

## 5) Different recommendations and resolutions

### *a. Council resolution of 5 December 2007 on the follow-up of the European Year of Equal Opportunities for All (2007)*

*Official Journal C 308, 19/12/2007 P. 0001 – 0005*

THE COUNCIL OF THE EUROPEAN UNION,

Recalling that:

1. non-discrimination and equal treatment, as enshrined in particular in Articles 2, 3 and 13 of the EC Treaty, are fundamental principles of the European Union that should be taken into account in all the European Union's policies;

2. Article 21 of the Charter of Fundamental Rights of the European Union recognises the prohibition of discrimination on a variety of grounds and that Article 23 of that Charter recognises the requirement that equality between men and women be ensured in all areas;

(...)

Considering that:

1. despite much progress in promoting equality and fighting discrimination thanks, inter alia, to the adoption of equality legislation and to the setting up of national equality bodies, inequality and discrimination on the grounds of sex, racial or ethnic origin, age, disability, religion or belief, or sexual orientation continue to exist in the EU, at a substantive cost to the individual women and men concerned and European societies as a whole;

(...)

Noting that:

1. equality policies are essential instruments for social cohesion, economic growth, prosperity and competitiveness and thus for the Lisbon Strategy for Growth and Employment;

2. the three Directives implementing the principle of equal treatment adopted so far under Article 13 are: Council Directive 2000/43/EC [5] covering discrimination on the grounds of racial or ethnic origin in the areas of employment, access to goods and services, education and social protection; Council Directive 2000/78/EC [6] covering all the other discrimination grounds i.e. religion or belief, disability, age or sexual orientation in the field of employment and occupation, and Council Directive 2004/113/EC [7] covering discrimination on the grounds of sex in the area of access to and supply of goods and services;

(...)

5. it is essential that actions fighting discrimination on the grounds of racial or ethnic origin, religion or belief, disability, age or sexual orientation take into account the different ways in which women and men experience discrimination;

(...)

7. the benefits of diversity, both for European societies and individuals, should be highlighted through the positive contribution that can be made by all people, irrespective of their sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation;

(...)

Invites Member States and the European Commission, in accordance with their respective competencies:

1. to ensure full and effective implementation and evaluation of existing anti-discrimination laws and gender equality legislation;

2. to strengthen efforts to prevent and combat discrimination based on sex, race or ethnic origin, religion or belief, disability, age or sexual orientation, inside and outside the labour market;

(...)

19. to firmly condemn and take all necessary measures to prevent all forms of discrimination against people on the basis of their religion or belief;

***b. Recommendation of the European Parliament and of the Council of 20 December 2006 on the protection of minors and human dignity and on the right of reply in relation to the competitiveness of the European audiovisual and on-line information services industry***

*Official Journal L 378, 27/12/2006 P. 0072 – 0077*

*[Whereas]*

(5) The Community has already intervened in the field of audiovisual and information services in order to create the necessary conditions to ensure the free movement of television broadcasts and other information services, in compliance with the principles of free competition and freedom of expression and information, but it should act with greater determination in this area with the aim of adopting measures to protect consumers from incitement to discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation and of combating any such discrimination. Such action should strike a balance between the protection of individual rights on the one hand and freedom of expression on the other, in particular with respect to Member States' responsibility for defining the notion of incitement to hatred or discrimination in accordance with their national legislation and moral values.

(...)

(18) The audiovisual and on-line information services industry should be encouraged at Member State level to avoid and to combat any type of discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation in such media and all advertising, including new advertising techniques, without infringing freedom of expression or of the press.

(...)

HEREBY RECOMMEND THAT:

I. The Member States, in the interests of promoting the development of the audiovisual and on-line information services industry, take the necessary measures to ensure the protection of minors and human dignity in all audiovisual and on-line information services by:

(...)

3. promoting a responsible attitude on the part of professionals, intermediaries and users of new communication media such as the Internet by:

(a) encouraging the audiovisual and on-line information services industry, without infringing freedom of expression or of the press, to avoid all discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation, in all audiovisual and on-line information services, and to combat such discrimination,

(...)

II. The audiovisual and on-line information services industry and other parties concerned:

(...)

4. consider effective means of avoiding and combating discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation in audiovisual and on-line information services and of promoting a diversified and realistic picture of the skills and potential of men and women in society.

***c. Recommendation of the European Parliament and of the Council of 18 December 2006 on key competences for lifelong learning***

*Official Journal L 394, 30/12/2006 P. 0010 – 0018*

**ANNEX KEY COMPETENCES FOR LIFELONG LEARNING — A EUROPEAN REFERENCE FRAMEWORK**

*Key Competences*

Competences are defined here as a combination of knowledge, skills and attitudes appropriate to the context. Key competences are those which all individuals need for personal fulfilment and development, active citizenship, social inclusion and employment.

The Reference Framework sets out eight key competences:

(...)

#### 6. Social and civic competences

Definition:

These include personal, interpersonal and intercultural competence and cover all forms of behaviour that equip individuals to participate in an effective and constructive way in social and working life, and particularly in increasingly diverse societies, and to resolve conflict where necessary. Civic competence equips individuals to fully participate in civic life, based on knowledge of social and political concepts and structures and a commitment to active and democratic participation.

Essential knowledge, skills and attitudes related to this competence:

(...)

B. Civic competence is based on knowledge of the concepts of democracy, justice, equality, citizenship, and civil rights, including how they are expressed in the Charter of Fundamental Rights of the European Union and international declarations and how they are applied by various institutions at the local, regional, national, European and international levels. (...)

Full respect for human rights including equality as a basis for democracy, appreciation and understanding of differences between value systems of different religious or ethnic groups lay the foundations for a positive attitude. This means displaying both a sense of belonging to one's locality, country, the EU and Europe in general and to the world, and a willingness to participate in democratic decision-making at all levels. It also includes demonstrating a sense of responsibility, as well as showing understanding of and respect for the shared values that are necessary to ensure community cohesion, such as respect for democratic principles. Constructive participation also involves civic activities, support for social diversity and cohesion and sustainable development, and a readiness to respect the values and privacy of others.

#### ***d. Commission Recommendation of 11 March 2005 on the European Charter for Researchers and on a Code of Conduct for the Recruitment of Researchers (Text with EEA relevance)***

*Official Journal L 075, 22/03/2005 P. 0067 – 0077*

## **ANNEX**

### **SECTION 1 - The European Charter for Researchers**

#### ***GENERAL PRINCIPLES AND REQUIREMENTS APPLICABLE TO EMPLOYERS AND FUNDERS***

##### *Non-discrimination*

Employers and/or funders of researchers will not discriminate against researchers in any way on the basis of gender, age, ethnic, national or social origin, religion or belief, sexual orientation, language, disability, political opinion, social or economic condition.

#### ***e. Council Recommendation of 27 July 1992 on the convergence of social protection objectives and policies***

*Official Journal L 245, 26/08/1992 P. 0049 – 0052*

I. HEREBY RECOMMENDS THAT MEMBER STATES SHOULD:

A. allow their general policy in the area of social protection, without prejudice to the powers of the Member States to establish the principles and organizations of their own systems in the sectors concerned, to be guided by the following principles:

(...)

2. Social benefits should be granted in accordance with the following principles:

(a) equal treatment in such a way as to avoid any discrimination based on nationality, race, sex, religion, customs or political opinion, provided that applicants fulfil the conditions regarding length of membership and/or residence required to be eligible for benefits;