred to in Article 251’. It is precisely Article 13(2) that serves as the legal basis for this proposal for a decision.

³ Namely Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin (published in OJ L 180 of 19 July 2000) and Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation (published in OJ L 303 of 2 December 2000).

⁴ Council Decision 2000/750/EC of 27 November 2000 establishing a Community action programme to combat discrimination (2001-2006), published in OJ L 303 of 2.12.2000.

PROGRESS programme. One section of this programme is devoted to combating discrimination and promoting diversity, while another is aimed more specifically at gender equality¹.

With a view both to taking stock of the progress made in combating discrimination and to garner opinions on the ways in which the EU could strengthen its action in this field, the Commission launched a vast consultation process in May 2004 in the form of a Green Paper entitled 'Equality and non-discrimination in an enlarged European Union'². The idea of making 2007 the European Year of Equal Opportunities for All was born out of the evaluation of the results achieved through publication of that Green Paper.

2. ORIGIN AND CONTENT OF THE PROPOSAL FOR A COUNCIL DECISION

In its evaluation of the contributions made by national, regional and local authorities, specialised bodies, NGOs and the social partners to the debate on equality and non-discrimination in response to the Green Paper, the Commission pinpointed three priority areas for the future Community financing.

These areas, which are set out in a Communication entitled 'Non-discrimination and equal opportunities for all - a Framework strategy', are: information and awareness raising, analysis and monitoring of the impact of anti-discrimination legislation, and networking between the people involved in the fight against discrimination³.

In the same Communication, the Commission announced its intention to promote this programme by organising a "European Year of Equal Opportunities for All", which essentially hinges on the four following objectives:

1. Raising public awareness of people's rights in the field of equality and non-discrimination;
2. Fuelling the debate on ways to strengthen social participation by under-represented groups;
3. Celebrating diversity;
4. Promoting respect and tolerance.

As to implementation of the decision, the Commission plans to develop 'operational guidelines' which are to serve as a basis for the 'national strategic plans' that Member States must submit to the Commission by December 2006. Once approved by the Commission, those plans would lead on to delegation of budgetary implementing powers to the national bodies responsible for financial management of the projects.

3. RAPPORTEUR'S OPINION

The European Union now has legislation in the field of combating discrimination. However,

¹ COM(2004) 488 final, 14.7.2004.

² COM(2004) 379 final, 28.05.2004

³ COM(2005) 224 final, 1.6.2005, p. 4.

many European citizens do not know that this legislation exists or know little about it. Your rapporteur is therefore wholly in favour of a media event on the scale of a 'European Year' being organised, in that this is an excellent tool for raising awareness among, and providing information to, the European public. Moreover, the EP recently clearly expressed itself in favour of this, when it urged the Council, the Commission and the Member States to promote and support the 'values and practices underlying the fight against discrimination, including through the use of awareness-raising campaigns'¹. This is also something explicitly provided for in Directives 2000/43/EC (Article 10) and 2000/78/EC (Article 12), under which the Member States are required to bring the provisions adopted with regard to equal treatment to the attention of the people concerned '*by all appropriate means*'.

Furthermore, in view of the delays in certain Member States in the transposition of the directives referred to above, and the infringement proceedings the Commission has had to open against some of them, your rapporteur hopes that the European Year of Equal Opportunities will mobilise the general public and thereby create a climate which brings pressure to bear on the Member States that are dragging their feet.

Your rapporteur therefore suggests that the emphasis be placed on two main principles:

- treat all forms of discrimination similarly and combat them in the same manner. In this way, all the forms of discrimination set out in Article 13 of the Treaty, and also in Article 21 of the Charter of Fundamental Rights must be addressed in all the Member States during the European Year of Equal Opportunities for All. It should be pointed out in this respect that Article 21 of the Charter, which is an integral part of the Constitutional Treaty (Part II, Title III, Article II-81), refers to several types of discrimination that do not appear in Article 13 of the EC Treaty, being worded as follows: 'Any discrimination based on any ground such as sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation shall be prohibited.'
- draw attention to and provide information on the existing legislation to enable the citizens of Europe to make it their own. This will ensure that the European Year of Equal Opportunities continues to have an impact after 2007, in promoting better transposition and implementation of European legislation at a national level.

In this respect, your rapporteur considers that the involvement of society as a whole in this European Year should be encouraged so that, as is the Commission's own desire, the event reaches beyond traditional interest groups on equality issues. In practice, that entails putting in place a decentralised organisational system, not least at regional and urban area level, in order to bring this European Year closer to the public, and also strengthening NGO participation at every stage of the process, from preparation to implementation to evaluation. Moreover, the European Year must promote the activities of specialist NGOs in the fight against discrimination and enable dialogue to be enhanced between all the players concerned (NGOs, public authorities, European authorities, etc.).

Furthermore, your rapporteur notes that, as the Commission indicates in its Green Paper on Equality and non-discrimination, only a minority of Member States make a direct link

¹ Moraes Report, paragraph 58, second indent.

between measures to combat discrimination and those to combat social exclusion, when these are two related phenomenon. Besides this, the directives relating to racial equality and the field of employment, as well as the multi-annual programme for combating discrimination are part of a far broader Community aimed at promoting the integration and participation of disadvantaged groups¹. Your rapporteur would therefore like a clear link between discrimination and exclusion to be established and highlighted as part of the European Year of Equal Opportunities for All, and for just as much emphasis to be placed on the importance of integration as on the benefits of diversity.

Lastly, this European Year must address the issue of multiple discrimination. Some persons or communities are discriminated against on several grounds (social origin and ethnic origin, etc.). The European Year of Equal Opportunities for All must focus consideration on the best way to combat such multiple discrimination.

¹ See COM(2004) 379 final, p. 22.

5.10.2005

OPINION OF THE COMMITTEE ON WOMEN'S RIGHTS AND GENDER EQUALITY

for the Committee on Civil Liberties, Justice and Home Affairs

on the proposal for a decision of the European Parliament and of the Council on the European Year of Equal Opportunities for All (2007) - Towards a Just Society (COM(2005)0225 – C6-0178/2005 – 2005/0107(COD))

Draftswoman: Eva-Britt Svensson

AMENDMENTS

The Committee on Women's Rights and Gender Equality calls on the Committee on Civil Liberties, Justice and Home Affairs, as the committee responsible, to incorporate the following amendments in its report:

Text proposed by the Commission¹

Amendments by Parliament

Amendment 1 Recital 2

Non-discrimination is a fundamental principle of the European Union. **Article 21 of the Charter of Fundamental Rights of the European Union** prohibits discrimination on a variety of grounds.

Non-discrimination is a fundamental principle of the European Union. **Article 13 of the Treaty establishing the European Community** prohibits discrimination on a variety of grounds, **as does Article 21 of the Charter of Fundamental Rights of the European Union.**

Justification

The Charter of Fundamental Rights is not yet binding. Accordingly, it is more appropriate to refer also to Article 13 of the ECT, which establishes the principle that all forms of discrimination are to be combated.

Amendment 2

¹ OJ C ..., 19.9.2005, p. ...

Recital 7

European legislation has significantly raised the level of guaranteed equality and protection against inequalities and discrimination across the EU and acted as a catalyst for the development of a more coherent, rights-based approach to equality and non-discrimination.

European legislation has significantly raised the level of guaranteed equality and protection against inequalities and discrimination across the EU and acted as a catalyst for the development of a more coherent, rights-based approach to equality and non-discrimination. ***Despite this fact, citizens in the EU still encounter discrimination and unequal treatment in their daily lives.***

Amendment 3
Recital 7 a (new)

(7a) Gender equality is not a question of a minority group facing inequality. Gender inequality predominantly affects the majority of the population, and it is essential that differences based on gender be taken fully into account in action in relation to age, disability, religion or belief, race and sexual orientation.

Amendment 4
Recital 8

(8) Key to the successful impact of the Community non-discrimination legislative framework is the extent to which it enjoys broad popular support. The European Year should act as a catalyst in raising awareness and in building momentum. It should help to focus political attention and mobilise everyone concerned in order to drive forward the new equal opportunities framework strategy of the European Union.

(8) Key to the successful impact of the Community non-discrimination legislative framework is the extent to which it enjoys broad popular support. The European Year should act as a catalyst in raising awareness and in building momentum. It should help to focus political attention and mobilise everyone concerned in order to drive forward the new equal opportunities framework strategy of the European Union ***and gender mainstreaming.***

Amendment 5
Recital 9

The varying levels of progress made at national level and the differing national socio-economic, and cultural contexts and sensitivities call for the bulk of activities of the Year to be decentralised at national level, through a system of indirect centralised management in accordance with the procedures as laid down in article 54(2)(c) of the Financial Regulation and its implementing rules.

The varying levels of progress made at national level and the differing national socio-economic, and cultural contexts and sensitivities call for the bulk of activities of the Year to be decentralised at national level, through a system of indirect centralised management in accordance with the procedures as laid down in article 54(2)(c) of the Financial Regulation and its implementing rules. ***In particular, social partners and relevant non-governmental organisations must be encouraged to participate in order to attain the objectives.***

Amendment 6
Article 2, point (a)

(a) Rights – Raising awareness on the right to equality and non-discrimination - The European Year will highlight the message that all people, irrespective of their sex, racial or ethnic origin, religion or belief, disability, age and sexual orientation are entitled to equal treatment.

(a) Rights - Raising awareness on the right to equality and non-discrimination (***most Community legislation on equality - that is, more than ten directives - is gender equality legislation***) - The European Year will highlight the message that all people, irrespective of their sex, racial or ethnic origin, religion or belief, disability, age and sexual orientation are entitled to equal ***opportunities and*** treatment.

Amendment 7
Article 2, point (b)

(b) Representation – Stimulating a debate on ways to increase the participation of under-represented groups in society – The European Year will encourage reflection and discussion on the need to promote their greater participation in society in all sectors and at all levels.

(b) Representation - Stimulating a debate on ways to increase the participation of under-represented groups in society - The European Year will encourage reflection and discussion on the need to promote their greater participation in society in all sectors and at all levels, ***taking into account the fact that women make up more than half the population of the European Union and are under-represented in all sectors of decision-making and at all levels.***

Amendment 8
Article 2, point (c)

(c) Recognition – Celebrating and accommodating diversity – The European Year will highlight the positive contribution that people, irrespective of their sex, racial or ethnic origin, religion or beliefs, capacities, age and sexual orientation can make to society as a whole, in particular by accentuating the benefits of diversity.

(c) Recognition - Celebrating and accommodating diversity - The European Year will highlight the positive contribution that people, irrespective of their sex, racial or ethnic origin, religion or beliefs, capacities, age and sexual orientation can make to society as a whole, in particular by accentuating the benefits of diversity. ***The contribution to society of women of all ages and groups (especially Roma women) is considerable and yet widely underestimated.***

Amendment 9
Article 2, point (d)

(d) Respect and tolerance – Promoting a more cohesive society –The European Year will raise awareness about the importance of, promoting good relations between all in society, and in particular among young people, and promoting and disseminating the values underlying the fight against discrimination.

(d) Respect and tolerance - Promoting a more cohesive ***and responsible*** society - The European Year will raise awareness about the importance of ***eliminating stereotypes, prejudice and violence***, promoting good relations between all in society and in particular among young people, and promoting and disseminating the values underlying the fight against discrimination, ***in particular the responsibility for this which rests with members of the public and civic organisations.***

Amendment 10
Article 2, paragraph 1 a (new)

1a. In all the activities referred to in paragraph 1, the elimination of inequalities and the promotion of equality between men and women shall be a horizontal aim.

Amendment 11
Article 3, paragraph 1, point (c)

(c) cooperation with media, business and enterprise;

(c) cooperation with media, business and enterprise ***at local, regional and national level and non-governmental organisations active in the field of combating discrimination;***

Amendment 12
Article 4, paragraph 3

It shall conduct a regular exchange of views with stakeholders particularly at European level on the design, implementation ***and*** follow-up of the European Year. To that end, the Commission shall make the relevant information available to such stakeholders. The Commission shall inform the Committee established under Article 6(1) of their opinion.

It shall conduct a regular exchange of views with stakeholders particularly at European level on the design, implementation, follow-up ***and assessment*** of the European Year. To that end, the Commission shall make the relevant information available to such stakeholders. The Commission shall inform the Committee established under Article 6(1) of their opinion.

Justification

Stakeholders in the European Year of Equal Opportunities for All must be able to participate fully not only in the design and implementation of the objectives of the European Year but also in its assessment.

Amendment 13
Article 5, paragraph 1, subparagraph 2

Each State shall ensure that this body is involved in the design, definition ***and*** execution of the National Policy Plan to be submitted to the Commission by 31 December 2006 at the latest. National Policy Plans shall consist of translating the objectives set out in Article 2 into the national and cultural contexts.

Each State shall ensure that this body is involved in the design, definition, execution ***and assessment*** of the National Policy Plan to be submitted to the Commission by 31 December 2006 at the latest. National Policy Plans shall consist of translating the objectives set out in Article 2 into the national and cultural contexts.

Justification

The body responsible at national level for the implementation of the European Year should be involved not only in the design of the National Policy Plan which implements the objectives stated for the European Year but also in its assessment at national level.

Amendment 14 Article 6, paragraph 1

1. The Commission shall be assisted by a committee, composed of one representative per State and chaired by a representative of the Commission. The representative per State shall be designated from the national intermediary body as referred to in Article 5(2).

1. The Commission shall be assisted by a committee, composed of one representative per State ***and a few representatives of relevant international organisations*** and chaired by a representative of the Commission. The representative per State shall be designated from the national intermediary body as referred to in Article 5(2).

Amendment 15 Article 6, paragraph 1 a (new)

1a. The Commission and the Member States shall ensure that women and men are equally represented on the Committee.

Amendment 16 Article 7, paragraph 1

1. Measures which are Community-wide in nature, as described in Part I of the Annex, may be subsidised up to 80% or give rise to procurement contracts financed from the general budget of the European Communities.

1. Measures which are Community-wide in nature - ***including initiatives of relevant international organisations*** - as described in Part I of the Annex, may be subsidised up to 80% or give rise to procurement contracts financed from the general budget of the European Communities.

Amendment 17 Article 12

Within the framework of the European Year, the Commission *may* cooperate with the relevant international organisations.

Within the framework of the European Year, the Commission *shall* cooperate with the relevant international organisations.

Amendment 18
Annex, title I, point 3, paragraph 1

Cooperation with corporate, broadcasting and media organisations in particular as partners spreading the information about the European Year

Cooperation with ***non-governmental***, corporate, broadcasting and media organisations in particular as partners spreading the information about the European Year

Justification

Non-governmental organisations should be fully fledged partners in the implementation of the European Year and fully involved in spreading information about it among the general public.

Amendment 19
Annex, title II, paragraph 5, point (c)

(c) Cooperation with corporate, broadcasting and media organisations in particular as partners spreading the information about the European Year at national level

(c) Cooperation with ***nongovernmental***, corporate, broadcasting and media organisations in particular as partners spreading the information about the European Year at national level

Justification

Non-governmental organisations should be fully fledged partners in the implementation of the European Year and fully involved in spreading information about it among the general public.

Amendment 20
Annex, section II, paragraph 1, point (e a) (new)

(ea) has an equal representation of women and men

PROCEDURE

Title	Proposal for a decision of the European Parliament and of the Council on the European Year of Equal Opportunities for All (2007) - Towards a Just Society
References	COM(2005)0225 – C6-0178/2005 – 2005/0107(COD)
Committee responsible	LIBE
Opinion by Date announced in plenary	FEMM 6.9.2005
Enhanced cooperation	No
Draftsman Date appointed	Eva-Britt Svensson 31.8.2005
Discussed in committee	15.9.2005 5.10.2005
Date amendments adopted	5.10.2005
Result of final vote	for: 25 against: 0 abstentions: 1
Members present for the final vote	Edit Bauer, Hiltrud Breyer, Edite Estrela, Claire Gibault, Lissy Gröner, Zita Gurmai, Anneli Jäätteenmäki, Lívia Járóka, Rodi Kratsa-Tsagaropoulou, Urszula Krupa, Pia Elda Locatelli, Astrid Lulling, Angelika Niebler, Marie Panayotopoulos-Cassiotou, Marie-Line Reynaud, Teresa Riera Madurell, Raül Romeva i Rueda, Amalia Sartori, Eva-Britt Svensson, Britta Thomsen, Corien Wortmann-Kool, Anna Záborská
Substitutes present for the final vote	Anna Hedh, Mary Honeyball, Sophia in 't Veld, Karin Resetarits
Substitutes under Rule 178(2) present for the final vote	

PROCEDURE

Title	Proposal for a decision of the European Parliament and of the Council on the European Year of Equal Opportunities for All (2007) - Towards a Just Society			
References	COM(2005)0225 – C6-0178/2005 – 2005/0107(COD)			
Date submitted to Parliament	1.6.2005			
Committee responsible Date announced in plenary	LIBE 6.9.2005			
Committee(s) asked for opinion(s) Date announced in plenary	FEMM 6.9.2005	EMPL 6.9.2005	CULT 6.9.2005	BUDG 6.9.2005
Not delivering opinion(s) Date of decision	CULT 16.6.2005	EMPL 7.9.2005	BUDG 28.9.2005	
Enhanced cooperation Date announced in plenary				
Rapporteur(s) Date appointed	Martine Roure 4.7.2005			
Previous rapporteur(s)				
Simplified procedure – date of decision				
Legal basis disputed Date of JURI opinion				
Financial endowment amended Date of BUDG opinion				
European Economic and Social Committee consulted – date of decision in plenary				
Committee of the Regions consulted – date of decision in plenary				
Discussed in committee	5.9.2005	13.9.2005	4.10.2005	24.11.2005
Date adopted	24.11.2005			
Result of final vote	for: 33 against: 1 abstentions: 0			
Members present for the final vote	Edit Bauer, Johannes Blokland, Mihael Brejc, Kathalijne Maria Buitenweg, Michael Cashman, Giusto Catania, Charlotte Cederschiöld, Carlos Coelho, Agustín Díaz de Mera García Consuegra, Rosa Díez González, Kinga Gál, Patrick Gaubert, Adeline Hazan, Livia Járóka, Ewa Klamt, Magda Kósáné Kovács, Wolfgang Kreissl-Dörfler, Barbara Kudrycka, Stavros Lambrinidis, Sarah Ludford, Edith Mastenbroek, Martine Roure, Inger Segelström, Manfred Weber, Tatjana Ždanoka			
Substitute(s) present for the final vote	Gérard Deprez, Genowefa Grabowska, Jeanine Hennis-Plasschaert, Sylvia-Yvonne Kaufmann, Bill Newton Dunn, Herbert Reul, Marie-Line Reynaud			
Substitute(s) under Rule 178(2) present for the final vote	Sharon Margaret Bowles, Othmar Karas			
Date tabled	28.11.2005			
Comments (available in one language only)				

