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**Dear Equinet Members,**This Members’ Bulletin gathers **the latest European Union (EU) and international developments**. It aims to give you an **overview of relevant policy and legal developments**, as well as latest calls for interest, funding opportunities and upcoming events. We very much hope this members’ bulletin will be useful in your day-to-day work and we would be grateful if you could **disseminate it among your colleagues**. Your feedback is also greatly appreciated. Should you have any comments or further questions, **please do not hesitate to contact Jessica Machacova, Equinet Project Officer** (Jessica.machacova@equineteurope.org / 0032 2 212 31 80).

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# Highlight: Current state of play on the Horizontal Directive

## Friday 26th June 2015: Meeting of the German Federal Anti-Discrimination Agency and its partners in support of the EU Equal Treatment Directive


On 26th of June 2015, Equinet supported the initiative of the German Equality Body and Equinet Member [Federal Anti-discrimination Agency (FADA)](http://www.antidiskriminierungsstelle.de/DE/Home/home_node.html) to raise public awareness on the so-called **Horizontal Directive** and to call on the German Federal Government **to take actions towards unblocking the Directive’s proposal in the EU Council.**

At the meeting, Christine Lüders, head of FADA, gathered representatives of German NGOs and European NGO networks to exchange information about the current political situation in relation to the proposal of the Horizontal Directive and to discuss actions that are needed to move the legislative process towards the adoption of the Directive.

* More information about the meeting can be found on [Equinet’s website](http://www.equineteurope.org/Meeting-of-the-Federal-Anti).
* Read Christine Lüders’ (Head of the FADA) op-ed “Germany stands alone” in [Die Welt](http://www.welt.de/print/die_welt/debatte/article141044899/Deutschland-steht-alleine.html) (in German) and [Equinet summary](http://www.equineteurope.org/Head-of-Germany-s-Equality-Body) of the article
* Read [Equinet’s note for members](http://www.equineteurope.org/spip.php?page=forum_membres_article&id_article=641) on the Horizontal Directive
* Transcript of Anne Gaspard’s speech is available [here](http://www.equineteurope.org/spip.php?page=forum_membres_article&id_article=700) (in English and German).



**“Equality for All”, the Coalition of 10 European Non-Governmental Organisations’ (NGOs) Coalition publishes joint statement “EU equal treatment law: the time is now!”**
In June 2015, 10 European NGOs published a joint statement to call on the Council of the European Union to adopt the Horizontal Directive.

The statement can be found [here](http://www.ilga-europe.org/resources/news/latest-news/eu-equal-treatment-law-time-now).

# Thematic Policy Developments

## General information

**European Parliament: Creation of a new far-right political group**

On 15th June 2015, French National Front leader Marine Le Pen announced the creation of the far-right Anti-EU European Parliament political group [Europe of Nations and Freedom](http://www.europarl.europa.eu/meps/en/search.html?politicalGroup=4907). The group is made up of 37 Members of the European Parliament (MEPs) from **France** (National Front), the **Netherlands** (Partij voor de Vrijheid), the **United-Kingdom** (UKIP), **Poland** (Kongres Nowej Prawicy), **Italy** (Lega Nord), **Austria** (Freiheitliche Partei Österreichs) and **Belgium** (Vlaams Belang).

**European Commission replies to European Parliament’s written question on clear standards for equality bodies**

In April 2015, Members of the European Parliament [Jean Lambert](http://www.europarl.europa.eu/meps/en/4531/JEAN_LAMBERT_home.html) (UK) and [Ulrike Lunacek](http://www.europarl.europa.eu/meps/en/97017/ULRIKE_LUNACEK_home.html) (Austria) addressed the following written question to the European Commission:

Recent Council conclusions on Roma Integration recommended that Member States should ‘support the work and institutional capacity of bodies intended to promote equal treatment by granting them adequate resources’. The Commission’s joint report on the application of Council Directives 2000/43/EC and 2000/78/EC concludes that ‘strengthening the role of the national equality bodies as watchdogs for equality can make a crucial contribution to more effective implementation and application of the directives’.

In the absence of clear, legally binding standards for the independence and effectiveness of Member States' equality bodies, what criteria does the Commission take into account in its assessments and in deciding, including for the purposes of infringement procedures, whether a national equality body is in practice able to, and indeed does, fulfil the tasks required under the EU equal treatment directives?

In the EU accession process it is clear that the Commission looks closely at the independence and internal capacity of accession countries' national equality bodies, as has recently been the case with Croatia(3). Can it explain the discrepancy between the scrutiny of accession countries equality bodies and the lack of clear, legally binding standards for the equality bodies of Member States?

On 19th June 2015, the European Commission communicated its reply to the European Parliament:

Directives 2006/54/EC, 2004/113/EC and 2000/43/EC require Member States to have equality bodies covering discrimination on grounds of sex and racial or ethnic origin. The Directives require these bodies to (i) provide independent assistance to victims of discrimination in pursuing the complaints of discrimination; (ii) conduct independent surveys concerning discrimination; and (iii) publish independent reports and make recommendations on any issue related to such discrimination. It is these requirements that the Commission takes into account in assessing Member States' compliance.

The Commission has strictly monitored the correct transposition of these Directives as regards the equality bodies since these bodies, acting as watchdogs for equality, play a core role in ensuring effective implementation and application of these Directives. The Commission has contacted a number of Member States to inquire about their conformity with these requirements. Last year infringements proceedings were pursued against Finland and Slovenia. Finland was referred to the Court of Justice by the Commission due to this matter but the problem has been successfully resolved in their new legislation and, following this, the Commission decided on 29 April 2015 to withdraw this matter from the Court.

In the same way the Commission strictly monitors the implementation of EU law in countries seeking to accede to the EU.

The question and answer can be found on the [European Parliament’s website](http://www.europarl.europa.eu/sides/getDoc.do?type=WQ&reference=E-2015-005575&format=XML&language=EN).

**European Parliament: the LIBE Committee held hearing for FRA Director Candidates**

On 25th June, 3 candidates for the position of FRA Director faced questions from the LIBE Committee. The three candidates are Michael O’Flaherty (Ireland – UN Human Rights Council Member), Lousewies van der Laan (Netherlands – ICC and former MEP) and Ilze Brands Kehris (Latvia – Former Head of Latvian NHRI).

FRA’s Management Board is then expected to appoint the director on 24-25 September 2015.

## Gender Equality

 **The European Commission withdraws the proposal of recast Maternity Leave Directive**

On 1st July, the European Commission announced the withdrawal of the draft Maternity Leave Directive due to the lack of progress by the Council of the European Union. On the same occasion, it was confirmed that “*The Commission will present a broader initiative which will continue to promote the objectives of the previous proposal and provide minimum protection. The new initiative will take account of the developments in society over the past decade and use the best mix of available policy tools to deliver results as effectively as possible* (…) *Before the withdrawal becomes effective, the Commission will set out its ideas for a new approach in the form of a roadmap towards a new initiative. A public consultation will allow a wide range of stakeholders, in particular the social partners, to contribute their views and ideas. The new initiative will be part of the Commission's Work Programme for 2016*.”

The press release is available [here](http://europa.eu/rapid/press-release_IP-15-5287_en.htm).

***Background information:*** In 2008, the European Commission introduced a [proposal](http://ec.europa.eu/social/BlobServlet?docId=607&langId=en) to revise the **1992 EU Maternity Leave Directive**. In 2010, the proposal was adopted in its first reading by the European Parliament. Since then, **the negotiations were blocked at Council of the EU level** by several Member States. In December 2014, the European Commission announced that, if no agreement was reached by June 2015, it will **withdraw the initial proposal** from the EU legislative process. [EU civil society organisations](http://www.womenlobby.org/spip.php?article7187&lang=en) strongly mobilised to avoid such withdrawal.

**Reminder: Public Consultation – Equality between Women and Men in the EU (Deadline: 21 July 2015)**

Following the [Forum on Future of Gender Equality](http://ec.europa.eu/justice/newsroom/gender-equality/news/150420_en.htm) which was held in April 2015 in Brussels, the European Commission has launched **a call for public consultation** on the topic of equality between men and women. The objective of the consultation is to collect the views of the general public in the context of the preparation of the Commission’s policy on equality between women and men after 2015. **Equality Bodies are listed among consultation target groups**. To participate in the consultation, complete the [questionnaire](http://ec.europa.eu/justice/newsroom/gender-equality/opinion/150421_en.htm) by **21 July 2015**. Read more [here](http://ec.europa.eu/justice/newsroom/gender-equality/opinion/150421_en.htm).

**European Parliament adopts report on the EU strategy for equality between women and men post-2015**

In June 2015, Members of the European Parliament adopted a [report on the future EU Strategy for Equality between Women and Men](http://www.europarl.europa.eu/sides/getDoc.do?type=REPORT&reference=A8-2015-0163&language=EN). The current strategy will come to an end at the end of the year. The European Parliament Report calls on the European Commission to adopt a strong Gender Equality Strategy 2016 – 2020. The report also includes references to multiple discrimination and includes references to women with disabilities, migrant and ethnic minority women, Roma women, older women, single mothers and LGBTI.

**European Parliament – FEMM Committee: New Study on Gender Budgeting**

The European Parliament’s Committee on Women’s Rights and Gender Equality (FEMM) published a [draft report](http://www.europarl.europa.eu/meetdocs/2014_2019/documents/femm/pa/1057/1057817/1057817en.pdf) calling on the Committee on Budgets (BUDG) to integrate gender equality within its annual budgetary procedures. According to the report, EU funding should sustainably support programmes dedicated to tackling gender stereotypes, violence against women, women’s entrepreneurship. The report also calls for setting up a monitoring center on gender violence within the European Institute for Gender Equality (EIGE).

**European Parliament – FEMM Committee: Draft Report on the EU Strategic Framework on Health and Safety at Work 2014-2020**

The European Parliament’s Committee on Women’s Rights and Gender Equality published [a draft report](http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-%2f%2fEP%2f%2fNONSGML%2bCOMPARL%2bPE-557.295%2b01%2bDOC%2bPDF%2bV0%2f%2fEN) calling on the Committee on Employment and Social Affairs in the context of the EU Strategic Framework on Health and Safety at Work 2014-2020. The report urges further developments within the European Commission in relation to the Maternity Leave Directive and protection of women’s health in the workplace (in particular the exposure to toxic substances, increasing number of musculoskeletal diseases and the integration of gender dimension within risk assessments).

## Race/ethnic origin

**The European Commission takes stock of the progress made by EU Member States to promote Roma integration**

According to the [2015 European Commission Annual Report on National Roma Integration Strategies](http://ec.europa.eu/justice/discrimination/files/roma_communication2015_en.pdf), in spite of progress made by EU Member States to promote Roma integration, more efforts are necessary. In a [factsheet](http://ec.europa.eu/justice/discrimination/files/roma_factsheet2015_en.pdf) summarising the report, the European Commission summarises the key steps that have been taken by the European Union to improve the efficiency of the EU Funds for Roma inclusion. It also addresses recommendations to EU Member States to improve the implementation of National Roma Integration Strategies.

**Council of Europe recommends Slovakia to define ambitious targets to improve social inclusion of Roma and persons with disabilities**

Following a country visit to Slovakia, Nils Muižnieks, Council of Europe Commissioner for Human Rights declared: “Although Slovakia has taken important measures to advance its human rights agenda, much more ambitious targets need to be set for eradicating the social exclusion and marginalisation of Roma and persons with disabilities. Also much more should be done to reinforce the effectiveness of the existing national human rights institutions”. More information are available [here](http://www.coe.int/en/web/commissioner/-/slovakia-should-set-ambitious-targets-for-the-social-inclusion-of-roma-and-persons-with-disabilities).

## Religion and Belief

**The European Commission holds annual high-level meeting with religious leaders**

The First Vice-President of the European Commission Frans Timmermans recently hosted the [2015 annual high-level meeting with religious leaders](http://ec.europa.eu/justice/newsroom/fundamental-rights/news/150616_en.htm). The meeting gathered 15 religious leaders from Christian, Jewish, Muslim, Hindu, Buddhist and Mormon communities. According to the European Commission, “high-level meetings and working level discussions are held regularly between the European Commission and churches and religious associations and communities as well as philosophical and non-confessional organisations."

**The European Commission plans the first Annual Colloquium on Fundamental Rights in the EU on religious discrimination**

**On 1st and 2nd October 2015**, the First Vice-President of the European Commission, Frans Timmermans, in cooperation with the EU Commissioner for Justice, Consumers and Gender Equality, Věra Jourová, will host the first Annual Colloquium on Fundamental Rights in the EU. This year, the Colloquium will focus on **“Tolerance and respect: preventing and combating anti-Semitic and anti-Muslim hatred in Europe”.** More information and the draft programme can be found [here](http://ec.europa.eu/justice/events/colloquium-fundamental-rights-2015/index_en.htm).

## Disability

**The European Commission launches the European Mobility Card**

On 30th June, EU Commissioner for Employment, Social Affairs, Skills and Labour Mobility announced the upcoming launch of the call for tenders to set up the European Mobility Card system. The European Mobility Card will allow persons with disabilities to travel more easily from one EU country to another. They will benefit from the same reductions in the areas of culture, leisure, sport and transport under the conditions offered in their countries.

More information about the European Mobility Card is available [on the European Disability Forum's website.](http://www.edf-feph.org/Page_Generale.asp?DocID=13855&thebloc=34320)

**The European Commission published its replies to the UN Committee on the Rights of Persons with Disabilities**

On 22nd June 2015, the European Commission published [its replies to the list of issues](http://ec.europa.eu/social/main.jsp?langId=en&catId=89&newsId=2242&furtherNews=yes) addressed by the UN Committee on the Rights of Persons with Disabilities. The replies prepared by the EU will serve as a basis to the dialogue between the EU and the UN Committee (27-28 August 2015, Geneva) in the context of the review of the implementation of the UN Convention for the Rights of Persons with Disabilities by the EU.

# Latest publications, funding opportunities and calls for proposals

## General information

* **Fundamental Rights Agency of the EU (FRA):** [publication of FRA’s **2014 Annual Report**](http://fra.europa.eu/en/publication/2015/fundamental-rights-challenges-and-achievements-2014)

The report highlights several policy and legal achievements made by EU Member States in the field of fundamental rights and equality. However, many issues remain alarming, in particular in relation to migration, social exclusion, poverty of children and emerging xenophobic speech by certain political parties.

* **Fundamental Rights Agency of the EU (FRA):** [new version of the **Charterpedia and case law database**](http://fra.europa.eu/en/news/2015/new-look-fras-charterpedia-and-case-law-database)

## Gender Equality

* **European Commission:** [independent experts’ report on the **gender pension gap** in the EU](http://ec.europa.eu/justice/newsroom/gender-equality/news/150618_en.htm)
* **European Institute for Gender Equality (EIGE):** [Publication of the **Gender Equality Index 2015**](http://eige.europa.eu/content/document/gender-equality-index-2015-measuring-gender-equality-in-the-european-union-2005-2012) – Measuring gender equality in the European Union 2005 - 2012

The Gender Equality Index assesses the level of gender equality with numeric scores from 1 to 100 (where 100 represents the full gender equality in all areas of social and political life) and looks at the achievements made in three time periods: 2005, 2010 and 2012. It is based on EU policy priorities and it assesses the impact of gender equality policies in the European Union and by Member States over time.

* **European Institute for Gender Equality (EIGE):** Study “[Estimation of the number of girls at risk of **female genital mutilation** in the EU](http://eige.europa.eu/content/news-article/estimating-the-number-of-girls-at-risk-of-female-genital-mutilation-in-the-eu)”
* **Fundamental Rights Agency of the EU (FRA):** [FRA **violence against women** survey – new dataset released](http://fra.europa.eu/en/news/2015/fra-violence-against-women-survey-dataset-released)

## Race/ethnic origin

* **Council of Europe – European Commission against Racism and Intolerance (ECRI):** new reports on combating racism and intolerance in [Albania](http://www.coe.int/t/dghl/monitoring/ecri/Library/PressReleases/189-09_06_2015_Albania_en.asp), [Hungary](http://www.coe.int/t/dghl/monitoring/ecri/Library/PressReleases/190-09_06_2015_Hungary_en.asp) and [Poland](http://www.coe.int/t/dghl/monitoring/ecri/Library/PressReleases/191-09_06_2015_Poland_en.asp)

## Age

* **European Commission: Participation Study** [“Evaluation of legislation, policy and practice of child participation in the EU”](http://bookshop.europa.eu/en/evaluation-of-legislation-policy-and-practice-of-child-participation-in-the-eu-pbDS0614240/)
* **European Parliament –** Study [“Elderly Women Living Alone: an update of their living conditions”](http://www.europarl.europa.eu/RegData/etudes/STUD/2015/519219/IPOL_STU%282015%29519219_EN.pdf)

# Recent case-law

## European Court of Human Rights (ECHR)

* **Committee of Ministers: decisions on the execution of European Court of Human Rights judgments**

“The [Council of Europe] Committee of Ministers published the decisions and resolutions adopted at its 1230th special “human rights” meeting (9-11 June 2015) during which it **has examined the state of implementation of judgments of the European Court of Human Rights**.”

A list of cases has been subjected to detailed examination. More information can be found on the [Council of Europe’s website](http://www.coe.int/en/web/portal/-/committee-of-ministers-decisions-on-the-execution-of-european-court-of-human-rights-judgmen-2).

* **Delfi AS v Estonia (Grand Chamber Judgment – application n°64569/09 – 16 June 2015)**

In the Grand Chamber Judgment in the case of [Delfi AS v. Estonia](http://hudoc.echr.coe.int/sites/eng/pages/search.aspx?i=001-126635#{"itemid":["001-126635"]}) (application no. 64569/09) dated 16 June 2015, the European Court of Human Rights found by fifteen votes to two, that there had been no violation of Article 10 (freedom of expression) of the European Convention on Human Rights.

Full analysis of the case by Equinet Secretariat is available [here](http://www.equineteurope.org/Delfi-AS-v-Estonia).

* **Costel Gaciu v. Romania (Application n°39633/10 – 23 June 2015)**

The applicant, Costel Gaciu, is a Romanian national who was born in 1972 and lives in Gherla (Romania).

The case concerned his complaint about his pre-trial detention for one year and ten months, without conjugal visits and in conditions he alleged had been inhuman.

Relying on Article 3 (prohibition of inhuman or degrading treatment), he alleged in particular that the Cluj detention centre and Gherla Prison had been overcrowded and had had poor ventilation and hygiene. He also complained about the refusal of his requests for conjugal visits during his pre-trial detention solely because he had not been a convicted prisoner, in breach of Article 8 (right to respect for private and family life) and Article 14 (prohibition of discrimination). The Court established a violation of Article 3 (degrading treatment) and a violation of Article 14 in conjunction with Article 8 and awarded just satisfaction to the amount of EUR 9,800 (non-pecuniary damage) and EUR 1,400 (costs and expenses).

The case is available [here](http://www.juridice.ro/wp-content/uploads/2015/06/CASE-OF-COSTEL-GACIU-v.-ROMANIA.pdf).

* **Sidabras and others v. Lithuania (n° 50421/08 - 23 June 2015)**

Case concerning legislation banning former KGB employees from working in the private sector. Press release and case are available [here](http://hudoc.echr.coe.int/sites/eng/Pages/search.aspx#{"documentcollectionid2":["GRANDCHAMBER","CHAMBER"],"itemid":["003-5115466-6308530"]}).

* **Koroshenko v. Russia (Grand Chamber Judgment – application n°41418/04 – 30 June 2015)**

In today’s Grand Chamber judgment1 in the case of Khoroshenko v. Russia (application no. 41418/04) the European Court of Human Rights held, unanimously, that there had been a violation of Article 8 (right to respect for private and family life) of the European Convention on Human Rights. The Court decided the case on the basis of Article 8 and did not analyse the complaints under Article 14.

The Court found in particular that the strict regime had been disproportionate to the aims pursued and that such a regime seriously complicated a prisoner’s social reintegration and rehabilitation. Given that a majority of Council of Europe member States did not make a distinction between life prisoners and other prisoners as regards the prison regime and that in those States the minimum frequency of family visits allowed for life prisoners was not lower than once every two months, Russia had only a narrow room for manoeuvre (“margin of appreciation”) in this field.

The case can be found [here](http://hudoc.echr.coe.int/sites/eng/pages/search.aspx?i=001-156006#{"itemid":["001-156006"]}).