Com 075

COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 25.11.1999
COM(1999) 567 final

1999/0251 (CNS)

Proposal for a

COUNCIL DECISION

establishing a Community Action Programme to combat discrimination 2001 – 2006

(presented by the Commission)

EXPLANATORY MEMORANDUM

THE COMMUNITY'S ANTI-DISCRIMINATION STRATEGY

1. Article 13 of the Treaty establishing the European Community as modified by the Amsterdam Treaty opens the way to appropriate Community action to contribute to combating discrimination on grounds of sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation. It makes it possible to add to the Community's continuing efforts to promote equality between women and men by tackling new grounds of discrimination. The amended Treaty gives a new and significant impetus to Community action in an area where there is some legislative acquis (gender) and where a fruitful co-operation has been developed with civil society (in particular, gender, disability, antiracism).

2. To combat discrimination, the Community needs to use all the instruments at its disposal, in a co-ordinated and integrated strategy. Legislation is a key component of such a strategy, but it is only one component. Decades of Community efforts to promote equal treatment and equality between women and men have demonstrated that progress in combating discrimination also requires changes in practices and attitudes and the mobilisation of all the actors concerned. Community efforts with regard to gender equality as well as initiatives with regard to disability and racism have also demonstrated that practical action to enable policy-makers and practitioners to compare and contrast their experiences with those of others can develop their capacity to address discrimination effectively and create the stimulus for policy development.

3. The Community can and should therefore further promote this transnational co-operation as a complement to its legislative action. As part of its package of anti-discrimination proposals, and its two draft directives relating to discrimination in employment and to discrimination on the grounds of ethnic and racial origin, the Commission is therefore proposing a targeted action programme to support Member States' efforts to develop their policies and practices to combat discrimination. It will do this by mobilising actors within the Member States and by encouraging the exchange of information and good practice.

4. In the light of the Commission's intention to continue with specific actions in the field of equality between women and men while integrating a gender dimension into other activities, this programme will not deal specifically with discrimination on grounds of sex, concentrating instead on the other grounds cited in Article 13. The programme will take into account the specificities, but also the similarities, in the experience of discrimination under the different grounds and the methods which have been developed to tackle it. It will therefore enable allow actors to pool their efforts, strengthening the multiplication of good practice and facilitating the development of integrated and co-ordinated co-operation across sectors and grounds. There is no hierarchical ranking of priorities between the grounds

covered by the proposed action programme: it will address discrimination across the board rather than to provide separately for action on the different grounds, incorporating a gender dimension where appropriate.

5. Responsibility for implementing the fight against discrimination rests principally with the Member States. The proposed Community programme is not intended to support action which is already taking place at local, regional and national levels, but is rather intended to add EU value to this action. To this end, the programme will combine support for legislative measures to combat discrimination with broader activities promoting both anti-discriminatory practices, based on a positive approach to diversity, and longer-term changes in attitudes. It will focus on transnational co-operation as a means to improving understanding and practice. As a result, local, regional or national projects focusing on the delivery of policy, rather than the transnational dissemination of good practice, will not be eligible for funding under the programme for their normal activities. The Member States will have an important role to play through the Committee established by Article 6.

6. The Community is already active in the fight against discrimination. In particular, it addresses discrimination in the labour market under the European Employment Strategy and the European Social Fund and its initiatives (INTEGRA and, in the future, EQUAL). There is equally a long and continuing tradition of efforts to promote gender equality, both through specific measures and through mainstreaming equality into other policy areas. The proposed programme takes account of and builds on these efforts while taking as a starting point that discrimination goes beyond the labour market and calls for an integrated and co-ordinated approach. It is designed to be coherent with and complementary to other EU policies, instruments and actions which can contribute to fighting discrimination.

THE STRATEGY FOR THE PROGRAMME

7. Experience of past or current initiatives and programmes on gender equality, disability and racism has shown that the added value of a Community programme in such areas results from its capacity to support legislation and policy development within a European framework through the improving of knowledge, the strengthening of the capacity of actors and the raising of awareness.

8. The evaluation of past initiatives as well as the analysis carried out as part of the preparatory actions for this programme suggest that to create the maximum impact with a limited budget, the programme has to focus on key interventions. It needs to work with target actors who have the ability to ensure cross fertilisation of expertise and to influence developments in policy and practice within the Member States. The strategy is therefore to promote transnational co-operation with and between these actors on a number of key themes which appear to be relevant at EU level. Such themes could be barriers to participation in decision making, access to goods and services, methodologies of mainstreaming and monitoring, the mobilisation of public administrations etc. To ensure that the themes covered remain those of

primary interest within the Member States, the Programme Committee will play a major role in reviewing them on a regular basis.

9. The target actors to be involved include, for example, policy makers in national, regional and local administrations, independent bodies responsible for the fight against discrimination, non-governmental organisations, social partners, research institutes, the media, opinion-formers, social service providers, the judiciary and law enforcement agencies. European-level organisations active in the fight against discrimination and/or in advocacy for people exposed to discrimination will be also major partners in the programme as a whole.

OBJECTIVES

10. Three principal objectives have been identified: first, to assist in analysing and evaluating the extent and nature of discrimination in the Community and the effectiveness of measures to combat it; second, to help to build the capacity of the actors in the Member States and at European level who are active in the fight against discrimination; and third, to promote and disseminate to practitioners and opinion-formers the values and practices underlying the fight against discrimination.

ACTIONS

11. To meet those objectives, the programme divides its activities into three strands, which, taking into account the different levels of experience in combating the different discrimination on the various grounds, will run concurrently:

(a) Strand 1 : improving the understanding of issues related to discrimination through improved knowledge and measurement and through the evaluation of the effectiveness of policies, legislation and practice. This will involve the development of statistical bases, of benchmarks and indicators to assess the effectiveness of anti-discrimination policies and the analysis and evaluation of those policies and the effective dissemination of the lessons learned from the process.

(b) Strand 2 : developing the capacity of target actors to tackle discrimination effectively, including through promoting civil dialogue as a necessary underpinning of policy development at European level. On the one hand, this will involve supporting the transnational exchange of information and good practice between target actors, based on experience which is already taking place in the Member States. The Community would support only those elements which are directly related to transnational exchange: the projects on which the exchange of information is based must be financed from national sources. On the other hand, this strand will also enable the provision of core funding to major European-level networks of organisations to enable them to contribute effectively to the process of European policy development in the field of non-discrimination.

(c) Strand 3 : promoting awareness raising, in particular, to emphasise the EU dimension of the fight against discrimination and to publicise the results of the programme. This will include communication, publications, campaigns, conferences and events in support of the implementation of Community legislation and policy in the field of discrimination. To influence public opinion in general, the programme will concentrate on raising the awareness of opinion formers, with a view to promoting change in society.

ACHIEVING COMPLEMENTARITY

12. Coherence and complementary between all EU actions are necessary to avoid overlaps and to draw maximum benefit from the results obtained.

- The programme will not itself address issues related to discrimination on grounds of sex, but it is important that it should benefit from the lessons already learned from Community and national action in this field and that it should incorporate a gender dimension when addressing other grounds of discrimination. Close links will therefore need to be developed with future actions on equality between women and men.

- Particular attention also has to be paid to ensure the optimal synergy with the Community Initiative EQUAL, which will be a key tool for promoting the development of policy to overcome discrimination in employment. In dealing with employment, therefore, this programme will concentrate on areas where EQUAL will not provide support. This will, in particular, consist of analysing and evaluating data and practice in the Member States, of applying lessons learned under EQUAL to areas beyond employment and of promoting information and awareness activities. This programme will not support actions to exchange good practice between actors in the employment field which are eligible for support under EQUAL, though particular attention will be paid to making optimal use of the lessons which emerge from actions supported by EQUAL. At the same time, the good practice identified under this programme will need to be made available to actors supported by EQUAL and other programmes, for the same reasons.

- A similar approach will be developed with other relevant Union and Community programmes. For instance, the results of action under the new SOCRATES, LEONARDO and YOUTH programmes which relate to the promotion, for example, of non-discriminatory attitudes in schools, training establishments and among young people more widely, will be incorporated into this programme. Adequate co-ordination will also be ensured with relevant initiatives in the area of Justice and Home Affairs with regard to migration policy on the one hand and law enforcement co-operation on the other. This will principally require information about the activities of each programme to be made available to others so that the necessary contacts and connections can be made.

- It will also be important for this programme to make use of research and analysis produced by other Community activities, in particular through the

European Monitoring Centre on Racism and Xenophobia and the Fifth RDT Framework Programme, and vice versa.

13. Achieving this complementarity will require co-ordination mechanisms to be established at Community and Member State levels to co-ordinate the various activities. To ensure complementarity in design and implementation, Commission services responsible for a particular policy area will be involved in relevant aspects of the programmes. Equally, the Member States' representatives in the programme committees, the High Level Groups on Non-Discrimination, on Disability and on Social Exclusion, the Advisory Committee on Equal Opportunities for women and men and, where appropriate, the Employment and Labour Market Committee or other bodies involved in the development of related policies, will be provided with relevant information about the activities of other programmes in order to avoid overlap and to ensure that the programmes capitalise on the results achieved by the others. The question of complementarity will be covered specifically in evaluation reporting.

14. The Member States are in large part responsible for the implementation of actions under the Structural Funds. They need to ensure at their level that there is close co-ordination between officials responsible for the ESF and EQUAL and those responsible for the policy areas covered by the related programmes.

CO-OPERATION WITH THIRD COUNTRIES

15. Under the European Economic Area Agreement and as part of the pre-accession strategy, the Community's policy is to open up participation in Community programmes to the EFTA countries and to candidate countries as widely as possible. It is particularly important to open this programme, as it is designed to support the introduction of non-discrimination legislation pursuant to the adoption of the two accompanying directives. These directives will be applicable to the non-EU members of the EEA following a decision of the EEA Joint Committee. They will also form a part of the Community acquis to which the candidate countries will need to conform prior to accession. In accordance with the intention signalled by the Commission in its Communication on countering racism, xenophobia and anti-Semitism in the candidate countries[1], the Commission therefore proposes to open up the possibility of participation to these countries.

[1] COM (1999) 256 final of 26 May 1999

Proposal for a

COUNCIL DECISION

establishing a Community Action Programme to combat discrimination 2001 – 2006

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 13 thereof,

Having regard to the proposal from the Commission[2],

Having regard to the opinion of the European Parliament[3],

Having regard to the opinion of the Economic and Social Committee[4],

Having regard to the opinion of the Committee of the Regions[5],

(1) Whereas the Union is founded on the principles of liberty, democracy, respect for human rights and fundamental freedoms, and the rule of law, principles which are common to all Member States; whereas in accordance with Article 6(2) of the Treaty on European Union, the Union should respect fundamental rights as guaranteed by the European Convention for the protection of Human Rights and Fundamental Freedoms, as general principles of Community Law;

(2) Whereas the European Parliament has strongly and repeatedly urged the European Union to strengthen its policy in the field of equal treatment and equal opportunities across all grounds of discrimination;

(3) Whereas experience of action at Community level, in particular in the field of gender, has shown that combating discrimination in practice calls for a combination of measures and in particular of legislation and of practical action designed to be mutually reinforcing; whereas similar lessons can be drawn from experience dealing with racial and ethnic origin and disability; whereas the Commission has made proposals to this end[6];

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[2] COM (1999) XXX final
[3] OJ ....
[4] OJ ....
[5] OJ ....
[6] See separate proposals for Directives establishing a General Framework for Employment Equality and implementing the Principle of Equal Treatment between persons irrespective of Racial and Ethnic Origin elsewhere in this package

(4) Whereas the programme should deal with all grounds of discrimination with the exception of sex, which is dealt with by specific Community action; whereas discrimination on different grounds can have similar features and can be combated in similar ways; whereas the experience built up over many years in combating discrimination on some grounds, including sex, can be used to the benefit of other grounds; whereas, however, the specific features of the diverse forms of discrimination should be accommodated; whereas, therefore, the particular needs of people with disabilities should be taken into account in terms of the accessibility of activities and results;

(5) Whereas many non-governmental organisations at the European level have experience and expertise in fighting discrimination, as well as acting at European level as the advocates of people who are exposed to discrimination; whereas they can therefore make an important contribution to understanding the diverse forms and effects of discrimination and to ensuring that the design, implementation and follow-up of the programme take account of the experience of people exposed to discrimination;

(6) Whereas, in accordance with Article 2 of Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission[7], measures for the implementation of Decision should be adopted by use of the advisory procedure provided for in Article 3 of that Decision;

(7) Whereas it is necessary, in order to reinforce the added value of Community action, that the Commission, in co-operation with the Member States, should ensure, at all levels, the coherence and complementarity of actions implemented in the framework of this Decision and other relevant Community policies, instruments and actions, in particular those under the European Social Fund and to promote social inclusion;

(8) Whereas the Agreement on the European Economic Area (EEA Agreement) provides for greater co-operation in the social field between the European Community and its Member States, on the one hand, and the countries of the European Free Trade Association participating in the European Economic Area (EFTA/EEA), on the other; whereas provision should be made to open up this programme to participation by the candidate countries of Central and Eastern Europe, in accordance with the conditions established in the Europe Agreements, in their additional protocols and in the decisions of the respective Association Councils, to Cyprus and Malta, funded by additional appropriations in accordance with the procedures to be agreed with those countries, as well as to Turkey, funded by additional appropriations in accordance with the procedures to be agreed with that country;

(9) Whereas it is necessary for the success of any Community action to monitor and evaluate the results set against the objectives

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[7] OJ L 184, 17.7.1999, p. 23.

(10) Whereas, in accordance with the principles of subsidiarity and proportionality as defined in Article 5 of the Treaty, the objectives of the proposed action concerning the contribution of the Community to combating discrimination cannot be sufficiently achieved by the Member States because, inter alia, of the need for multilateral partnerships, the transnational exchange of information and the Community-wide dissemination of good practice; whereas this Decision does not go beyond what is necessary to achieve those objectives;

HAS ADOPTED THIS DECISION:

Article1

Establishment of the Programme

This Decision establishes a Community action programme to promote measures to combat discrimination based on racial or ethnic origin, religion or belief, disability, age or sexual orientation, hereinafter referred to as 'the programme', for the period from 1 January 2001 to 31 December 2006.

Article 2

Principles

1. For the purpose of this decision, discrimination shall be defined as one person or a group of persons being treated less favourably than another on grounds of racial or ethnic origin, religion or belief, disability, age or sexual orientation; or as the application of an apparently neutral provision which is liable to disadvantage that person or group of persons on the same grounds, unless justified by objective reasons.

2. In designing, implementing and following up the activities under the programme, account will be taken of the experience of people exposed to discrimination.

Article 3

Objectives

The programme shall support and supplement the efforts at the level of the Community and in the Member States to promote measures to combat discrimination, including by complementing legislative developments. It shall have the following objectives:

(a) improve the understanding of issues related to discrimination through improved knowledge and measurement and through the evaluation of the effectiveness of policies and practice;

(b) develop the capacity of target actors (in particular Member States, local and regional authorities, independent bodies responsible for the fight against discrimination , the social partners and non-governmental organisations) to address discrimination effectively, in particular through support for the exchange of information and good practice and networking at European level;

(c) promote and disseminate the values and practices underlying the fight against discrimination.

Article 4

Community actions

1. With a view to achieving the objectives set out in Article 3, the following actions may be implemented within a transnational framework:

(a) analysis of factors related to discrimination, including through the collection of statistics, studies and the development of indicators and benchmarks; and the evaluation of anti-discrimination legislation and practice, with a view to assessing its effectiveness and impact, with effective dissemination of the results;

(b) transnational co-operation between target actors and the promotion of networking at European level between non-governmental organisations active in the fight against discrimination;

(c) awareness raising, in particular to emphasise the European dimension of the fight against discrimination and to publicise the results of the programme, in particular through communications, publications, campaigns and events.

2. Arrangements for the implementation of the Community Actions described in paragraph 1 are set out in the Annex.

Article 5

Implementation of the programme and co-operation with the Member States

1. The Commission shall:

(a) ensure the implementation of the Community actions covered by this programme in conformity with the Annex;

(b) have a regular exchange of views with representatives of non-governmental organisations and the social partners at European level on the design, implementation and follow-up of the programme and on related policy orientations. The Commission shall inform the Committee established under Article 6 of their opinions

(c) promote active partnership and dialogue between all the partners involved in the programme, inter alia to encourage an integrated and co-ordinated approach to the fight against discrimination,.

2. The Commission, in co-operation with the Member States, shall take the necessary steps to:

(a) promote the involvement in the programme of all the parties concerned;

(b) ensure the dissemination of the results of the actions undertaken within the framework of this programme;

(c) provide appropriate information, publicity and follow-up with regard to actions supported by this programme.

Article 6

Committee

1. The Commission shall be assisted by a committee composed of representatives of the Member States and chaired by the representative of the Commission (hereinafter referred to as "the Committee").

2. Where reference is made to this paragraph, the advisory procedure laid down in Article 3 of Decision 1999/468/EC shall apply.

3. The representative of the Commission shall in particular consult the Committee on:

(a) the general guidelines for the implementation of the programme;

(b) the annual budgets and the distribution of funding between measures;

(c) the annual plan of work for the implementation of the programme's actions;

The representative of the Commission shall also consult the Committee on other appropriate matters concerning the implementation of this programme.

4. To ensure the consistency and complementarity of this programme with other measures referred to in Article 7, the Commission shall keep the Committee regularly informed about other Community action contributing to the fight against discrimination. Where appropriate, the Commission shall establish regular and structured co-operation between this Committee and the monitoring committees established for other relevant policies, instruments and actions.

Article 7

Consistency and complementarity

1. The Commission shall, in co-operation with the Member States, ensure overall consistency with other Union and Community policies, instruments and actions, in particular by establishing appropriate mechanisms to co-ordinate the activities of this programme with relevant activities relating to research, employment, equality between women and men, social inclusion, education, training and youth policy and in the field of the Community's external relations.

2. The Commission and the Member States shall ensure consistency and complementarity between action undertaken under this programme and other relevant Union and Community action, in particular under the Structural Funds and the Community Initiative EQUAL.

3. The Member States shall make all possible efforts to ensure consistency and complementarity between activities under this programme and those carried out at national, regional and local levels.

Article 8

Participation of the EFTA/EEA countries, the associated countries of Central and Eastern Europe, Cyprus, Malta and Turkey

This programme shall be open to the participation of:

(a) the EFTA/EEA countries in accordance with the conditions established in the EEA Agreement;

(b) the candidate countries of central and eastern Europe (CEECs) in accordance with the conditions established in the Europe Agreements, in their additional protocols and in the decisions of the respective Association Councils;

(c) Cyprus and Malta, funded by additional appropriations in accordance with procedures to be agreed with these countries;

(d) Turkey, funded by additional appropriations in accordance with procedures to be agreed with that country.

Article 9

Monitoring and evaluation

1. The Commission shall regularly monitor this programme in co-operation with the Member States.

2. The programme shall be evaluated by the Commission with the assistance of independent experts. This evaluation will assess the relevance and effectiveness of actions implemented with regard to the objectives referred to in Article 2. It will also examine the impact of the programme as a whole.

The evaluation will also examine the complementarity between action under this programme and that pursued under other relevant Community policies, instruments and actions.

3. The Commission shall submit to the European Parliament, the Council, the Economic and Social Committee and the Committee of the Regions an evaluation report on the implementation of the programme by 31 December 2005.

Article 10

Entry into Force

This Decision shall enter into force on the date of its publication in the Official Journal of the European Communities.

Done at Brussels,

For the Council
The President

Annex : indications for the implementation of the programme

I. Areas of action

The programme may operate in the following areas :

(a) Promotion of non-discrimination within and by public administrations (e.g. police, judicial systems, health, social security, education);

(b) promotion of non-discrimination within and by the media;

(c) the removal of discriminatory barriers to participation in decision-making and the democratic process;

(d) the removal of discriminatory barriers to access goods and services, including housing, transport, culture, leisure and sport;

(e) the identification of tools and methodologies for the effective monitoring of discrimination;

(f) the identification of tools and methodologies for the effective dissemination of information about rights to equal treatment and non-discrimination

(g) the identification of methodologies for mainstreaming anti-discriminatory policies and practices.

The programme themes may be adapted or supplemented in accordance with the procedure established under Article 6, on the basis of an annual review, taking into account the results of the preparatory actions for this programme and activities under other Community policies, instruments and actions.

In all its activities, the programme will respect the principle of gender mainstreaming.

II. Actions

Strand 1 – Analysis and Evaluation

The following measures may be supported:

(1) the development and dissemination of comparable statistical series on the scale of discrimination in the Community;

(2) the development and dissemination of methodologies and indicators for evaluating the effectiveness of anti-discrimination policy and practice (benchmarking);

(3) the analysis, by means of annual reports, of anti-discrimination legislation and practice, with a view to evaluating its effectiveness and disseminating lessons learned;

(4) thematic studies within the framework of the priority themes comparing and contrasting approaches within and across the different grounds of discrimination.

In implementing this Strand, the Commission will in particular ensure consistency and complementarity with the activities of the European Monitoring Centre on Racism and Xenophobia and of the Community RTD Framework Programme.

Strand 2 – Capacity Building

The following measures may be supported in order to improve the capacity and effectiveness of target actors involved in combating discrimination :

(1) Transnational exchange actions involving a range of actors from at least 4 Member States, consisting of the transfer of information, lessons learned and good practice. Activities may include the comparison of the effectiveness of processes, methods and tools related to the chosen themes; the mutual transfer and application of good practice; exchanges of personnel; the joint development of products, processes, strategy and methodology; the adaptation to different contexts of the methods, tools and processes identified as good practices; and/or the common dissemination of results, visibility materials and events.

(2) Core funding for relevant European-level non-governmental organisations with experience of fighting discrimination and acting as advocates of people exposed to discrimination in order to promote the development of an integrated and co-ordinated approach to the fight against discrimination.

The criteria for determining the organisations to be supported shall be established in accordance with the procedure foreseen in Article 6.

Strand 3 - Awareness Raising

The following measures may be supported:

(1) The organisation of conferences, seminars and events at European level;

(2) The organisation of seminars by the Member States in support of the implementation of Community law in the field of non-discrimination; and the promotion of a European dimension to events organised at national level;

(3) The organisation of European media campaigns and events to support the transnational exchange of information and the identification and dissemination of good practice, including the award of prizes to successful actions under Strand 2, to strengthen the visibility of the fight against discrimination;

(4) The publication of materials to disseminate the results of the programme, including through the construction of an Internet Site providing examples of good practice, a forum for the exchange of ideas and a database of potential partners for transnational exchange actions.

III. Method of Presenting Applications for support

Strand 1 — this Strand will be mainly implemented through calls for tender. For co-operation with National Statistical Offices, the EuroStat procedures will apply.

Strand 2 — Strand 2.1 will be implemented in response to calls for proposals which will be submitted to the Commission.

Strand 2.2 will be implemented in response to calls for proposals which will be submitted to the Commission.

Strand 3 — this Strand will be implemented, in general, in response to calls for tender. However, action under Strand 3.2 and 3.3 may be subsidised in response to requests for subsidies for example from the Member States.

Financial statement

1. TITLE OF OPERATION

Combating discrimination

2. BUDGET HEADINGS INVOLVED (1999 headings)

B3-4101 - (part of) co-operation with charities[8]

-4111 - preparatory measures to combat discriminations[9]

-2006 - pilot projects to promote multicultural integration[9]

3. LEGAL BASIS

Article 13 of the Treaty

4. DESCRIPTION OF OPERATION

4.1. Objectives

The objective is to support efforts to combat discrimination by

- Improving the understanding and knowledge of problems related to discrimination
- Developing the capacity of target actors to address discrimination
- Promoting and disseminating the values and practices of anti-discrimination.

4.2. Period covered

From 1 January 2001 to 31 December 2006 (6 years).

5. CLASSIFICATION OF EXPENDITURE

5.1. Non-compulsory expenditure

5.2. Differentiated appropriations

[8] 1,2 M€ from a total 1999 budget of 3 M€

[9] For the DPB2000, the Commission proposed to join budget lines 4111 and 2006 in a single one dealing with article 13

6. TYPE OF EXPENDITURE

- 100% for contracts for studies and provision of services, meetings of experts and the organisation of conferences and seminars, as well as for publication and dissemination expenditure agreed on the basis of an initiative from the Commission.

- Subsidies generally below 90% of total eligible costs in the case of grants to cover the general running costs of organisations and networks operating at European level (strand 2.2) as well as of grants to cover costs strictly related to transnational operations of exchange of experience at European level (strand 2.1).

7. FINANCIAL IMPACT

Estimates have been based on past experience, in particular the amounts of the above mentioned budget lines.

7.1 Method of calculating total cost of operation (relation between individual and total costs)

	M EUROS Year 1
1. Analysis and evaluation	
• Development of comparable statistical series Co-operation with EuroStat and Nat. Stat. Offices – average of 50 to 60.000 per MS + 200.000 for development work at EU level Amount to be increased to 1.3 as from Year 2	1
• Methodologies and indicators for evaluating policies and practices	
- Studies on methods/indicators Restricted calls for tender (+/- 5 studies +/- 40.000)	0.2
- Related meetings – seminars with independent and governmental experts to discuss progress and proposals (Base : 5 meetings/40 participants)	0.2
• Analysis of legislation/annual reports on legislation , policy and practice/Co-operation with group of experts	
- Reports[10]	0.2
- Groups of experts[11]	1.4

[10] Annual report on discrimination and anti-discrimination. Figures do not include costs of translation and printing

Calls for tender

- Thematic studies 0.4

+/- 3 studies at an average of 100.000

+/- 4 studies at an average of 30.000

Open/restricted calls for tender

Amounts to be increased to 0.6 as from Year 2

- Monitoring : database/external evaluation

Database 0.1 in year 1, updating 0.05 in subsequent years 0.1

Ex post evaluation 0.5 in year 4

TOTAL (Year 1) **3.5**

2. Capacity building and exchange of good practice

- Transnational co-operation operations 2.5

  Average of 12 to 20 operations x average of 250 to 350.000 per year, only 8 to 12 operations of average 200 to 250.000 in Year 1 – (starting phase).

  Increasing from 2.5 to 5 M€ in Year 2

  Calls for proposals each year

- Core-funding of networks of NGOs 3.5

  Average of 600/800.000 – 5 to 6 major networks/ platforms

  Criteria of eligibility to be specified in agreement with the Committee of the programme

  Vade mecum rules and procedures for running costs

[11] Base 5 groups: legal experts for monitoring developments in connection with the different legal instruments/fields (employment/racc); expert group on monitoring of policy and practice related to discrimination, and, to be specified further, groups related to some specific grounds/fields. Cost per group (+/- 15 members/ 1 coordinator): average of 250.000 to 350.000 (including costs of meetings/travels).

grants to be applied.

TOTAL (Year 1) 6

3. Awareness raising

- EU conferences : 4 to 5 major EU conferences on areas relevant to the programme (in Brussels or with the Presidencies) including an annual Conference bringing together all partners of the programme.

  Average cost based on 200 to 250 participants – 2 days of conference : +/- 200.000 per conference

  Grants to Presidencies only 3 conferences on Year 1 0.6

- Support to national events/conferences with a European dimension organised by Member States(rate of co-financing based on degree of European dimension)

  Average 40 to 80.000 / 15 to 20 grants

  Amount to be increased from 0.8 in Year 1 to 1 in Year 2

  Calls for proposals restricted to Member States 0.8

- Media campaigns/events including prizes and support to media and information activities – Grants further to call for proposals or provision of services further call for tender if initiative of the Commission

  (ex: European Day on disability) 0.8

Amount to be increased from 0.8 in Year 1 to 1 in Year 2

- Publications of

- 4 Magazine a year (production – dissemination) 0.1
(only one magazine in Year 1 – amount to be increased to 0.3 as from Year 2)
- specific translation/publication costs in connection with expert groups/studies /reports and conferences etc. 0.2
- other publications, internet site and dissemination costs of above mentioned

annual publications Amount to be increased as from Year 3	0.3
Calls for tender for specific tasks/standard provision of services contracts All these amounts to be slightly increased in the second half of the programme	
TOTAL (Year 1)	**2.8**
OVERALL TOTAL (Year 1)	**12.3**

Note : Enlargement impact to be incorporated later on

7.2 Itemised breakdown of cost

Commitment appropriations EUR million (at current prices)

Breakdown	2001	2002	2003	2004	2005	2006	Total
Analysis and evaluation	3.5	4	4.1	4.6 (1)	4.1	4.5	24.8
Capacity building	6	8.5	9	9	9	9	50.5
Awareness raising/visibility	2.8	3.7	3.9	4.1	4.1	4.5	23.1
Total	12.3	16.2	17	17.7	17.2	18	98.4

(1) ex post evaluation starting in Year 4

7.3 Operational expenditure for studies, experts etc. included in Part B of the budget

Commitment appropriations EUR million (at current prices)

	2001	2002	2003	2004	2005	2006	Total
– Studies and contracts with experts (1)	1	1	1	1	1	1	5
– Meetings of experts (2)	0.2	0.2	0.2	0.3	0.3	0.3	1.2
– Information and publications	0.3	0.3	0.3	0.4	0.4	0.4	2.1
Total	1.5	1.5	1.5	1.7	1.7	1.7	9.3

(1) excluding arrangements with EuroStat

(2) excluding meetings covered by part. A of the budget

7.4 Schedule of commitment and payment appropriations

EUR million

	2001	2002	2003	2004	2005	2006	Total
Commitment appropriations	12.3	16.2	17	17.7	17.2	18	98.4
Payment appropriations							
2001	4						4
2002	6.3	7					13.3
2003	2	7	7.3				16.3
2004		2.2	7.3	7.5			17
2005			2.4	7.5	7.4		17.3
2006				2,4	7.4	9	19.1
2007 and subs.					2.4	9	11.4
Total	12.3	16.2	17	17.7	17.2	18	98.4

8. FRAUD PREVENTION MEASURES

All the measures funded are subject to ex ante, in itinere and ex post analysis by the responsible departments as regards content quality and cost effectiveness. These measures are supplemented by the work, including monitoring in the field, carried out by the financial departments of the Commission and the Court of Auditors. The documents which contractually bind the Commission and the recipients of the payments for anti-fraud measures to ensure that the financial contributions of the Community are used correctly.

9. ELEMENTS OF COST-EFFECTIVENESS ANALYSIS

9.1 Objectives

Responsibility for the fight against discrimination is principally a responsibility of the Member States. The Community should support the efforts of the Member States in this area, combining support for legislative measures to combat discrimination with broader activities promoting both anti-discrimination practices, based on a positive approach to diversity, and long-term changes in attitudes.

Three sub-objectives have been identified to which correspond three major strands for actions under the programme :

- Improving the understanding and knowledge of problem related to discrimination

- Developing the capacity of target actors to address discrimination

– Promoting and disseminating values and practices of anti-discrimination.

The programme will work with a variety of target actors selected from among policy makers in national, regional and local administrations, independent bodies responsible for the fight against discrimination, non-governmental organisations, social partners, research institutes, the media, opinion-formers, social service providers, the judiciary and law enforcement agencies. European-level organisations active in the fight against discrimination and/or in advocacy for people exposed to discrimination will be also major partners in the programme as a whole.

9.2 Grounds for the operation

The Community has had experience of promoting action to combat discrimination on some of the grounds now included in Article 13. Various of these initiatives have been successful in supporting local initiatives with defined beneficiaries, but less so in producing added value at European level. This has been partly because the projects have been on a relatively small scale and because the partnerships across national boundaries have often been rather weak. In addition, the Commission has encountered difficulties in managing the numerous small projects closely enough to draw out and disseminate the lessons which have been learned.

This proposal is designed to remedy these problems by concentrating on a limited number of high-quality, large-scale, co-ordinated initiatives where the emphasis will be on promoting change in the Member States. It will involve Member State governments, local and regional authorities, networks of employers and employees and large scale NGOs and will streamline the funding which has been devoted in the past to a series of ad hoc measures in fields such as race, age and disability.

In this context, the programme will have three strands, which will run concurrently. However, the Community has more experience in dealing with some grounds of discrimination than on others (e.g. more on race and disability discrimination than on age and sexual orientation). This means that there will be more need for studies and analysis, especially in the early stages of the programme, on grounds where there is little experience and more scope for the exchange of existing good practice in tackling other grounds.

The strands will operate as follows:

a) Improving the understanding and knowledge of problems

This strand aims at providing a basic tool for collecting information, putting it into a useable and comparable form and ensuring its dissemination to the target actors in the Member States.

The examination of the current situation reveals that there is relatively little information available about the true scale of discrimination or of the effectiveness of the measures in place to prohibit or discourage it. The

programme should assist actors in the different Member States to learn from the experience of others, with the objective of improving the effectiveness of their efforts to combat discrimination. Information about what is happening in the Member States needs therefore to be made available in a form which is readily accessible and which will be used by the actors.

The measures presented under this strand were defined with a view to stay within a reasonable budgetary envelope and be as cost effective as possible: all these measures are to be implemented within a transnational framework and are targeted in order to get specific outcomes : comparability of statistics through a co-operation process between EuroStat and the national statistical offices, agreed methodologies for benchmarking and evaluation, production of annual reports etc. Preparatory measures under the 1999 budget, and in particular small scale studies, will help to map the situation and enable the programme to begin more efficiently and effectively.

b) developing the capacity of target actors to address discrimination

This strand aims at adding value to the capacity of actors to address discrimination effectively. This is achieved by disseminating to these actors good practices and lessons from experience and involving them in a process of transnational exchange and dialogue at EU level.

Past experience related to the grounds of discrimination has underlined the importance of working in partnership with target actors in the Member States and with organisations advocating the interests of people exposed to discrimination. These target actors hold the wealth of information and expertise on tackling discrimination which can be brought to the benefit of other partners and are the bodies which can affect the delivery of policy in the Member States. A means needs to be found to unlock this information and to put it at the disposal of others. Previous Community action in the fields of sex, race, disability and age discrimination has shown the value of bringing actors together in transnational partnerships which can form the basis for the exchange of good practice.

The strand therefore includes support to specific operations of transnational exchange. As noted above, ex-ante evaluation suggests that the Community should not subsidise local actions which are designed with particular, identifiable beneficiaries in mind, but should resolutely concentrate on the exchange of information and good practices already in place in Member States. The themes of the programme will be defined each year. In doing so, full account will be taken of the developments of the fight against discrimination within all Community policies and programmes. The preparatory actions launched under the 1999 budget should help to identify the areas of promising work and possible priorities for a gradual implementation of the activities under this strand.

This strand also includes support to a limited number of major EU networks of NGOs active in the field of anti-discrimination. Dialogue with the civil society organisations is a key component of the process to mobilise all actors to combat discrimination. It is therefore proposed to promote this dialogue

through EU co-ordination networks which have proved their capacity to bring together a very wide range of NGOs and to act as advocates of those exposed to discrimination. Supporting the running costs of a limited number of networks on the basis of clear commitments and work programme appears to be preferable to supporting a large number of competing bodies and groups only acting as lobbies for their particular interests.

c) promoting and disseminating the values and practices of anti-discrimination

This strand aims at disseminating the lessons of the programme and adding to the momentum needed for the acceptance of change in society. It will contribute to creating the political conditions necessary for legislative or other developments.

Advances in practice and policy have often followed or been accompanied by campaigns of awareness-raising on a particular issue. This has been true in particular in the field of gender and race equality, but also in other areas such as the environment, where campaigns led either by Governments or by grass roots organisations have prepared public opinion for legislative proposals. The prime responsibility for such actions must remain at national level (for it is at national level that the majority of standards are set – Community law aims only to establish minimum standards below which Member States should not fall). But there can be advantages in limited Community action to support activity in the Member States, in particular by facilitating understanding of how other Member States have tackled similar problems.

This strand therefore includes classical information and communication tools (a programme information bulletin and an internet site) and targeted visibility/awareness raising events or campaigns. It will also include subsidies to events organised to support the political themes selected by the successive Presidencies of the Council.

These actions would be implemented as part of the overall information strategy of the Commission. Member States would be invited to play an active role to ensure the complementarity with their initiatives and ensure maximum impact and cost efficiency.

9.3 Monitoring and evaluation of the operation

Given that this programme is designed to encourage new policy responses to discrimination, the functions of monitoring and evaluation naturally form part of the activities implemented, in such a way as to derive maximum benefit from them.

The programme will be monitored throughout its operation. The Programme Committee will receive regular reports prepared by the Commission services. The monitoring will be adapted according to the needs of each of the strands and will include aspects of both quality assurance and financial regularity.

In addition, the programme will be subject to a final evaluation, assisted by external evaluators, to be carried out by 30 June 2005. The results will be fed into an implementation report to the other Community institutions by 31 December 2005. On the basis of the implementation report, the Commission will consider what further action may be necessary.

The framework for the evaluation will be developed in co-operation with the Programme Committee. It will look in particular at the effectiveness, efficiency and relevance of the programme, including in terms of the knowledge transfer achieved (what difference has the programme made in terms of the delivery of non-discrimination policy and practice in the Member States).

The evaluation is to be financed by the budget of the programme and, taking into account the SEM 2000 recommendations with regard to monitoring and evaluation, it is proposed to reserve an indicative amount of 0.5 Meuros for evaluation and 0.35 Meuros for monitoring. An external evaluation team will be selected further to a call for tenders.

10. ADMINISTRATIVE EXPENDITURE (SECTION III, PART A OF THE BUDGET)

Actual mobilisation of the necessary administrative resources will depend on the Commission's annual decision on the allocation of resources, taking into account the number of staff and additional amounts authorised by the budgetary authority.

Administrative expenditure necessary for the implementation of the programme is provided for a fixed period of 6 years from 2000. They do not imply a supplementary budgetary allocation.

10.1 Effect on the number of posts

Type of post		Staff to be assigned to managing the operation		Source		Duration
		Permanent posts	Temporary posts	Existing resources in the DG or department concerned	Additional resources	
Officials or temporary staff	A B C	5.5 2 3		5.5 2 3		6 years
Other resources						
Total		10.5		10.5		

10.2 Overall financial impact of human resources

EUR million

	Amounts (6 years)	Method of calculation
Officials	6.804	Based on average salary cost of 108.000 € per man/year (Headings A1, A2, A4, A5, A7)
Temporary staff		6 years x 10.5 x 108.000 = 6.804.000 €
Other resources (indicate budget heading)		
Total	6.804	

10.3 Increase in other administrative expenditure as a result of the operation

No increase expected.

EUR

Budget heading	Amounts	Method of calculation
A-7010 (missions)	28.000 (1 year) 168.000 (6 years)	Average of 3 missions of 1 day to 1,5 day in each Member State each year – average cost of 590 € (1 day) to 656 € (1,5 day) per mission.
A-7030 (meetings)	119.000 (1 year) 714.000 (6 years)	Regular meetings of the High Level Groups on non-discrimination (2 meetings a year, 2 representatives per Member State), and on disability (2 meetings, 1 representative per MS). Other meetings with NGOs and social partners (2 meetings a year with NGOs, 2 meetings with social partners, 15 to 20 non-governmental experts) – Average cost of 650 € per meeting/person for governmental experts and 750 € for non-governmental experts
A-7031 (obligatory Committees)	29.000 (1 year) 174.000 (6 years)	3 meetings a year of the Programme Committee (1 representative per MS) Average costs of 650 € per governmental experts x 15 MS x 3 meetings = annual cost : 29.250
A-7040 (conferences)	380.000 (1 year) 2.280.000 (6 years)	2 thematic conferences (150 participants) and 1 annual programme conference (250 participants). Organisation by Commission services (SCIC). Total costs include travel and accommodation costs according to Commission rules and related organisation costs. Average of 100.000 € for the thematic conferences and 180.000 € for the annual conference.
Total	556.000 (1 year) 3.336.000 (6 years)	

Calculation based on current expenditure associated with implementation of budget lines B3-2006, 4101 and 4111.
The expenditure set out in the above table under Heading A-7 (obligatory committees, missions and conferences) will be covered by credits within the DG EMPL global envelope.