

#### **4) Non-discrimination in development aid**

##### ***a. Commission Regulation (EC) No 718/2007 of 12 June 2007 implementing Council Regulation (EC) No 1085/2006 establishing an instrument for pre-accession assistance (IPA)***

*Official Journal L 170, 29/06/2007 P. 0001 – 0066, last amended by Commission Implementing Regulation (EU) No 813/2012 of 12 September 2012, Official Journal L 247, 13/09/2011 P. 0012 - 0012*

##### *Article 3 Principles of assistance*

The Commission shall ensure that the following principles apply in relation to assistance under the IPA Regulation:

- Assistance granted shall respect the principles of coherence, complementarity, coordination, partnership and concentration.
- Assistance shall be coherent with EU policies and shall support alignment to the *acquis communautaire*.
- Assistance shall comply with the budgetary principles laid down in the Council Regulation (EC, Euratom) No 1605/2002.
- Assistance shall be consistent with the needs identified in the enlargement process and absorption capacities of the beneficiary country. It shall also take account of lessons learned.
- The ownership of the programming and implementation of assistance by the beneficiary country shall be strongly encouraged and adequate visibility of EU intervention shall be ensured.
- Operations shall be properly prepared, with clear and verifiable objectives, which are to be achieved within a given period.
- Any discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation shall be prevented during the various stages of the implementation of assistance.
- The objectives of pre-accession assistance shall be pursued in the framework of sustainable development and the Community promotion of the goal of protecting and improving the environment.

##### ***b. Regulation (EC) No 1905/2006 of the European Parliament and of the Council of 18 December 2006 establishing a financing instrument for development cooperation***

*Official Journal L 378, 27/12/2006 P. 0041 – 0071, last amended by Regulation (EU) No 1341/2011 of the European Parliament and of the Council of 13 December 2011, Official Journal L 347, 30/12/2011 P. 0034 - 0040*

##### *Article 5 Geographic programmes*

1. A geographic programme shall encompass cooperation in appropriate areas of activity with partner countries and regions determined on a geographical basis.

2. Consistently with the overall purpose and scope, objectives and general principles of this Regulation, Community assistance to the countries of Latin America, Asia, Central Asia, and the Middle East as set out in Annex I, as well as South Africa, shall include actions within the following areas of cooperation:

(a) supporting the implementation of policies aimed at poverty eradication and at the achievement of the MDGs;

Human development:

(b) addressing the essential needs of the population with prime attention to primary education and health, in particular by:

Health:

(i) increasing access to and provision of health services for lower income population groups and marginalised groups, including women and children, persons belonging to groups subject to ethnic, religious or any other discrimination and persons with disabilities, with a central focus on the related MDGs, namely reducing child

mortality, improving maternal and child health and sexual and reproductive health and rights as set out in the Cairo Agenda of the International Conference on Population and Development (ICPD), addressing poverty diseases, in particular HIV/AIDS, tuberculosis and malaria;

(...)

***c. Council Regulation (EC) No 1083/2006 of 11 July 2006 laying down general provisions on the European Regional Development Fund, the European Social Fund and the Cohesion Fund and repealing Regulation (EC) No 1260/1999***

*Official Journal L 210, 31/07/2006, P. 25–78, last amended by Regulation (EU) No 423/2012 of the European Parliament and of the Council of 22 May 2012, Official Journal L 133, 23/05/2012 P. 0001 - 0006*

*[Whereas]*

(30) In the context of its effort in favour of economic and social cohesion, the Community, at all stages of implementation of the Funds, has as its goals to eliminate inequalities and to promote equality between men and women as enshrined in Articles 2 and 3 of the Treaty, as well as combating discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation.

***Article 16 Equality between men and women and non-discrimination***

The Member States and the Commission shall ensure that equality between men and women and the integration of the gender perspective is promoted during the various stages of implementation of the Funds.

The Member States and the Commission shall take appropriate steps to prevent any discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation during the various stages of implementation of the Funds and, in particular, in the access to them. In particular, accessibility for disabled persons shall be one of the criteria to be observed in defining operations co-financed by the Funds and to be taken into account during the various stages of implementation.

***d. Regulation (EC) No 1080/2006 of the European Parliament and of the Council of 5 July 2006 on the European Regional Development Fund and repealing Regulation (EC) No 1783/1999***

*Official Journal L 210, 31/07/2006, P. 1–11, last amended by Regulation (EU) No 437/2010 of the European Parliament and of the Council of 19 May 2010, Official Journal L 132, 29/05/2010 P. 0001 – 0002*

*[Whereas]*

(8) The Member States and the Commission should ensure that there is no discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation during the various stages of implementation of the operational programmes co-financed by the ERDF.

***e. Council Regulation (EC) No 1698/2005 of 20 September 2005 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD)***

*Official Journal L 277, 21/10/2005 P. 0001 – 0040, last amended by Regulation (EU) No 1312/2011 of the European Parliament and of the Council of 19 December 2011, Official Journal L 339, 21/12/2011 P. 0001 - 0003*

### **Chapter III Principles of assistance**

***Article 8 Equality between men and women and non-discrimination***

Member States and the Commission shall promote equality between men and women and shall ensure that any discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation is prevented during the various stages of programme implementation.

This includes the stages of design, implementation, monitoring and evaluation.

***f. Regulation (EC) No 1257/96 of 20 June 1996 concerning humanitarian aid***

*Official Journal L 163, 02/07/1996 P. 0001 – 0006, last amended by Regulation (EC) No 219/2009 of the European Parliament and of the Council of 11 March 2009, Official Journal L 087, 31/03/2009 P. 0109 – 0154*

*[Whereas]*

(...)

Whereas humanitarian aid, the sole aim of which is to prevent or relieve human suffering, is accorded to victims without discrimination on the grounds of race, ethnic group, religion, sex, age, nationality or political affiliation and must not be guided by, or subject to, political considerations.

(...)