

The concept of equal opportunities, actions, laws and practices

**_pela Zupan
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1. KAZALO:

EQUAL OPPORTUNITIES-DEFINITION

http://en.wikipedia.org/wiki/Equal_opportunity

Equal opportunity is a descriptive term for an approach intended to provide a certain social environment in which people are not excluded from the activities of society, such as education, employment, or health care, on the basis of immutable traits. Equal opportunity practices include measures taken by organizations to ensure fairness in the employment process.

In job advertisements and descriptions, the fact that the employer is an equal opportunity employer is sometimes indicated by the abbreviations EOE or MFDV which stands for Male, Female, Disabled, Veteran.

Social Theory

In the pursuit of a meritocracy, equal opportunity is essential.

Equal Opportunity is often considered separate from basic Freedoms. For example, Freedom of Speech is usually not within the realm of Equal Opportunity but rather within basic rights. Equal Opportunity consists of additional elements crucial to a meritocracy, such as:

Consideration for employment, housing, and education free from immutable characteristics such as race, age, or disability;
Equal access to goods and services from the government

In practice, methods for fulfilling equal opportunity can be less than complete or ineffective. Indeed, the means by which to measure the success or failure of equal opportunity policies is unclear. *Opportunity* itself is often difficult - if not impossible - to accurately measure. Thus, in practice, equal opportunity is said to exist when people with similar abilities reach similar results (equality of outcome) after doing a similar amount of work. Indeed, equal opportunity and equality of outcome are often seen as complementary. Other societal traditions interfere with equality of opportunity, however; for example, as long as wealth, and thus opportunities, can be passed from one generation to another through inheritance, it is unclear how equality of outcome would come about for two children of similar ability, one born into the elite class and one born into the middle or lower class.

Implementation worldwide

In some countries which have laws on racial equality, affirmative action is rendered illegal by a requirement to treat all races equally. This approach of equal treatment is sometimes described as being "race-blind", in hopes that it is effective against discrimination without engaging in reverse discrimination.

In such countries, the focus tends to be on ensuring equal opportunity and, for example, targeted advertising campaigns to encourage ethnic minority candidates to join the police force. This is sometimes described as "positive action" or "positive discrimination".

- **Brazil.** Some Brazilian Universities (State and Federal) have created systems of preferred admissions (**quotas**) for racial minorities (blacks and native Brazilians), the poor and the handicapped. There are already quotas for the disabled in the civil public services.
- **Canada.** The Canadian Employment Equity Act requires employers in federally-regulated industries to give preferential treatment to four designated groups: Women, people with disabilities, Aboriginal people, and visible minorities. Some provinces and territories also have affirmative action-type policies. For example, in Northwest Territories in the Canadian north, Aboriginals are given preference for jobs and education and are considered to have P1 status. Non-aboriginal people who were born in the NWT or have resided half of their life there are considered a P2, as well as women and disabled peoples. Men receive the lowest priority, P3.
- **Finland.** In certain university education programs, including legal and medical education, there are quotas for Swedish-speaking applicants. The aim of the quotas is to guarantee that a sufficient number of Swedish speaking professionals are educated, thus safeguarding the linguistic rights of the Swedish-speaking Finns. The quota system has met with criticism from the Finnish speaking majority, some of whom consider the system unfair. In addition to these linguistic quotas, women may get preferential treatment in recruitment for certain public sector jobs if there is a gender imbalance in the field.
- **France.** The French Ministry of Defense tried in 1990 to give more easily higher ranks and driving licenses to young French soldiers with North-African origins. After a strong protest by a young French lieutenant in the Ministry of Defense newspaper ("Armées d'aujourd'hui"), this driving license and rank project was canceled. (article: Jean-Pierre Steinhof: "Beur ou ordinaire").
- **Germany.** Article 3 of the German constitution provides for equal rights of all people regardless of sex, race or social background. In recent years there has been a long public debate about whether to issue programs that would grant women a privileged access to jobs in order to fight discrimination. There are programs stating that if men and women have equal qualifications, women have to be preferred for a job. This is typically for all positions in state and university service as of 2007, typically using the phrase "We try to increase the percentage of females in this line of work"
- **India.** **Reservation** in Indian law is a form of affirmative action whereby a percentage of seats are reserved in the Parliament of India, State Legislative Assemblies, Central and State Civil Services, Public Sector Units, Central and State Governmental Departments and in all Public and Private Educational Institutions, except in the Minority and Religious Educational Institutions, for the socially and educationally backward classes of citizens or the Scheduled Castes and Tribes who are perceived by the Government to be inadequately represented in these services and institutions.

Caste is the predominant factor used for Reservation in India, though reservation is also offered based on other parameters like Religion, State of Domicile etc. Central government of India reserves 27% of government jobs and places in higher education^[1], but certain Indian states like Tamilnadu follows this caste based reservation since 1921 and currently reserves 69% seats .

- Japan. Admission to universities as well as all government positions (including teachers) are determined by the entrance exam, which is extremely competitive at the top level. It is illegal to include sex, ethnicity or other social background (but not nationality) in criteria. However, there are informal policies to provide employment and long term welfare (which is usually not available to general public) to Burakumin at municipality level.
- Macedonia. Minorities, most notably Albanians, are allocated quotas for access to state universities, as well as in civil public services.
- New Zealand. Individuals of M_ori or other Polynesian descent are often afforded preferential access to university courses, and scholarships.
- Norway. All public company (ASA) boards with more than five members, must have at least 40 % women (can not be made up of more than 60%). This affects roughly 400 companies.
- Slovakia. The Constitutional Court declared in October 2005 that affirmative action i.e. "providing advantages for people of an ethnic or racial minority group" as being against its Constitution.
- South Africa. The Employment Equity Act and the Broad Based Black Economic Empowerment Act aim to promote and achieve equality in the workplace (in South Africa termed "equity"), by not only advancing people from designated groups but also specifically disadvantaging the others. By legal definition, the designated groups include all people of color, white females, people with disabilities, and people from rural areas. The term "black economic empowerment" is somewhat of a misnomer, therefore, because it covers empowerment of any member of the designated groups, regardless of race. However, government's employment legislation reserves 80% of new jobs for black people and favours black owned companies. It is quota-based, with specific required outcomes. By a relatively complex scoring system, which allows for some flexibility in the manner in which each company meets its legal commitments, each company is required to meet minimum requirements in terms of representation by previously disadvantaged groups. The matters covered include equity ownership, representation at employee and management level (up to board of director level), procurement from black-owned businesses and social investment programs, amongst others.
- Sri Lanka. In 1971 the Standardization policy of Sri Lankan universities was introduced as an affirmative action program for students from areas which had poor educational facilities due to 200 years purposeful discrimination by British colonialists. The British had practised communal favoritism towards Christians and the minority Tamil community for the entire 200 years they had controlled Sri Lanka, as part of a policy of divide and conquer. This is one of the reasons for the Sri Lankan Civil War.
- Sweden. The Swedish democracy, although very careful about minorities' rights and integration, does not allow affirmative action. They are considered barely a kind of discrimination, and although aimed at strengthening workers' rights they are considered not fair. Affirmative actions are also considered to emphasize the minorities' identity as a

different, separate body, actually making weak feel even worse and stigmatized, as they are entitled to something just because of their ascribed characteristics.

- United Kingdom. Positive Discrimination is unlawful in the UK and quotas/selective systems are not permitted. A singular exception to this is a provision made under the 1998 Good Friday Agreement which requires that the Police Service of Northern Ireland recruit equal numbers of Catholics as non Catholics. However a number of people are taking the UK Government to EU Human Rights for breaking the Human Rights Act and the Positive Discrimination Act.
- United States. Affirmative action in the United States occurs in school admissions, job hiring, and government and corporate contracts. Its intended beneficiaries are disadvantaged ethnic minorities, women, people with disabilities, and veterans. Affirmative action has been the subject of numerous court cases, and has been contested on constitutional grounds. California, Michigan, and Washington have banned various forms of affirmative action by government organizations. According to U.S. Office of Personnel Management's annual report "*Federal Equal Opportunity Recruitment Program*", a total of 48,033 new minority employees have been hired by the feds from FY 2001 to FY 2006. During the same period there has been a net decrease of 3,960 white male employees in federal jobs.

<http://www.opsi.gov.uk/acts/en2006/2006en03.htm>

These Notes refer to the Equality Act 2006 (c. 3) which received Royal Assent on 16 February 2006

LAWS & REGULATIONS

EQUALITY ACT 2006

SUMMARY

The Act's main provisions:

- establish the Commission for Equality and Human Rights (CEHR) and define its purpose and functions;
- make unlawful discrimination on the grounds of religion or belief in the provision of goods, facilities and services, education, the use and disposal of premises, and the exercise of public functions;
- enable provision to be made for discrimination on the grounds of sexual orientation in the provision of goods, facilities and services, education, the use and disposal of premises and the exercise of public functions;
- create a duty on public authorities to promote equality of opportunity between women and men ('the gender duty'), and prohibit sex discrimination and harassment in the exercise of public functions.

The CEHR will take on the work of the existing equality Commissions (the Equal Opportunities Commission (EOC), the Commission for Racial Equality (CRE), and the Disability Rights Commission (DRC)) and will additionally assume responsibility for promoting equality and combating unlawful discrimination in three new strands, namely sexual orientation, religion or belief, and age. The CEHR will also have responsibility for the promotion of human rights.

The Act is in six Parts.

Part 1: establishes the CEHR and sets out its duties, general powers, enforcement powers and the interpretation of this Part of the Act. Dissolution of the existing equality Commissions is also covered in this Part of the Act.

Part 2 sets out provisions prohibiting discrimination on grounds of religion or belief in the provision of goods, facilities and services, education, the use and disposal of premises and the exercise of public functions.

Part 3 allows provision to be made by regulations prohibiting discrimination on grounds of sexual orientation in the provision of goods, facilities and services, education, the use and disposal of premises and the exercise of public functions.

Part 4 sets out provisions prohibiting sex discrimination in the exercise of public functions and creates a duty on all public authorities to have due regard to the need to eliminate unlawful discrimination and harassment and to promote equality of opportunity between women and men.

Part 5 contains general supplementary material including repeals, Crown application, commencement and extent.

British law system: (<http://www.opsi.gov.uk/si/si2003/20031660.htm#2>)

The Employment Equality (Religion or Belief) Regulations 2003

Made

26th June 2003

Coming into force

2nd December 2003

PART I: GENERAL

PART II: DISCRIMINATION IN EMPLOYMENT AND VOCATIONAL TRAINING

PART III: OTHER UNLAWFUL ACTS

PART IV: GENERAL EXCEPTIONS FROM PARTS II AND III

PART V: ENFORCEMENT

PART VI: SUPPLEMENTAL

PART I: GENERAL

Interpretation

1. In these Regulations, "religion or belief" means any religion, religious belief, or similar philosophical belief.

2. In these Regulations, references to discrimination are to any discrimination falling within regulation 3 (discrimination on grounds of religion or belief) or 4 (discrimination by way of victimisation) and related expressions shall be construed accordingly, and references to harassment shall be construed in accordance with regulation 5 (harassment on grounds of religion or belief).

3. In these Regulations -

- "act" includes a deliberate omission;
- "benefits" includes facilities and services;
- "detriment" does not include harassment within the meaning of regulation 5;
- references to "employer", in their application to a person at any time seeking to employ another, include a person who has no employees at that time;
- "employment" means employment under a contract of service or of apprenticeship or a contract personally to do any work, and related expressions shall be construed accordingly;
- "Great Britain", except where the context otherwise requires in regulation 26 (protection of Sikhs from discrimination in connection with requirements as to wearing of safety helmets), includes such of the territorial waters of the United Kingdom as are adjacent to Great Britain;
- "Minister of the Crown" includes the Treasury and the Defence Council; and
- "school", in England and Wales, has the meaning given by section 4 of the Education Act 1996[3], and, in Scotland, has the meaning given by section 135(1) of the Education (Scotland) Act 1980[4], and references to a school are to an institution in so far as it is engaged in the provision of education under those sections.

Discrimination on grounds of religion or belief

1. For the purposes of these Regulations, a person ("A") discriminates against another person ("B") if -

(a) on grounds of religion or belief, A treats B less favourably than he treats or would treat other persons; or

(b) A applies to B a provision, criterion or practice which he applies or would apply equally to persons not of the same religion or belief as B, but -

(i) which puts or would put persons of the same religion or belief as B at a particular disadvantage when compared with other persons,

(ii) which puts B at that disadvantage, and

(iii) which A cannot show to be a proportionate means of achieving a legitimate aim.

2. The reference in paragraph (1)(a) to religion or belief does not include A's religion or belief.

3. A comparison of B's case with that of another person under paragraph (1) must be such that the

relevant circumstances in the one case are the same, or not materially different, in the other.

Discrimination by way of victimisation

1. For the purposes of these Regulations, a person ("A") discriminates against another person ("B") if he treats B less favourably than he treats or would treat other persons in the same circumstances, and does so by reason that B has -

(a) brought proceedings against A or any other person under these Regulations;

(b) given evidence or information in connection with proceedings brought by any person against A or any other person under these Regulations;

(c) otherwise done anything under or by reference to these Regulations in relation to A or any other person; or

(d) alleged that A or any other person has committed an act which (whether or not the allegation so states) would amount to a contravention of these Regulations, or by reason that A knows that B intends to do any of those things, or suspects that B has done or intends to do any of them.

2. Paragraph (1) does not apply to treatment of B by reason of any allegation made by him, or evidence or information given by him, if the allegation, evidence or information was false and not made (or, as the case may be, given) in good faith.

Harassment on grounds of religion or belief

1. For the purposes of these Regulations, a person ("A") subjects another person ("B") to harassment where, on grounds of religion or belief, A engages in unwanted conduct which has the purpose or effect of -

(a) Violating B's dignity; or

(b) creating an intimidating, hostile, degrading, humiliating or offensive environment for B.

2. Conduct shall be regarded as having the effect specified in paragraph (1)(a) or (b) only if, having regard to all the circumstances, including in particular the perception of B, it should reasonably be considered as having that effect.

PART IV GENERAL EXCEPTIONS FROM PARTS II AND III

Exceptions for positive action

(1) Nothing in Part II or III shall render unlawful any act done in or in connection with -
(a) affording persons of a particular religion or belief access to facilities for training which would help fit them for particular work; or

(b) encouraging persons of a particular religion or belief to take advantage of opportunities for doing particular work,

where it reasonably appears to the person doing the act that it prevents or compensates for disadvantages linked to religion or belief suffered by persons of that religion or belief doing that work or likely to take up that work.

(2) Nothing in Part II or III shall render unlawful any act done by a trade organisation within the meaning of regulation 15 in or in connection with -

(a) affording only members of the organisation who are of a particular religion or belief access to facilities for training which would help fit them for holding a post of any kind in the organisation; or

(b) encouraging only members of the organisation who are of a particular religion or belief to take advantage of opportunities for holding such posts in the organisation, where it reasonably appears to the organisation that the act prevents or compensates for disadvantages linked to religion or belief suffered by those of that religion or belief holding such posts or likely to hold such posts.

(3) Nothing in Part II or III shall render unlawful any act done by a trade organisation within the meaning of regulation 15 in or in connection with encouraging only persons of a particular religion or belief to become members of the organisation where it reasonably appears to the organisation that the act prevents or compensates for disadvantages linked to religion or belief suffered by persons of that religion or belief who are, or are eligible to become, members.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which are made under section 2(2) of the European Communities Act 1972 (c.68), implement (in Great Britain) Council Directive 2000/78/EC of 27th November 2000 establishing a general framework for equal treatment in employment (OJ L 303, 2.12.2000, p.16) so far as it relates to discrimination on grounds of religion or belief. The Regulations make it unlawful to discriminate on grounds of religion or belief in employment and vocational training. They prohibit direct discrimination, indirect discrimination, victimisation and harassment.

Religion or belief is defined in regulation 2 as meaning any religion, religious belief, or similar philosophical belief.

Direct discrimination, defined in regulation 3(1)(a), occurs where a person is treated less favourably than another on grounds of religion or belief. Indirect discrimination, defined in regulation 3(1)(b), occurs where a provision, criterion or practice, which is applied generally, puts persons of a particular religion or belief at a disadvantage and cannot be shown to be a proportionate means of achieving a legitimate aim. Victimisation, defined in regulation 4, occurs where a person receives less favourable treatment than others by reason of the fact that he has brought (or given evidence in) proceedings, made an allegation or otherwise done anything under or by reference to the Regulations. Harassment, defined in regulation 5, occurs where a person is

subjected to unwanted conduct on grounds of religion or belief with the purpose or effect of violating his dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for him.

Regulations 6 to 21 prohibit discrimination, victimisation and harassment in the fields of employment and vocational training. In particular, they protect employees (regulation 6), contract workers (regulation 8), office-holders (including constables) (regulations 10 and 11), and partners in firms. They not only prohibit discrimination etc by employers, but also by trade organisations (regulation 15), bodies conferring professional and trade qualifications (regulation 16), training providers (regulation 17), employment agencies (regulation 18), and further and higher education institutions (regulation 20). By virtue of regulation 21, discrimination, victimisation or harassment occurring after the relevant relationship has ended is unlawful if it arises out of, and is closely connected to, the relationship. The Regulations also apply to Crown servants and Parliamentary staff (regulations 36 to 38). Regulation 35 and Schedule 4 address the validity of discriminatory terms in contracts and collective agreements.

Not all differences of treatment on grounds of religion or belief are unlawful. There are exceptions in regulations 24 and 25 for differences of treatment related to national security and positive action, and in regulation 26 for the protection of Sikhs in connection with requirements as to the wearing of safety helmets. Regulation 7 provides an exception where being of a particular religion or belief is a genuine and determining occupational requirement for a post if it is proportionate to apply the requirement in the particular case. Regulation 7 also provides an exception for employers with an ethos based on religion or belief where being of a particular religion or belief is a genuine occupational requirement for a post and it is proportionate to apply the requirement in the particular case.

Regulations 27 to 34 provide remedies for individuals, including compensation, by way of proceedings in employment tribunals and in the county or sheriff courts. There are special provisions about the burden of proof in those cases in regulations 29 and 32, which transfer the burden to a respondent to a case once a complainant has established facts from which a court or tribunal could conclude, in the absence of an adequate explanation, that an act of discrimination or harassment has been committed by the respondent. Regulation 33 and Schedules 2 and 3 also include a questionnaire procedure to assist complainants in obtaining information from respondents.

**CHARTER OF FUNDAMENTAL RIGHTS OF THE
EUROPEAN UNION**

**CHARTER OF FUNDAMENTAL RIGHTS
OF THE EUROPEAN UNION**

(2000/C 364/01)

PREAMBLE

The peoples of Europe, in creating an ever closer union among them, are resolved to share a peaceful future based on common values.

Conscious of its spiritual and moral heritage, the Union is founded on the indivisible, universal values of human dignity, freedom, equality and solidarity; it is based on the principles of democracy and the rule of law. It places the individual at the heart of its activities, by establishing the citizenship of the Union and by creating an area of freedom, security and justice.

The Union contributes to the preservation and to the development of these common values while respecting the diversity of the cultures and traditions of the peoples of Europe as well as the national identities of the Member States and the organisation of their public authorities at national, regional and local levels; it seeks to promote balanced and sustainable development and ensures free movement of persons, goods, services and capital, and the freedom of establishment.

To this end, it is necessary to strengthen the protection of fundamental rights in the light of changes in society, social progress and scientific and technological developments by making those rights more visible in a Charter.

This Charter reaffirms, with due regard for the powers and tasks of the Community and the Union and the principle of subsidiarity, the rights as they result, in particular, from the constitutional traditions and international obligations common to the Member States, the Treaty on European Union, the Community Treaties, the European Convention for the Protection of Human Rights and Fundamental Freedoms, the Social Charters adopted by the Community and by the Council of Europe and the case-law of the Court of Justice of the European Communities and of the European Court of Human Rights.

Enjoyment of these rights entails responsibilities and duties with regard to other persons, to the human community and to future generations.

The Union therefore recognises the rights, freedoms and principles set out hereafter.

CHAPTER III**EQUALITY***Article 20***Equality before the law**

Everyone is equal before the law.

*Article 21***Non-discrimination**

1. Any discrimination based on any ground such as sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation shall be prohibited.
2. Within the scope of application of the Treaty establishing the European Community and of the Treaty on European Union, and without prejudice to the special provisions of those Treaties, any discrimination on grounds of nationality shall be prohibited.

*Article 22***Cultural, religious and linguistic diversity**

The Union shall respect cultural, religious and linguistic diversity.

*Article 23***Equality between men and women**

Equality between men and women must be ensured in all areas, including employment, work and pay.

The principle of equality shall not prevent the maintenance or adoption of measures providing for specific advantages in favour of the under-represented sex.

*Article 24***The rights of the child**

1. Children shall have the right to such protection and care as is necessary for their well-being. They may express their views freely. Such views shall be taken into consideration on matters which concern them in accordance with their age and maturity.
2. In all actions relating to children, whether taken by public authorities or private institutions, the child's best interests must be a primary consideration.

3. Every child shall have the right to maintain on a regular basis a personal relationship and direct contact with both his or her parents, unless that is contrary to his or her interests.

Article 25

The rights of the elderly

The Union recognises and respects the rights of the elderly to lead a life of dignity and independence and to participate in social and cultural life.

Article 26

Integration of persons with disabilities

The Union recognises and respects the right of persons with disabilities to benefit from measures designed to ensure their independence, social and occupational integration and participation in the life of the community.

(ostanek po_iljam v priponki)

European Union

http://eur-lex.europa.eu/LexUriServ/site/en/oj/2006/l_315/l_31520061115en00010008.pdf

relation to gender equality and gender mainstreaming, among the social partners, NGOs and other stakeholders;

- (d) developing the capacity of key European level networks to support and further develop Community policy goals and strategies on gender equality.

Article 9

Types of actions

1. The Programme shall finance the following types of actions, which may be implemented, where appropriate, within a transnational framework:

- (a) Analytical activities:
- (i) collection, development and dissemination of data and statistics;
 - (ii) development and dissemination of common methodologies and, where appropriate, indicators or benchmarks;
 - (iii) carrying out of studies, analyses and surveys and dissemination of their results;
 - (iv) carrying out of evaluations and impact assessments and dissemination of their results;
 - (v) elaboration and publication of guides, reports and educational material via the Internet or other media
- (b) Mutual learning, awareness and dissemination activities:
- (i) identification of, and exchanges on, good practices, innovative approaches and experiences, and organisation of peer review and mutual learning, by means of meetings/workshops/seminars at European, transnational or national level, taking account, where possible, of specific national circumstances;
 - (ii) organisation of Presidency conferences/seminars;
 - (iii) organisation of conferences/seminars in support of the development and implementation of Community law and policy objectives;
 - (iv) organisation of media campaigns and events;
 - (v) compilation and publication of materials to disseminate information as well as results of the Programme.

(c) Support for main actors:

- (i) support for the running costs of those key European level networks whose activities are linked to implementation of the objectives of the Programme;
- (ii) organisation of working groups of national officials to monitor the implementation of Community law;
- (iii) funding of specialised seminars addressed to those working in the field, key officials and other relevant actors;
- (iv) networking among specialised bodies at European level;
- (v) funding of experts networks;
- (vi) funding of European level observatories;
- (vii) exchange of personnel between national administrations;
- (viii) cooperation with international institutions.

2. The activities provided for in point (b) of paragraph 1 shall have a strong European dimension, be of an appropriate scale in order to ensure a real European added value and be carried out by national, regional or local authorities specialised bodies provided for under Community law or actors considered to be the key players in their area.

3. The Programme shall not finance any measures for the preparation and implementation of European Years.

Article 10

Access to the Programme

1. Access to the Programme shall be open to all public and/or private bodies, actors and institutions, in particular:

- (a) Member States;
- (b) public employment services and their agencies;
- (c) local and regional authorities;
- (d) specialised bodies provided for under Community law;
- (e) the social partners;
- (f) NGOs, in particular those organised at European level;
- (g) higher education institutions and research institutes;
- (h) experts in evaluation;

Gender Equality

Welcome to the European Commission's webpages on Gender Equality.

EU policy as regards equality between women and men takes a comprehensive approach which includes **legislation, mainstreaming and positive actions**. Financial support is also available via an action programme.

The key objective is to eliminate inequalities and promote gender equality throughout the European Community in accordance with Articles 2 and 3 of the EC Treaty (gender mainstreaming) as well as Article 141 (equality between women and men in matters of employment and occupation) and Article 13 (sex discrimination within and outside the work place).

Within the Employment, Social Affairs & Equal Opportunities Directorate-General (DG), two Units deal with Gender Equality issues: the "Equal Opportunities for Women and Men: Strategy and Programme" Unit and the "Equality of treatment between Women and Men: Legal Questions" Unit.

- The Unit dealing with "**Equal Opportunities for Women and Men: Strategy and Programme**" coordinates gender mainstreaming and assists other services of the Commission to gender mainstream their policies. This means integrating the gender equality objective into all Community policies.

The Unit is also preparing the future policy roadmap on gender equality, which will succeed the current Community Framework Strategy on gender equality (2001-2005) and will be adopted by the Commission in 2006. Overall coordination of gendermainstreaming and positive action measures are necessary to promote the objective of the gender equality.

The **actions programmes** provides financial support with three main objectives: awareness raising, analysis and evaluation and capacity building. Financial support is also given to European networks to promote gender equality.

DG Employment, Social Affairs and Equal Opportunities is assisted in its work by an Advisory Committee, a programme Committee, a High Level Group of senior Member State officials and a Commission inter-services group.

A Report on Equality between women and men is submitted to the Spring European Council each year.

- The Unit dealing with "**Equality of treatment between Women and Men: Legal Questions**" ensures the effective transposition and implementation of Community legislation and initiates new legislative proposals if necessary. Awareness raising is an important aspect of the effective implementation of gender equality legislation.

Legislation currently covers 13 directives in the area of employment, social security and goods and services.

Another legislative proposal aiming at simplifying and modernising some current directives (the recast proposal) is under negotiation and will be soon adopted.

❖ **European Year of Equal Opportunities for All (2007) - Towards a Just Society** (<http://europa.eu/scadplus/leg/en/cha/c10314.htm>)

The aim of the European Year of Equal Opportunities for All is to raise awareness of the advantages of a just and solidarity-based society. It advocates awareness-raising initiatives to combat discriminatory attitudes and behaviour and to inform people of their legal rights and obligations. It takes an across-the-board approach to non-discrimination that should ensure the correct and uniform application of the Community legislative framework throughout Europe by highlighting its essential principles and gaining the active support of the public for legislation on non-discrimination and equality.

ACT

Decision of the European Parliament and the Council on the European Year of Equal Opportunities for All (2007) - Towards a Just Society.

SUMMARY

GENERAL OBJECTIVES

In spite of the progress achieved so far at European level in eliminating discrimination and promoting equal opportunities, much remains to be done. All legislation, regardless of the care taken in its drafting, will go unheeded if the political will to translate it into long-term action is lacking and if it does not benefit from widespread public support.

The European Year of Equal Opportunities for All will provide an opportunity to promote a more solidarity-based society. The aim will be to raise public awareness of the substantial Community *acquis* in the field of equality and non-discrimination, and to mobilise everyone concerned in order to drive forward the European Union's new framework strategy on non-discrimination and equal opportunities, also after 2007.

SPECIFIC OBJECTIVES

- **Raising public awareness of the right to equality and non-discrimination**

The public must become more familiar with European legislation on equality and non-discrimination, which represent common values and principles in the EU. The aim in 2007 will be to convey to the entire population the message that everyone, regardless of their gender, race or ethnic origin, religion or beliefs, disability, age or sexual orientation, has the right to equal treatment.

Encouraging a debate on ways of strengthening participation in society

A debate and suitable dialogue should be opened with a view to increasing the participation of groups that are victims of discrimination and ensuring balanced participation among men and women.

- **Celebrating and welcoming diversity**

The aim of this European Year will be to raise awareness of the positive contribution that can be made by anyone to society as a whole, regardless of their gender, race or ethnic origin, religion or beliefs, disability, age or sexual orientation.

- **Working towards a more solidarity-based society**

The European Year will encourage efforts to raise public awareness of how important it is to promote good relations between the various groups in society, particularly young people, and to eliminate stereotypes, prejudice and violence.

CONTENT OF THE ACTIONS, BUDGET AND SELECTION OF GRANT APPLICATIONS

The actions, whether conducted at Community or national level, aim to achieve the four objectives defined above and comprise:

- meetings and events (e.g. launch and closing conferences, the first annual summit on equality);
- information and promotion campaigns (logo, slogans, competitions, etc.);
- surveys and studies at Community or national level.

The budget earmarked for the European Year in 2007 for the period from 1 January 2006 to 31 December 2007 is 15 million euros, including 6 million euros for the period ending 31 December 2006.

Community-level actions may receive subsidies of up to 80% or give rise to a public open tender financed by the general budget of the EU. Local, regional or national measures can receive a maximum of 50% cofinancing from the general budget of the EU for total consolidated costs.

IMPLEMENTATION

The Commission will guarantee that the activities defined at European level are consistent with and complement other relevant actions at Community level (Structural Funds, rural development, education, citizenship, fundamental rights) and at national and regional levels.

Work in partnership with the participating countries

Participation in the Year is open to the Member States, EFTA/EEA countries, candidate countries benefiting from a pre-accession strategy, Western Balkan countries in accordance with the arrangements laid down in their respective agreements, and partner countries of the European Neighbourhood Policy (ENP).

Each Member State shall establish or designate a national implementing body to organise its participation in the European Year, define the national strategy and priorities and select the individual actions to be proposed for Community funding.

EVALUATION AND FOLLOW-UP

The Commission will submit, by 31 December 2008 at the latest, a report to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on the implementation, results and overall assessment of the measures provided for in this Decision, which entered into force on 20 June 2006.

❖ A framework strategy for non-discrimination and equal opportunities for all

Following on from the Green Paper on equality and non-discrimination in an enlarged Europe, the Commission has set out a strategy for the positive and active promotion of non-discrimination and equal opportunities for all. One of the main objectives of this strategy is to ensure effective legal protection against discrimination across the EU through the full transposition by all Member States of the Community legislation in this field. This text also encourages the adoption of additional measures such as the dissemination of information, awareness-raising, the sharing of experiences, training and access to justice.

❖ The Hague Programme: ten priorities for the next five years

How can we strengthen the area of freedom, security and justice within the European Union? The Commission's answer to this question consists of ten priorities for the next five years.

ACT

Communication from the Commission to the Council and the European Parliament. The Hague Programme: ten priorities for the next five years. The Partnership for European renewal in the field of Freedom, Security and Justice [COM(2005) 184 final]

SUMMARY

The Hague Programme, adopted at the European Council of 4 and 5 November 2004, sets out ten priorities for the Union with a view to strengthening the area of freedom, security and justice in the next five years. An Annex to the communication sets out specific measures and a timetable for their adoption.

The Commission feels that efforts should be concentrated on the following ten priorities:

Strengthening fundamental rights and citizenship. Fundamental rights are at the core of the Union's values, and policies to monitor and promote the observance of fundamental rights must be developed. Converting the European Union Monitoring Centre on Racism and Xenophobia into a Fundamental Rights Agency is an important element in strengthening fundamental rights. The Commission will devote special attention to children's rights and to continuing its efforts to combat violence against women. It also intends to work against all kinds of discrimination, paying particular attention to the protection of personal data. The way in which the rights conferred by European citizenship - such as free movement within the Union and voting rights in European Parliament and local elections - are exercised must also be improved. The measures adopted by the Commission include, inter alia, the "Fundamental Rights and Justice" framework programme, a proposal establishing the Fundamental Rights Agency and assessment reports on how successfully directives regarding the right to move and reside freely are applied.

Anti-terrorist measures. A comprehensive response to terrorism is the only way to combat it effectively. The approach must be integrated and coherent. The Commission emphasises the need for terrorism prevention and exchanging information. Its intention is to support the Member States in their fight against terrorism by focusing on terrorism recruitment and financing, prevention, risk analysis, protection of vulnerable infrastructure and consequence management. Terrorism and its causes can be effectively combated only through cooperation with non-member countries. The measures adopted by the Commission to achieve its objectives include: proposals aimed at strengthening cooperation between the law-enforcement services of Member States, particularly by improved exchanges of information; a European framework for the protection of related data; a communication on the radicalisation and recruitment of terrorists; a communication on the protection of critical infrastructure; a communication on the prevention of and the fight against terrorism financing; a proposal for preventing misuse of charitable organisations for the financing of terrorism; and monitoring the pilot project in place for the victims of terrorism.

Defining a balanced approach to migration. The Commission intends to come up with a new balanced approach to dealing with legal migration and illegal immigration. This involves fighting illegal immigration and trafficking in human beings, especially women and children. The

programme includes provisions for the adoption of a Communication in 2005. A plan for legal immigration and the development of a European framework for the integration of migrants is to be drawn up by the end of 2005.

The proper management of migration flows also involved greater cooperation with non-member countries in all fields, including the readmission and return of migrants.

The measures introduced by the Commission to achieve this include the "Solidarity and Management of Migration Flows" framework programme, which covers the creation of an External Borders Fund, an Integration Fund, a Return Fund and a European Refugee Fund.

Setting up a common asylum procedure. The Commission aims to set up a harmonised and effective asylum procedure. In the short term, it will be submitting a proposal for a directive concerning long-term resident status for refugees, and in the medium term, once the way in which existing legislation is being applied has been assessed, it will propose a common procedure and status for refugees.

Operational cooperation in the field of asylum will be continued and maintained by means of the European Refugee Fund.

Maximising the positive impact of immigration. Immigrant communities must be integrated if they are not to become isolated and excluded from society. The Commission encourages Member States to push ahead with their integration policies in order to help improve mutual understanding and dialogue between religions and cultures. It also intends to set up a European framework for integration and to promote a structural exchange of experience and information on integration.

Developing integrated management of the Union's external borders. Within the Union, the free movement of persons is made possible by the removal of internal border controls. This requires greater efforts to strengthen the integrated management of external borders. An agency responsible for managing external borders has just become operational and it may be given further tasks in the future.

Equally important is the creation of an effective visa policy by means of, for example, the development of a visa information system and a future common European consular service.

One of the short-term priorities is to make identity and travel documents more secure by equipping them with biometric identifiers.

Striking the right balance between privacy and security while sharing information. Law-enforcement authorities must be able to share information if they are to fight terrorism effectively and investigate cross-border crime. The Union must support constructive dialogue between all interested parties in order to find solutions accommodating both the availability of information and the observance of fundamental rights, such as the protection of privacy and the protection of data. Proposals aiming at such a balance are expected by the end of 2005.

Developing a strategic concept on tackling organised crime. Cooperation between the Member States' law-enforcement authorities, such as the police or customs, must be improved in the fight against organised crime. Working towards a European model for criminal intelligence is a priority. Furthermore, the Commission intends to present a communication on "Developing a strategic concept on tackling organised crime".

A genuine European area of justice. Access to justice must be guaranteed in order for judgments to be made and enforced. The Union must take steps to instil mutual confidence between Member States by laying down minimum procedural standards which safeguard, for example, the right of defence.

As regards civil legal matters, the Commission is focusing on completing its mutual recognition programme for judgments in civil and commercial matters. To this end, it has initiated consultations regarding judgments on family property, succession and wills with a view to drawing up new legislative proposals.

As regards criminal legal matters, legislation must sometimes be approximated and minimum legal procedural standards must be set up if mutual confidence between Member States is to be strengthened. Eurojust is the key player as regards judicial cooperation in criminal matters. The Commission also wishes to see greater protection of the Union's financial interests. Operational measures to safeguard a genuine European area of justice include: Union support for judicial organisation and institution networks; justice quality assessment; a Commission communication on legal training in the EU and seminars to promote cooperation between legal practitioners.

Sharing responsibility and solidarity. No political objective can be met without adequate funding. The Hague Programme was adopted at a time when the Commission was preparing its proposals for the financial perspective 2007-2013; this made it possible to ensure that the objectives of the Hague Programme were in phase with the financial means available for them in the period 2007-2013. In April 2005 the Commission presented three framework programmes examining which type of political and financial instruments most effectively enable the objectives of freedom, security and justice to be met.

The Commission attaches great importance to the implementation of provisions and to how it can assess such implementation by the Member States. Political flexibility in matters concerning justice, freedom and security enables political priorities to be shuffled in response to unexpected events such as the London attacks of 7 July 2005. The nature and scale of such events are often international. The action plan should therefore also be flexible and adaptable. The European Council considers it important to review the Hague Programme at the half-way stage.

RELATED ACTS

Communication from the Commission to the Council and the European Parliament - Implementing the Hague Programme : The way forward [COM(2006) 331 final - Official Journal C 184 of 8.1.2006].

This communication and the three other communications adopted in parallel (COM(2006)332, 333 and 346) are the Commission's reply to the European Council's invitation "to report in 2006

on the progress made and to propose the necessary additions to the Programme". The areas concerned are:

- fundamental rights and citizenship;
- development of a second phase of asylum;
- migration management;
- integrated management of external borders and interoperability of information systems;
- mutual recognition (in civil and criminal matters);
- access to information needed to combat terrorism and organised crime;
- the future of Europol.

Action against discrimination

The right of individuals not to be discriminated against on a range of grounds, including racial or ethnic origin, religion or belief, age, disability and sexual orientation, has long been recognised by international organisations, like the United Nations (UN), the European Union and its Member States. Although they do not grant individuals a legally enforceable right to redress, international agreements such as the UN Covenant on Civil and Political Rights, Economic, Social and Cultural Rights (1966) and the European Convention on Human Rights and Fundamental Freedoms (1950), exemplify the commitment of the international and European communities to guarantee respect for the right to non-discrimination.

Since the Convention was signed, support at European Community level in combating discrimination has been expressed through a variety of joint declarations, charters, resolutions, and legislation related to the promotion of equal opportunities and equal treatment between men and women (see Gender Equality). Further to the broadening of its powers relating to discrimination in the 1997 Amsterdam Treaty, the Community went one step further in 2000 and gave a specific legal base for action to promote equal treatment through the Racial Equality Directive and the Employment Equality Directive. These Directives afford a common minimum level of protection to EU citizens against all forms of discrimination. They also supplement and reinforce existing Member State legislative measures implementing the principle of equality that prior to the implementation of the Directives all States had through their constitutional and/or common laws enshrined - albeit with some diversity in their scope and application.

Legislation sends clear signals about what society regards as acceptable or unacceptable, and the two Directives form an integral part of the Community's strategy in changing attitudes and behaviour. Nevertheless, it is not sufficient on its own. That is why the Community established in parallel with the Directives a Community Action Programme to combat discrimination (2001-2006) to enable people to build their own actions to tackle discrimination at a local level, where it is often most effective. More information on the specific actions undertaken by the Community Action Programme can be found in

❖ **GREEN PAPER - Equality and non-discrimination in an enlarged European Union (June 2004)**

Five years ago, huge impetus was given to the fight against discrimination in the European Union when new powers were granted to tackle discrimination on grounds of sex, racial or ethnic origin, religion or belief, age, disability and sexual orientation.

This Green Paper sets out the European Commission's analysis of the progress that has been made so far. It seeks views about how the EU can continue and reinforce its efforts to combat discrimination and to promote equal treatment. In so doing, it responds to calls from the European Parliament and others to organise a public consultation on the future development of policy in this area.

This Green Paper takes stock of what the EU has done during the last five years to combat discrimination and to promote equal treatment. It looks at how these initiatives relate to other policy developments at European and international levels. It examines new challenges that have emerged in recent years, including those linked to the enlargement of the EU. It assesses the implications of this changing context for policy development in the field of non-discrimination and equal treatment.

<http://europa.eu/scadplus/leg/en/lvb/l33113.htm>

❖ **Action programme to combat discrimination (2001-2006)**

1) OBJECTIVE

Support and supplement the Member States' action to combat all forms of discrimination.

2) COMMUNITY MEASURE

Council Decision of 27 November 2001, establishing a Community Action Programme to combat discrimination (2001-2006).

3) CONTENTS

Following the entry into force of the Amsterdam Treaty, the European Union is empowered to take appropriate action to combat discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation (Article 13 of the EC Treaty).

Community measures to promote equality between men and women were first adopted in the 1970s. On the basis of the experience gained in this area in the field of legislation and practice, the Commission is proposing a broader action programme aimed at combating all forms of

discrimination referred to in the Treaty, other than discrimination based on sex, which is still the subject of a specific action.

This programme includes a raft of initiatives designed to establish common principles for combating discrimination. A Communication [COM(1999) 564 final] sets out the general framework for Community action and, besides an action programme, includes a legislative strand consisting of two directives designed to ensure equal treatment between persons irrespective of racial or ethnic origin and in relation to employment and occupation .

Definition

A person or group of persons may be discriminated against if they are treated less favourably on the grounds of the characteristics indicated in the Treaty (race, religion, disability, age, sexual orientation, etc.) or if the application of an apparently neutral provision is liable to adversely affect this person or group for the same reasons.

Objectives

The goal is to encourage concrete measures to combat discrimination and to supplement the activities (mainly legislative) of the Community and the Member States. The Community wishes:

- to improve the understanding of issues related to discrimination through the evaluation of the effectiveness of policies, legislation and practice
- to develop the capacity of target actors (local authorities, independent bodies, social partners, NGOs, etc.), through exchange of information and good practices and the creation of European networks which can anticipate and tackle discrimination;
- to promote and disseminate values and practices underlying the fight against discrimination (a particularly important aspect with an eye to enlargement).

Actions and method

The Community supports the following transnational actions:

- analysis of factors linked to discrimination (assembly of statistics, studies, evaluation of the effectiveness of policies and dissemination of results);
- transnational cooperation between the target actors and creation of European networks of NGOs;
- awareness-raising as regards the European dimension of the fight against discrimination.

These actions are being carried out thanks to active cooperation between the Commission, the Member States and civil society. A regular exchange of views between NGOs and the social partners on the design, implementation and follow-up of the programme is organised by the Commission.

An advisory committee composed of representatives of the Member States and chaired by the representative of the Commission assists the Commission in preparing general guidelines for implementation of the programme, the budget and the annual plan of work.

The Commission must, in co-operation with the Member States, ensure overall consistency with other Union and Community policies, instruments and actions 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. Together with the Member States, it coordinates the actions undertaken under this programme and under the Structural Funds and the Community Initiative EQUAL .

The EFTA/EEA countries and the applicant countries are free to participate in the programme.

Particulars on the implementation of the programme are contained in the annex.

The Commission will present by 31 December 2005 at the latest, an evaluation report on the implementation of the programme. The budget for the period 2001-2005 is EUR 98.4 million.

❖ Community framework strategy on gender equality (2001-2005)

1) OBJECTIVE

To establish a framework for action providing for gender mainstreaming in all Community activities in such a way that they help to attain the goal of removing inequalities and promoting gender equality.

2) ACT

Commission Communication of 7 June 2000: "Towards a Community framework strategy on gender equality (2001-2005)" [COM(2000) 335 final - Not published in the Official Journal].

3) SUMMARY

This Communication aims to contribute to the fight against gender inequality in economic, political, civil and social life. The framework strategy is based on a dual-track approach. On the one hand, it aims for gender mainstreaming in all Community policies having a direct or indirect impact on the gender equality objective (proactive intervention). Alongside this overall approach, the framework strategy proposes, on the other hand, the introduction of special measures for women; these are still needed to remove persistent gender inequalities. This mainstreaming approach marks a major change compared to past Community action in this area which was based mainly on separate activities and programmes.

To develop the horizontal and coordinating actions, the Commission also proposes a supporting programme for the framework strategy to provide back-up for organising awareness-raising campaigns, improving data collection and implementing transnational projects.

The proposed framework strategy encompasses five inter-related fields of action, each one having different operational objectives: economic life, equal participation and representation, social rights, civil life, and gender roles and stereotypes.

Promoting gender equality in economic life

The Lisbon European Council of March 2000 invited the Commission and the Member States to further all aspects of equal opportunities in employment policies, including reducing occupational segregation and helping to reconcile working and family life. In this context, the Commission strategy sets three operational objectives:

- strengthening the gender dimension in the European Employment Strategy. It will involve in particular encouraging lifelong learning and access to active labour market measures for women and promoting their employability and access to IT jobs;
- improving the use of the Structural Funds for the promotion of gender equality, notably through EQUAL, Interreg, Urban and Leader;
- developing strategies to encourage gender mainstreaming in all policies which have an impact on the place of women in the economy. In this context, it will be necessary to develop dialogue with the top management of enterprises operating in Europe on their contribution to gender equality in economic life. It is also suggested to create a European label (equality prize or certificate) to be awarded annually to enterprises which have developed good practice to promote gender equality.

Promoting equal participation and representation

The persistent under-representation of women in all areas of decision-making sustains a democratic deficit which requires differing measures to meet the following objectives:

- improving the gender balance in political decision-making. The measures will be orientated, inter alia, towards assessment of the influence of electoral systems, legislation, quotas and other measures on gender balance in elected political bodies. They will also focus on the introduction of awareness-raising activities addressed to citizens on the need for gender balance in elected political bodies and inside political parties' structures;
- improving the gender balance in economic and social decision-making. To this end, the Commission recommends monitoring and evaluating the transition from education and training to working life as well as recruitment and career development for potential female top managers. It also proposes to establish and maintain a full set of regularly updated statistics on women in decision-making positions;
- improving gender balance in the European Commission.

Promoting equal access and full enjoyment of social rights for women and men

Equal access and full enjoyment of social rights are among the pillars of all democratic societies. Yet many women do not have equal access to social rights because some of these rights are based on an outdated male breadwinner model and do not take into account the fact that women predominantly carry the burden of having to reconcile family and working life. Many social protection systems perpetuate this outdated model which partly explains the feminisation of poverty in the European Union. The Community actions will therefore need to aim at:

- improving the application of European legislation, particularly on social protection, parental leave, maternity and working time. To this end it will be necessary to ensure the follow-up and assessment of implementation of this legislation in the Member States and to raise awareness among non-governmental organisations (NGOs), social partners, labour inspectorates and the legal profession about EU legislation and case law in the social area. In addition, the Commission intends to put forward a directive based on Article 13 of the Treaty to ensure equal treatment for women and men in matters other than employment;
- supporting information and dissemination activities regarding EU social legislation, targeted at EU citizens;
- monitoring the integration of a gender perspective in the design, implementation and evaluation of Community policies influencing the daily life of women and men, such as transport, public health, external relations, including human rights policies, and the Community programme to fight discrimination based on Article 13 of the Treaty.

Promoting gender equality in civil life

This theme aims to strengthen and further the development of the enforcement mechanisms of the equal treatment legislation, together with better awareness of and training on equality rights and the human rights of women. The measures will be orientated towards training on equality legislation for the legal profession and informing NGOs about this legislation. Particular attention needs to be paid to women who are subject to multiple discriminations (such as migrant women or women with disabilities) or women who face violence and/or sexual exploitation. The EU has set in place a European-wide policy to combat violence against and trafficking in women, notably through the STOP programme, and subsequently the DAPHNE initiative and the new DAPHNE programme (2002-2003). Further action in this area is still needed however and will involve:

- monitoring Community law and case law on equal treatment for women and men and, if required, proposing new legislation. It is planned in particular to review Directive 75/117 on equal pay and explore possibilities for its improvement. The Commission also proposes to reinforce the role and powers of the labour inspectorate bodies with regard to equal pay legislation. Steps will also be taken to support specific information and training on equality legislation and the human rights of women for the legal professions, labour inspectorates and social partners;
- promoting women's rights as human rights by supporting awareness-raising campaigns in the EU and in the applicant countries. It is also necessary to support networking in order to collect comparable data on gender-related violations of human rights and sex discrimination cases. The goal is also to ensure that the specific needs and/or particular situations of women are duly taken into account, where relevant, within initiatives in the

fields of asylum and entry and stay of third-country nationals on the territory of the Member States:

- fighting gender-related violence and trafficking of human beings for the purposes of sexual exploitation. To that end, it is planned in particular to promote training and awareness-raising among the police and the judicial authorities, supporting their cross-border cooperation and the exchange of information and best practices within the EU and, in particular, between the EU and the candidate countries.

Promoting change of gender roles and stereotypes

This area of action aims to address the need to change behaviour, attitudes, norms and values which define and influence gender roles in society through education, the media, arts, culture and science in particular. Eliminating prejudices and stereotypes is paramount for the establishment of gender equality. The Commission accordingly proposes to undertake the following measures with the aim of:

- raising awareness about gender equality. It is proposed in particular to boost efforts to eradicate stereotypical gender discrimination in education, for example in education and materials, and to develop good practices in this field;
- overcoming gender stereotypes in and via relevant Community policies. It is recommended in particular to discuss with the existing national ethical committees the inclusion of a gender dimension in their remit as well as support for networking of national ethical committees. Exchanges of views will also be promoted together with good practices in the media and establishment of a group of media representatives to assist the Commission in launching talks in the framework of this objective.

❖ Equal opportunities



There is no doubt that discrimination and inequality among women and men has been present throughout human history and still persist today. Among the manifestations of gender discrimination and gender inequality those related to the restrictions and over requirements imposed to women access to employment and vocational development are the most irritating. Policy design and implementation is therefore essential at all levels where discrimination operates. These policies must be able to activate synergy among various social actors, public and private, governmental and non-governmental, designing general paths where each agency or institution according to its characteristics and objectives might insert its own programme and multiply the effect of the programme. An active women's promotion policy must not only assess better employment opportunities through development programmes (employment policies and also vocational guidance and vocational training) but also must encourage cultural change in all its dimensions (roles and tasks assigned to women, work and occupational qualification parameters, responsibility for senior citizens and children.) An active women's promotion must also have a follow up of its own standards and objectives.

All of the above makes the equality for women promotion a task that needs to be developed simultaneously at different levels:

- the creation a legal and normative frame
- the implementation of concrete intervention to generate employment and training and also to ensure that norms translate into effective actions.
- the development of information strategies and public relations, awareness, training of public personnel, coordination with women groups, vocational training institutions, political parties, trade unions, etc.

In summary, the task is to develop pro-active programmes conceived as sets of measures and mechanisms, general and specific, that imply a favorable step to achieve gender equality. All of the above require the commitment of all the social actors involved: governments, workers, employers, NGO, international organizations, etc. An equal opportunity policy on employment and training is necessary not merely for reasons of equity and fairness but also because it contributes to economic and social development. It is also intimately linked to adequate human resource management since it implies an optimization of human capital (men and women) that will increase the competitiveness of enterprises and the country as a whole.

This site seeks to work along these lines by opening the following sections:

🔗 **tools:** this section will be devoted to documents that provide information, reflection or present international and regional experiences aimed to attain equal opportunities, particularly on the public policy arena.

🔗 **ILO policies:** this section presents ILO documents and links to ILO offices, centers and specific programmes pages. The section offers to those interested a panorama of the ILO activities, strategies and programmes concerning gender and equality in the world of work and training.

🔗 **ILO programmes:** this section presents the ILO programmes for enhancing opportunities for women in employment and for poverty eradication in Latin America.

❖ MANAGING EQUALITY

One main strategic level to ensure real and progressive equal opportunities in training and employment is the elaboration and implementation of policies at all levels where discrimination operates. These policies must be able to activate synergy among various social actors, public and private, governmental and non-governmental, designing general paths where each agency or institution according to its characteristics and objectives might insert its own programme and multiply the effect of the programme.

An active women promotion policy must not only assess better employment opportunities through development programmes (employment policies and also vocational guidance and vocational training) but must also encourage cultural change in all its dimensions (roles and tasks assigned to women, work and occupational qualification parameters, responsibility for senior citizens and children.) An active policy of women promotion must also have a follow up of its own standards and objectives.

The promotion of equality is a cross cutting task for all sectors of development intervention and all technical fields and at the same time it is part of them. To consider women conditions and their specific interests is not only a moral imperative but also a practical necessity that concerns not only women or volunteers but all the social partners involved in the development process: governments, workers, employers, NGO, international organisations, etc. An equal opportunity policy on employment and training is necessary not merely for reasons of equity and fairness but also because it contributes to economic and social development. It is also intimately linked to adequate human resource management since it implies an optimisation of **human capital** (men and women) that will increment competitiveness of enterprises and of the country as a whole.

The above highlights the need for both macro policies and specific actions at the micro level in order to achieve equality between men and women. The combined action at the macro and micro level offers practical solutions to specific women problems and at the same time allows for the satisfaction of their strategic needs concerning the vindication of their role in society.

Managing gender equality on work and training from the point of view of government, trade unions, enterprises or community, or from international organisations and technical cooperation requires interventions meant to:

- Suppress or counter stereotypes effects on female entry into working life or job searching.
- Encourage female participation in occupations with better economic and professional development and in sectors or posts where they are underrepresented and also make employers to be favourably receptive.

- Diversify female professional options and support them in the acquisition of a more relevant training.
- Ensure that the services of job placement, vocational guidance and counselling have the adequate number of qualified personnel that understands female workers and unemployment problems.
- Adapt work conditions and work organisation and time schedules to women needs.
- Over watch that men and women share more equally the family, labour and social responsibilities .
- Favour active women participation in public, private and trade union institutions that adopt decisions concerning the employment market and vocational training.
- Disseminate norms that regulate female work and ensure its knowledge by beneficiaries.
- Give instruments to entrepreneurs and trade union organisations to design policies and activities to achieve these objectives and encourage social partners to promote in their organisations and work places positive actions.
- Promote the development of human resources policies in private and public institutions that have the objective of achieving social equal opportunities and assist them in the follow up and application.

I. Promote systematic incorporation of the gender perspective in collective bargaining.

This space has been conceived to give support to trade unions, workers, and enterprises in their efforts in managing equality. In order to succeed, they must take into account social and cultural values of the beneficiaries and the society to which they belong as well as the characteristics and singularities of labour relations in the country.

PRACTICES:

❖ Cambridge University

http://www.admin.cam.ac.uk/offices/personnel/policy/race/race_equality.pdf -

Equal Opportunities Policy and Codes of Practice

The University of Cambridge is committed in its pursuit of academic excellence to equality of opportunity and to a pro-active and inclusive approach to equality, which supports and encourages all under-represented groups, promotes an inclusive culture, and values diversity.

The University is therefore committed to a policy and practice which require that, for students, admission to the University and progression within undergraduate and graduate studies, will be determined only by personal merit and by performance. For staff, entry into employment with the University and progression within employment will be determined only by personal merit and by the application of criteria which are related to the duties and conditions of each particular post and the needs of the institution concerned.

Subject to statutory provisions no applicant for admission as a student, or for a staff appointment, or student, or member of staff, will be treated less favourably than another on the grounds of sex (including gender reassignment), marital or parental status, race, ethnic or national origin, colour, disability, sexual orientation, religion, or age. For students, ability to meet the requirements of the

selection criteria for competitive admission and for staff, ability to perform the job, will be the primary consideration.

If any person admitted as a student or appointed as an employee considers that he or she is suffering from unequal treatment on any of the above grounds in his or her admission, appointment, or progression through the University, he or she may make a complaint, which will be dealt with through the agreed procedures for complaints or grievances or the procedures for dealing with bullying and harassment, as appropriate.

The University will take active steps to promote good practice. In particular it will:

- Promote equality of opportunity
- Promote good relations between people of different racial groups, between women and men and between disabled and non-disabled people
- Have due regard to the need to eliminate discrimination on grounds of race, sex, disability, and all other grounds set out in the statement on equal opportunities
- Subject its policies to continuous assessment in order to examine how they affect all under-represented groups, especially ethnic minority students and staff, women, and disabled students and staff, and to identify whether its policies help to achieve equality of opportunity for all these groups, or whether they have an adverse impact
- Monitor the recruitment and progress of all students and staff, paying particular attention to the recruitment and progress of ethnic minority students and staff, women, and disabled students and staff.
- Promote an inclusive culture, good practice in teaching, learning, and assessment, and good management practice, through the development of codes of best practice, policies, and training.
- Take positive action wherever possible to support this policy and its aims.
- Publish this policy widely amongst staff and students, together with policy assessments and results of monitoring

The University will meet all statutory obligations under relevant legislation and, where appropriate, anticipate future legal requirements signalled under EU Directives. The University's policy is guided by:

- Equal Pay Act (1970)
- Sex Discrimination Act (1975)
- Race Relations Act (1976)
- Disability Discrimination Act (1995)
- Special Educational Needs and Disability Act (2001)
- Human Rights Act (1998)
- Race Relations (Amendment) Act (2000)
- EU Equal Treatment Framework Directive (2000/78)

and, in addition, the Codes of Practice issued by the Equal Opportunities Commission and the Commission for Racial Equality, together with the Codes of Practice on Disability and Age Diversity. These Codes are not legally binding (though they are admissible as evidence in Employment Tribunals) and the University supports them fully.

The policy will be amended as appropriate to meet the demands of future legislation.

Further guidance will be issued on the general duty under the RR(A)A to:

- Eliminate racial discrimination
- Promote equality of opportunity and good race relations and on the specific duties under the RR(A)A to:
 - Assess the impact of policies on ethnic minority students and staff
 - Monitor the recruitment and progress of ethnic minority students and staff
 - Set out arrangements for publishing the results of impact assessments and monitoring

Policy statement

- The University's policy statement on race equality explicates the general Equal Opportunities Policy and makes explicit the University's commitment to fulfilling its duties under the Race Relations (Amendment) Act 2000 (RRAA)
- In particular it spells out the role of the Council in relation Governance and Leadership issues arising under the RRAA

Race equality action plan

The race equality action plan sets out in detail the ways in which the University will fulfil its duties under the RRAA. The action plan:

- Defines the University's core functions
- Sets up a consultation framework and timetable
- Provides a checklist for policy impact assessment and gives practical guidance on 'equality-proofing' all areas of work
- Sets out the framework for action plans in each functional area
- Provides advice on monitoring
- Sets out arrangements for review and publication
- Suggests means of communicating the policy and action plan
- Gives a commitment on the provision of training
- Sets out principles for positive action on race equality
- Sets out arrangements for dealing with racial harassment and reporting racial incidents
- Provides advice on procurement and race
- Proposes actions points to fulfil each of the above, including the establishment of a Working Group on Race Equality

Positive action

Leadership and vision are crucial in achieving the culture change which must underpin the changes in attitude behaviour necessary to bring about fulfilment of the University's duty under the Act. Designation of a Pro-Vice-Chancellor with responsibility for equality issues will be an important step, as will the public commitment by the Vice-Chancellor to race equality issues, alongside the existing commitment to gender equality issues.

A24: The Vice-Chancellor will include a commitment to the Race Equality Policy and Action Plan in his October 2002 address

A25: The Council will include on its agenda an item each term, reporting on the Race Equality Policy and Action Plan

And see **Action Point 5** above:

A5: The Pro-Vice-Chancellor for internal affairs will have lead responsibility for race equality in the University

Where racial groups are under-represented in the workforce the University is enabled to use positive action. This allows employers to target job training and recruitment efforts at those groups that are under-represented in a particular area of work or in their workforce generally. Positive action does not allow discrimination when deciding who will be offered a job.

A26: The Personnel Division will produce advice on positive action on advertising for use by institutions in recruitment

A27: The Staff Development Section will investigate training for specific target groups where monitoring and benchmarking reveals evidence of under-represented racial groups

A number of initiatives and groups are already working on the issue of underrepresentation of difference racial groups (e.g. GEEMA, the Black and Asian Caucus). There are also initiatives and groups working on gender and disability issues. Much of this work is not widely known in the University or beyond. The work would benefit from publicity, and the University would benefit from greater external understanding about its efforts in all these areas.

A28: The Personnel Division will organise a 'Positive Action' event in the Michaelmas Term to publicise, promote and celebrate the many initiatives in equality already being undertaken in the University [event took place 19 November 2002]

11 Racial harassment and reporting racial incidents

The University has a policy on dealing with bullying and harassment which includes arrangements for dealing with racial harassment

(<http://www.admin.cam.ac.uk/offices/personnel/policy/bullying.html>). The Personnel Division is currently formulating arrangements to set up a Harassment Advisers Network. This will improve the existing arrangements for advising anyone experiencing harassment, including racial harassment. The new Network will establish monitoring systems to ensure that the University is aware of the extent of racial and other forms of harassment. The Division will also issue guidance on dealing with racist incidents.

A29: The Harassment Advisers Network will be set up by the Personnel Division, with appropriate support and training.

A30: The Personnel Division, through the Harassment Advisers Network, will establish systems to monitor the prevalence of racial harassment

A31: Guidance on dealing with racist incidents, and a system for reporting

http://www.scottish-enterprise.com/sedotcom_home/stp/careersadvice/career-equalopportunities.htm

❖ Scottish-enterprise

Businesses should consider equal opportunity legislation when:

1. recruiting and working to keep staff;

2. dealing with harassment, bullying, discipline and grievances;
3. storing information about staff;
4. looking at working arrangements and the physical environment (for example, the office facilities);
5. dealing with issues such as maternity leave and equal pay.

<http://www.ilo.org/public/english/employment/gems/eo/company/usa/hop.htm#3>

❖ **JOHN HOPKINS:**

Company Policies - The Johns Hopkins Health System and The Johns Hopkins Hospital - Summary of the Provisions

<p>Company, its home and policy</p>	<p>country</p>	<p>The Johns Hopkins Health System and The Johns Hopkins Hospital <u>(see institution profile)</u></p> <p>United States</p> <p><i>Policy EEO501 - Equal Employment Opportunity, Affirmative Action</i></p> <p>2000 ILO Survey</p>	
<p>Employment and working condition provisions related to equal employment opportunities</p>			
<p>Commitment to equal opportunity/non-discrimination</p>		<p>"The Johns Hopkins Health System Corporation (JHHSC) and The Johns Hopkins Hospital (JHH) believes strongly in the principles of Equal Employment Opportunity and Affirmative Action. It is the policy of Hopkins to further its goal of Equal Employment for all employees and prospective employees without regard to race, color, religion, gender (except where gender is a bona fide occupational qualification), age, national origin, marital status, sexual orientation, physical or mental handicap, and/or veteran status by assuring that:</p> <p>In all of its personnel actions, Hopkins, in conformity with all applicable laws, does not discriminate on the basis of race, color, religion, gender (except where gender is a bona fide occupational qualification), age, national origin, marital status, sexual orientation, physical or mental handicap, and/or veteran status;</p> <p>Hopkins is committed to ensuring a work environment free from harassment, including sexual harassment, on the basis of race, color, religion, gender, age, national origin, marital status, sexual orientation, physical or mental handicap, and/or veteran status.</p> <p>Hopkins employees will take an active part in a program to ensure that all employees and prospective employees are treated in a nondiscriminatory manner by establishing compliance with this policy as performance standard. A reporting/monitoring system will be established to ensure the success for the program."</p>	

<p>Commitment to affirmative action, and categories of affirmative action</p>		<p>"The Johns Hopkins Health System Corporation (JHHSC) and The Johns Hopkins Hospital (JHH) believes strongly in the principles of Equal Employment Opportunity and Affirmative Action. It is the policy of Hopkins to further its goal of Equal Employment for all employees and prospective employees without regard to race, color, religion, gender (except where gender is a bona fide occupational qualification), age national origin, marital status, sexual orientation, physical or mental handicap, and or veteran status by assuring that:</p> <p>Hopkins actively pursues an Affirmative Action Plan designed to ensure full opportunities for women and members of minority groups in its work environment, Vietnam-era veterans, disabled veterans, qualified disabled people, and to take affirmative action to increase the employment of minorities and females and to set goals by Functional Units to accomplish these objectives:"</p>	
<p>EEO Structures</p>		<ol style="list-style-type: none"> 1. "The President <ul style="list-style-type: none"> o The President is responsible for the overall direction of the Affirmative Action Program and will provide the support of that office as needed to ensure that the Equal Employment Opportunity and Affirmative Action objectives throughout the Hospital are met. o The President delegates primary responsibility for planning, implementation and meeting plan objectives to the Directors and the Vice President of Human Resources. 2. Vice Presidents, Directors, Administrators, and Managers <p>Vice Presidents, Directors, Administrators, and Managers are responsible for implementation of the Affirmative Action Program within their respective organizational units and will ensure that all employees under their supervision are fully informed regarding the Affirmative Action Plan and are aware of its objectives. They shall make it clear to all employees under their supervision that a significant part of the evaluation of their work performance will be based on their efforts and effectiveness in the area of Equal Employment Opportunity and Affirmative Action.</p> 3. Employee/Labor Relations, Workforce Diversity & Equal Employment Opportunity/Affirmative Action Office of the Human Resources Department <p>The Director, Equal Employment Opportunity Affirmative Action is generally responsible for:</p> <ul style="list-style-type: none"> o Implementing, monitoring and administering Equal Employment Opportunity and Affirmative Action policies and procedures; o Coordinating the Affirmative Action Plans of Hopkins; o Reviewing progress toward Affirmative Action Plan goals on a quarterly basis; o Conducting communication programs with Hopkins management to review the intent of the Equal Opportunity/Affirmative Action Policy, the scope and goals of the Affirmative Action Plan, and to clarify the concept of individual accountability for effective implementation of the 	

		<ul style="list-style-type: none"> ○ Providing an annual written report concerning the operation and results of the Hopkins Affirmative Action Plan. ○ Developing, recommending, and managing Equal Employment Opportunity/Affirmative Action policies and procedures to ensure compliance with government regulations, as well as local, state, and federal laws. ○ Serving as a resource to managerial personnel offering support, guidance and direction in personnel related matters " 	
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Employment and working condition provisions related to equal employment opportunities

<p>Commitment to equal opportunity/non-discrimination</p>		<p>"The Johns Hopkins Health System Corporation (JHHSC) and The Johns Hopkins Hospital (JHH) are committed to ensuring that employees work in an environment free from discrimination and/or sexual harassment or harassment because of the employee's race, color, religion, gender, age, national origin, marital status, sexual orientation, physical or mental handicap, or veteran status. Hopkins is also committed to hiring, promoting, accommodating, and retaining disabled employees."</p>	
<p>Categories of discrimination</p>		<p>"Harassing conduct includes:</p> <ul style="list-style-type: none"> • epithets, slurs, negative stereotyping or threatening, intimidating, or hostile acts that relate to race, color, religion, gender, age, national origin, marital status, sexual orientation, physical or mental handicap, or veteran status (including jokes or pranks that are hostile or demeaning); and • written or graphic material that denigrates or shows hostility or aversion toward an individual or group because of race, color, religion, gender, age, national origin, marital status, sexual orientation, physical or mental handicap, or veteran status that is displayed on walls, bulletin boards or other locations, or circulated in the workplace. <p>Sexual harassment is a form of sex discrimination, and is defined by law as, "unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature."</p> <ul style="list-style-type: none"> • Anyone who uses implicit or explicit behavior to influence, control or affect the career, salary or job of another employee, in an effort to coerce the employee into a sexual relationship, is engaging in sexual harassment. Likewise, anyone who participates in deliberate, repeated, unsolicited verbal comments, gestures, or physical contact of a sexual nature, which are unwelcome, and/or unreasonably interferes with work performance, or creates an intimidating, hostile or offensive working environment, is also engaging in sexual harassment. 	

		<ul style="list-style-type: none"> Where employment opportunities or benefits are granted because of an individual's submission to sexual requests, advances or favors, and other persons who were qualified for, but denied such opportunity or benefit, such acts are also considered to be within the category of sexual harassment." 	
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Employment and working condition provisions related to equal employment opportunities			
Commitment to affirmative action, and categories of affirmative action		<p>"The maximum period that may be granted for the Leave of Absence, including the 12 weeks of Family Medical Leave (FML) where applicable and Medical Layoff, is 12 months. Leave of Absence (following FML) does not guarantee that the employee will be restored by The Johns Hopkins Health System Corporation (JHHSC) and The Johns Hopkins Hospital (JHH) to the position of employment held by the employee when the Leave of Absence commenced or to an equivalent position within Hopkins."</p> <p>"Eligibility for a Leave of Absence due to health, child/dependent or personal reasons are limited to employees who regularly are scheduled to work twenty (20) hours a week or more after completing ninety (90) days of employment. Eligibility for a Leave of Absence due to educational reasons is limited to employees who have at least one (1) year of continuous service with Hopkins. Employees who do not meet the eligibility requirements of FML may be eligible for a Leave of Absence."</p> <p>"Child or Dependent Care A Leave of Absence for the purpose of caring for a child or dependent may be granted by the department head only after FML entitlement (if applicable) has been exhausted. Upon request by the department, the employee will provide valid proof, as determined by the department, in support of the leave request. An employee must use any unused Vacation, Old Vacation and/or PTO time while on Leave of Absence. * <i>The employee will be paid on a pay period basis until accrued leave is exhausted or the employee returns to work, whichever occurs first</i></p> <p>Educational An Educational Leave may be granted for a maximum of two (2) years, but at no time more than the length of service, under the following conditions:</p> <ul style="list-style-type: none"> The training being received is for a job or skill Hopkins needs. The training is received from an approved, accredited institution." 	

❖ **BELL ATLANTIC:**

Company Policies - Bell Atlantic - Summary of the Provisions

<p>Company, its home and policy</p>	<p>country</p>	<p>Bell Atlantic</p> <p>United States</p> <p><i><u>We Are Responsible - Our Code of Conduct</u></i></p> <p>ILO 1998 Survey</p>	
<p>Employment and working condition provisions related to equal employment opportunities</p>			
<p>Commitment to equal opportunity/non-discrimination</p>		<p>"At Bell Atlantic, we realize that a successful business is built by valuing and maximizing each others' abilities, not belittling our differences. We are committed to establishing and maintaining a workplace free from discrimination, where each of us has equal opportunity to develop our abilities and demonstrate our potential. We believe in offering these same considerations to all business partners with whom we work. Company policy, as well as federal, state and local laws prohibit unlawful discrimination."</p>	
<p>Categories of discrimination</p>		<p>"A Definition of Discrimination</p> <ul style="list-style-type: none"> • Discrimination is the unfair treatment of others based on protected characteristics that have no proper bearing on the individual's ability to meet job requirements. <p>Equal Opportunity pertains to:</p> <ul style="list-style-type: none"> • Age, color, citizenship status, disability, disabled veteran status, gender, race, religion, national origin, marital status, sexual orientation, Vietnam-era veteran status. <p>Applicable Employment Situations</p> <ul style="list-style-type: none"> • All terms and conditions of employment, including but not limited to recruitment, leaves of absence, benefits, hiring, compensation, upgrading and promotional opportunities, assignment transfers, performance appraisals, training, lay-offs and returns from layoffs, access to or participation in social and recreational programs, disciplinary actions and termination of employment. <p><i>Our Standards</i></p> <ul style="list-style-type: none"> • We will demonstrate proper consideration for others' abilities. We will not unlawfully discriminate in employing or otherwise affecting the employment status of fellow or prospective employees. (See Applicable Employment Situations above.) • We will not unlawfully discriminate against customers, suppliers, competitors, governing officials or other parties in our business dealings. 	

- We will treat employees, customers, suppliers and all with whom we come into contact with respect, dignity and honesty. We will not tolerate discriminatory slurs, or any other remarks, jokes or conduct that in the judgment of Bell Atlantic encourages or permits an offensive or hostile work environment.

Conditions and privileges of employment are administered to all employees without unlawful discrimination or unlawful harassment because of age, color, citizenship status, disability, disabled veteran status, gender, marital status, national origin, race, religion, sexual orientation or Vietnam veteran status."

"Harassment

We are committed to maintaining an environment in which each of us is free from harassment. Such behavior demeans others and threatens our ability to create a workplace in which we can be productive and feel comfortable. Certain types of harassment, such as sexual harassment, can also violate the law, result in substantial financial liability and risk our company's hard-earned reputation. Therefore, we will take responsibility for our own behavior and show no toleration for actions of others that are inconsistent with a supportive and respectful environment.

Our Standard

We will be respectful of others. We will not participate in any activity that ridicules, belittles, intimidates or otherwise demeans others.

Sexual Harassment

Definition of Sexual Harassment (Including, but not limited to)

- Any form of conduct that requires or implies that another employee's submission to or rejection of sexual advances will in any way influence any personnel decision regarding that individual's employment, evaluation, wages, advancement, assigned duties, shifts or any condition of employment or career development.
- The existence of a sexually abusive or hostile working environment.
- Sexual harassment of employees by non-employees, or of non-employees by employees.

Examples of Sexual Harassment (Including, but not limited to)

- Unwelcome sexual advances, verbal statements or physical conduct of a sexual nature, or a display of sexually suggestive objects or pictures

Our Standard

We will not engage in any form of sexual harassment. We will report immediately any instances of actual or potential sexual harassment that we witness or have knowledge of to our manager or the EEO office via the Ethics and Corporate Compliance Guide Line.

		<p>One of my co-workers has a habit of telling questionable or "off-color" jokes. This offends me and others in my group. How can I get this to stop?</p> <p>Bell Atlantic prohibits this type of behavior. You have the option of discussing your feelings with the person telling the jokes. If you cannot or do not wish to resolve the matter in this way, consult with your supervisor, or the EEO office via the Office Ethics and Corporate Compliance Guide Line. (See Additional Resources: Important Contacts.)"</p>	
<p>Commitment to and of affirmative action</p>	<p>categories</p>	<ul style="list-style-type: none"> • "We will support, and not interfere with, programs that encourage women, minorities, persons with disabilities, Vietnam-era veterans or others to seek equal employment opportunities, or business relationships at Bell Atlantic. • We will make reasonable accommodations for employees - and applicants as provided by law. (Questions regarding what may constitute "reasonable accommodations" should be directed to Human Resources. See Additional Resources: Important Contacts) • We will only use facilities or sponsor events or memberships to facilities or organizations, such as social or sports clubs, that do not have exclusionary membership policies." 	
<p>EEO structures</p>		<p>"Bell Atlantic makes available numerous resources to assist us when we have questions about proper business practices. Our supervisor or an appropriate company support group might be able to help. Atlantic also provides a confidential way for us to ask questions, voice concerns, clarify gray areas or report a suspected violation. It's called the Guideline and it is staffed 24 hours a day, days a week. Just call (800) 473-8255 for assistance. (See Additional Resources: Important C Contacts section at the back of this booklet for more information.) Note: Issues that are covered by collective bargaining agreements or personnel practices for non- employees, should be pursued through the appropriate grievance process.</p> <p>Finding Answers Call or write the Guideline. It's our resource for guidance on ethics, EEO and compliance matters.</p> <p>Strictly Confidential You don't have to give your name. (However, in some cases it may be required to properly investigate a matter.)</p> <p>Working for Results Callers usually are seeking guidance or reporting allegations of misconduct. The Guideline Advisor can coach, interpret the code, mediate, investigate or refer. Feedback may include further education, coaching for similar situations, improving communications and clarifying policy."</p>	
<p>Implementation of the policy</p>			
<p>Dissemination</p>		<p>"As Managers</p> <p>In addition to our obligations as employees:</p>	

		<ul style="list-style-type: none"> • We will demonstrate ethical leadership, staying fully informed of and acting upon legal and company standards so that we can best demonstrate our company's values and standards by our own daily actions. • We will ensure that each employee that we supervise receives a copy of the Bell Atlantic We Are Responsible . . . Our Code of Business Conduct and other applicable company policy documentation. • We will inform our employees of new and changing company and legal standards and provide appropriate education, coaching and guidance to ensure their understanding and compliance. • We will actively assist our employees with questions about corporate standards and policies and encourage them to seek guidance from ourselves or others when they are not sure of proper business practices. " 	
<p>Monitoring</p>		<p>"Misconduct Reporting</p> <ul style="list-style-type: none"> • We will immediately report any known or suspected misconduct. • We will report illegal, dishonest or harmful acts against the company to Corporate Security, or to our manager, who will report the matter to Corporate Security. We will report actual or suspected unlawful harassment or unlawful discrimination to our supervisors, or to the Equal Employment Opportunity (EEO) organization via the Office of Ethics and Corporate Compliance. • We will report any other violations of company standards to our manager, another manager, or company authorities, including the Legal, Corporate Security or Internal Auditing departments, or the Office of Ethics and Corporate Compliance. Reports will be kept confidential to the maximum extent permitted by law. • We may report misconduct anonymously by calling Corporate Security or the Office of Ethics and Corporate Compliance. However, in some cases our name is needed to properly address misconduct. In such cases, our name will be requested and will be used on a "need to know" basis only during the investigation. • We can also report any suspected acts of retaliation against ourselves or others for having reported misconduct or participated in an investigation to Corporate Security or the Office of Ethics and Corporate Compliance. <p>If we willfully condoned, overlooked or participated in any misconduct, our reporting the matter does not absolve us of responsibility; however, our report may be considered in determining our accountability. "</p>	
<p>Complaint procedure</p>		<p>"Q. When should I report an allegation of sexual harassment or discrimination to the Bell Atlantic EEO office?"</p> <p>A. First, the allegation should be reported immediately to your supervisor who will contact the EEO office and determine what additional steps should be taken to handle the matter. If you are uncomfortable discussing it with your supervisor or manager, you should contact the EEO office via the Bell Atlantic Ethics and Corporate Compliance Guide Line (See Additional Resource:</p>	

		<p>Important Contacts)"</p> <p>"As Managers</p> <p>In addition to our obligations as employees:</p> <ul style="list-style-type: none"> • We will encourage employees to report suspected or actual violations of misconduct and we will communicate to them that acts of retaliation for reporting such information will not be tolerated. • We will promptly respond to all reports of suspected misconduct including allegations of unlawful harassment or unlawful discrimination, by consulting the appropriate company personnel and supporting any ensuing investigation. (See Reporting Violations and Discipline.) • When an allegation of wrongdoing is substantiated, we will take prompt, corrective and, when necessary, disciplinary action. <p>Investigations</p> <p>When misconduct is suspected, the company will conduct an investigation to determine whether a violation of the law or company standards has occurred.</p> <ul style="list-style-type: none"> • We will fully cooperate in any company investigations of misconduct or work-related matters. Failure to do so constitutes a violation of company standards. Any form of retaliation against an employee for cooperating in an investigation will not be tolerated. • We will not discuss with anyone, or disclose information concerning an investigation we are involved in or know about without authorization. • We will not interfere with or obstruct an investigation, including misrepresenting facts or failing to disclose facts." 	
<p>Sanctions</p>		<p>"Appropriate and consistent disciplinary measures for those who violate our corporate and other legal standards reinforce our commitment to abide by the law and uphold our company's values. (For more information, refer to existing policies on disciplinary action.)</p> <ul style="list-style-type: none"> • We are subject to disciplinary actions up to and including dismissal for violations of the law and company policies. Certain matters may be referred to legal authorities for investigation and prosecution in addition to being handled through the company disciplinary process. • If we, as managers, condone or know of such violations by subordinates and do not report them, or fail to take appropriate corrective action, we may also be disciplined. • The company may seek restitution from employees who have engaged in misconduct. • We, as managers, will use existing company disciplinary mechanisms for ensuring adherence to company standards and determining appropriate and consistent discipline for misconduct. We should consult with Human Resources or Labor Relations before making a final decision on whether to impose severe discipline (i.e. dismissal) 	

		and what sanction, if any, to impose. (Refer to existing disciplinary policies for further information.) "	
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❖ BANK OF MONTREAL

Company Policies - Bank of Montreal - Summary of the Provisions

First Principles - Our Code of Conduct

Company, its home country and policy	Bank of Montreal Canada <i>First Principles - Our Code of Conduct</i> 1998 ILO Survey	
Employment and working condition provisions related to equal employment opportunities		
Commitment to equal opportunity/non-discrimination	<p>"The Bank is committed to an equitable workplace in which all employees have the opportunity to a full and rewarding career unimpeded by artificial barriers. The Bank is also committed to the creation of a workforce that reflects - at every job level - the diverse populations in the communities the Bank serves.</p> <p>The Bank does not tolerate any form of discrimination against any group or individual - customer, supplier, employee or job applicant - on any basis. That specifically includes race, colour, religion, national or ethnic origin, age, sex, sexual orientation, marital status, or physical or mental impairment.</p> <p>Our responsibilities are not only limited to our own behaviour, either. We should not tolerate any discriminatory practices in the Bank, against ourselves or anyone else."</p>	

❖ Rights, Safeguards, and Equality of Opportunity

RIGHTS, SAFEGUARDS AND EQUALITY OF OPPORTUNITY

March 1999 (http://news.bbc.co.uk/2/hi/events/northern_ireland/focus/299033.stm)

Human Rights

1. The parties affirm their commitment to the mutual respect, the civil rights and the religious liberties of everyone in the community. Against the background of the recent history of communal conflict, the parties affirm in particular:

- the right of free political thought;
- the right to freedom and expression of religion;
- the right to pursue democratically national and political aspirations;
- the right to seek constitutional change by peaceful and legitimate means;
- the right to freely choose one's place of residence;
- the right to equal opportunity in all social and economic activity, regardless of class, creed, disability, gender or ethnicity;
- the right to freedom from sectarian harassment; and
- the right of women to full and equal political participation.

United Kingdom Legislation

2. The British Government will complete incorporation into Northern Ireland law of the European Convention on Human Rights (ECHR), with direct access to the courts, and remedies for breach of the Convention, including power for the courts to overrule Assembly legislation on grounds of inconsistency

3. Subject to the outcome of public consultation underway, the British Government intends, as a particular priority, to create a statutory obligation on public authorities in Northern Ireland to carry out all their functions with due regard to the need to promote equality of opportunity in relation to religion and political opinion; gender; race; disability; age; marital status; dependants; and sexual orientation. Public bodies would be required to draw up statutory schemes showing how they would implement this obligation. Such schemes would cover arrangements for policy appraisal, including an assessment of impact on relevant categories, public consultation, public access to information and services, monitoring and timetables.

4. The new Northern Ireland Human Rights Commission (see paragraph 5 below) will be invited to consult and to advise on the scope for defining, in Westminster legislation, rights supplementary to those in the European Convention on Human Rights, to reflect the particular circumstances of Northern Ireland, drawing as appropriate on international instruments and experience. These additional rights to reflect the principles of mutual respect for the identity and ethos of both communities and parity of esteem, and - taken together with the ECHR - to constitute a Bill of Rights for Northern Ireland. Among the issues for consideration by the Commission will be:

the formulation of a general obligation on government and public bodies fully to respect, on the basis of equality of treatment, the identity and ethos of both communities in Northern Ireland; and

a clear formulation of the rights not to be discriminated against and to equality of opportunity in both the public and private sectors.

New Institutions in Northern Ireland

5. A new Northern Ireland Human Rights Commission, with membership from Northern Ireland reflecting the community balance, will be established by Westminster legislation, independent of Government, with an extended and enhanced role beyond that currently exercised by the Standing Advisory Commission on Human Rights, to include keeping under review the adequacy and effectiveness of laws and practices, making recommendations to Government as necessary; providing information and promoting awareness of human rights; considering draft legislation referred to them by the new Assembly; and, in appropriate cases, bringing court proceedings or providing assistance to individuals doing so.

6. Subject to the outcome of public consultation currently underway, the British Government intends a new statutory Equality Commission to replace the Fair Employment Commission, the Equal Opportunities Commission (NI), the Commission for Racial Equality (NI) and the Disability Council. Such a unified Commission will advise on, validate and monitor the statutory obligation and will investigate complaints of default.

7. It would be open to a new Northern Ireland Assembly to consider bringing together its responsibilities for these matters into a dedicated Department of Equality.

8. These improvements will build on existing protections in Westminster legislation in respect of the judiciary, the system of justice and policing.

Comparable Steps by the Irish Government

9. The Irish Government will also take steps to further strengthen the protection of human rights in its jurisdiction. The Government will, taking account of the work of the All-Party Oireachtas Committee on the Constitution and the Report of the Constitution Review Group, bring forward measures to strengthen and underpin the constitutional protection of human rights. These proposals will draw on the European Convention on Human Rights and other international legal instruments in the field of human rights and the question of the incorporation of the ECHR will be further examined in this context. The measures brought forward would ensure at least an equivalent level of protection of human rights as will pertain in Northern Ireland. In addition, the Irish Government will:

- establish a Human Rights Commission with a mandate and remit equivalent to that within Northern Ireland;
- proceed with arrangements as quickly as possible to ratify the Council of Europe Framework Convention on National Minorities (already ratified by the UK);
- implement enhanced employment equality legislation;
- introduce equal status legislation; and
- continue to take further active steps to demonstrate its respect for the different traditions in the island of Ireland.

A Joint Committee

10. It is envisaged that there would be a joint committee of representatives of the two Human Rights Commissions, North and South, as a forum for consideration of human rights issues in the island of Ireland. The joint committee will consider, among other matters, the possibility of establishing a charter, open to signature by all democratic political parties, reflecting and endorsing agreed measures for the protection of the fundamental rights of everyone living in the island of Ireland.

Reconciliation and Victims of Violence

11. The participants believe that it is essential to acknowledge and address the suffering of the victims of violence as a necessary element of reconciliation. They look forward to the results of the work of the Northern Ireland Victims Commission.

12. It is recognised that victims have a right to remember as well as to contribute to a changed society. The achievement of a peaceful and just society would be the true memorial to the victims of violence. The participants particularly recognise that young people from areas affected by the troubles face particular difficulties and will support the development of special community-based initiatives based on international best practice. The provision of services that are supportive and sensitive to the needs of victims will also be a critical element and that support will need to be channelled through both statutory and community-based voluntary organisations facilitating locally-based self-help and support networks. This will require the allocation of sufficient resources, including statutory funding as necessary, to meet the needs of victims and to provide for community-based support programmes.

13. The participants recognise and value the work being done by many organisations to develop reconciliation and mutual understanding and respect between and within communities and traditions, in Northern Ireland and between North and South, and they see such work as having a vital role in consolidating peace and political agreement. Accordingly, they pledge their continuing support to such

organisations and will positively examine the case for enhanced financial assistance for the work of reconciliation. An essential aspect of the reconciliation process is the promotion of a culture of tolerance at every level of society, including initiatives to facilitate and encourage integrated education and mixed housing.

RIGHTS, SAFEGUARDS AND EQUALITY OF OPPORTUNITY

Economic, Social and Cultural Issues

1. Pending the devolution of powers to a new Northern Ireland Assembly, the British Government will pursue broad policies for sustained economic growth and stability in Northern Ireland and for promoting social inclusion, including in particular community development and the advancement of women in public life.

2. Subject to the public consultation currently under way, the British Government will make rapid progress with:

(i) a new regional development strategy for Northern Ireland, for consideration in due course by a the Assembly, tackling the problems of a divided society and social cohesion in urban, rural and border areas, protecting and enhancing the environment, producing new approaches to transport issues, strengthening the physical infrastructure of the region, developing the advantages and resources of rural areas and rejuvenating major urban centres;

(ii) a new economic development strategy for Northern Ireland, for consideration in due course by a the Assembly, which would provide for short and medium term economic planning linked as appropriate to the regional development strategy; and

(iii) measures on employment equality included in the recent White Paper ("Partnership for Equality") and covering the extension and strengthening of anti-discrimination legislation, a review of the national security aspects of the present fair employment legislation at the earliest possible time, a new more focused Targeting Social Need initiative and a range of measures aimed at combating unemployment and progressively eliminating the differential in unemployment rates between the two communities by targeting objective need.

3. All participants recognise the importance of respect, understanding and tolerance in relation to linguistic diversity, including in Northern Ireland, the Irish language, Ulster-Scots and the languages of the various ethnic communities, all of which are part of the cultural wealth of the island of Ireland

4. In the context of active consideration currently being given to the UK signing the Council of Europe Charter for Regional or Minority Languages, the British Government will in particular in relation to the Irish language, where appropriate and where people so desire it:

- take resolute action to promote the language;
- facilitate and encourage the use of the language in speech and writing in public and private life where there is appropriate demand;
- seek to remove, where possible, restrictions which would discourage or work against the maintenance or development of the language;
- make provision for liaising with the Irish language community, representing their views to public authorities and investigating complaints;
- place a statutory duty on the Department of Education to encourage and facilitate Irish medium education in line with current provision for integrated education;
- explore urgently with the relevant British authorities, and in co-operation with the Irish broadcasting authorities, the scope for achieving more widespread availability of Teilifís na Gaeilge in Northern Ireland;

- seek more effective ways to encourage and provide financial support for Irish language film and television production in Northern Ireland; and
- encourage the parties to secure agreement that this commitment will be sustained by a new Assembly in a way which takes account of the desires and sensitivities of the community.

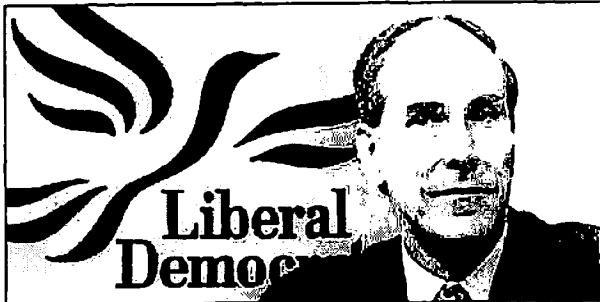
5. All participants acknowledge the sensitivity of the use of symbols and emblems for public purposes, and the need in particular in creating the new institutions to ensure that such symbols and emblems are used in a manner which promotes mutual respect rather than division. Arrangements will be made to monitor this issue and consider what action might be required.

ARTICLES:

❖ David Rendel: Equal opportunity for all

June 1999

(http://news.bbc.co.uk/2/hi/special_report/1999/06/99/lib_dem_leadership/377426.stm)



David Rendel, MP for Newbury, is the Liberal Democrats' social security spokesman. Here he sets out his vision for BBC News Online.

The principle of equal opportunity - for young and old, rich and poor, man and woman, for people of all races and religions, for disabled people and for people of whatever gender- or sexual orientation - lies at the heart of Liberal Democrat philosophy.

But to turn this principle into practice we must provide access, to enable people to take up their opportunities. Access to opportunity must be the central aim of any policy.

In education, our commitment to an extra penny on income tax will help to ensure that all children have a decent education, enabling them to reach their full potential. And for higher education students, we must continue to push for the abolition of tuition fees - starting with our MSPs at Holyrood.

In recent years we have understated the importance of environmental protection. There are many challenges: the need to find ways of helping people to work from home instead of commuting, and the need to ensure that our food sources are safe without further jeopardising the future of our farming community are just two.

The environmental debate must be reawakened now.

Employees must have a fair share in the wealth they create. In the third millennium we should be working towards a structure of business and industry in which employees share much more in the profitability of their companies by means of worker share-ownership.

The Liberal Democrats have never made enough of our commitment to the co-operative structure of businesses, with capital input more in the form of interest-bearing loans and labour rewarded not just in salaries but by dividends on the employee's shares.

But it is also vital to provide properly for those who, through no fault of their own, are unable to participate in the productive economy.

Everybody should have access to basic healthcare standards, and nobody should be compromised by long waiting times, "post-code" rationing or inadequate numbers of doctors and nurses.

As Social Security Team leader I have seen how the welfare and benefits system counts for nothing unless it is complemented by access to good quality healthcare for our ageing population.

We must also work to open up opportunities for citizens of other countries. We must broaden our international development programme, particularly towards governments who are increasing opportunities and rights for their citizens and who are promoting good practice for the environment.

Democracy is a key part of access when it comes to the political process. We should maximise the citizen's access to political power by giving voters the widest choice - not only of which party should form the government, but also of which members of that party should be their representatives.

At the same time, we must encourage people to engage in decision making at the local level.

For instance, we could empower local residents by switching the onus of proof in planning decisions. The developer should have to demonstrate an overall public benefit, instead of the objectors having to prove their case.

As a party we must be clear about our direction. That is why I am proposing a "referendum" of the entire membership, on our strategic position within Britain's political spectrum. I want to put aside, once and for all, the speculation about our independence.

Unless we provide real access, all the political talk of opportunity will count for nothing.

I believe it is time for us to assert our liberal agenda: to reaffirm that we are a truly inclusive party, which speaks for Britain; and to create a Britain in which all our citizens can participate.

❖ **Macho culture holds back women recruits**

February 2003 (http://news.bbc.co.uk/2/hi/uk_news/2725253.stm)



Efforts are being made to recruit women

Recruitment of women into the Army is being hampered by a "historically masculine" culture, a new study suggests.

Many soldiers and officers are finding it hard to adjust to the presence of women and dismiss them as disruptive, according to the research by Newcastle and Sunderland universities.

The study, part-funded by the Ministry of Defence (MoD), said while the Army had made progress in equal opportunities, it was harmed by the forces' ethos.

Researchers also noted the impact of media stereotypes of the sexy or tomboyish woman soldier.

About 8% of the Army is female, a proportion which has grown since the number of posts available to them was expanded in 1998.

Women represent 9.5% of officers, and 6.8% of other ranks.

The researchers interviewed army staff responsible for equal opportunities, as well as analysing policy documents and media reports.

Ban language

Some senior staff had met opposition to the idea of accommodating women amongst "opinion makers" in the senior ranks.

The study criticised an earlier MoD report called Combat Effectiveness and Gender, which led to Defence Secretary Geoff Hoon renewing the ban on female frontline soldiers.

While the researchers found the report superficially supportive, closer scrutiny revealed an attitude which viewed women as a disruption.

Mr Hoon said that "military judgement" supported the view that women's exclusion from some combat positions was justified for reasons of unit cohesion and combat effectiveness.

But the researchers said he did not detail the reasons behind this "military judgement", or cite any scientific evidence.

Recruitment efforts

They said this implied the very presence of women constituted the risk.

Dr Rachel Woodward said: "The Army is trying very hard to attract and integrate women into the organisation.

"Nevertheless, our research revealed attitudes and language used when discussing and writing about women which undermined the army's efforts to portray itself as a progressive employer.

"We found that the Army is still a traditionally masculine organisation which is only adapting gradually to the inclusion of women - and this adaptation process is uneven through the ranks.

"There is evidently great opposition from many soldiers who think the Army should be an exclusively male preserve."

❖ Positive measures needed on race

January 2002 (http://news.bbc.co.uk/2/hi/uk_news/politics/1693962.stm)



Professor Anwar believes positive measures needed
By BBC News Online's Ben Davies

A leading Muslim academic has called for the introduction of a system of positive discrimination along the lines of Labour's women-only shortlists to ensure better political representation of the UK's ethnic minorities.

Professor Muhammad Anwar, of the University of Warwick's centre for research in ethnic relations, said Britain's multi-racial society is scarcely reflected within the political institutions.

He told BBC News Online that with only a handful of members from ethnic minorities at the Greater London and Welsh Assemblies, the Scottish parliament and at Westminster, it was time for action. - -

"It's a two-way thing - obviously ethnic minorities have to come forward to participate but they can only participate if the system encourages them.

"I always give the example of women ... but you need the political will - you need to be bold on these things.

"But people will only participate in things if they feel welcome."

A token Tory?

He refers to the appointment of solicitor Shailesh Vara as a Conservative Party vice-chairman.

"It's alright to appoint an Asian as deputy chairman of the Conservative Party but what does it mean? It's symbolic. It's a good thing but I still see it as a token rather than effective representation."

Labour's system to boost the numbers of female MPs was introduced for the 1997 election, and allowed constituencies to volunteer to have women-only shortlists. - -

The result was a large increase in the intake of women MPs and, although the system was subsequently shown to be in breach of employment laws in the courts in 1998, Professor Anwar believes it could apply to the ethnic minorities.

Notwithstanding that, he is at pains to stress that just because an MP is Asian does not mean that he "represents" Asian people.

Operation black vote

They should be seen to represent members of their constituencies and reflect the ethnic diversity of the UK.

"It's like a medical doctor who is a spokesman on health. It's like working class MPs who were miners," he said.

As long ago as 1974 Professor Anwar was involved in a national survey concerned with finding out whether members of the ethnic minorities were registering to vote.

It is an issue that still concerns him today.

In his 1999 research for Operation Black Vote, which aimed to get ethnic groups involved in the process, he demonstrated that while 18% of white people were not on the electoral register that figure shot to 25% among ethnic minorities.

Professor Anwar is now waiting to see whether the new rolling system of registration introduced at the beginning of this year has an impact.

"If you miss the first step then you are not there as far as the parties are concerned - you don't exist," he said.

Schools, jobs and health

He even suggests that some Asians avoid getting on to the electoral roll because they fear having their addresses found out by racists.

But ultimately it is a case of not feeling connected.

"I think the politicians particularly need to put their houses in order because they have a big responsibility [to ethnic minorities]."

And he stresses that by-and-large people of all racial backgrounds have similar concerns about schools, jobs, the health service.

Black people live mainly in those inner city areas which tend to be represented by Labour MPs.

Media portrayal

"That's why I think Labour has a particular responsibility."

If good race relations in Britain involve being properly represented at a political level then that is no less true when it comes to representation in the media.

As soon as anything bad happens the very loyalty to this country of Black and Asian people is called into question, Professor Anwar says.

A few extremists go off to fight with the Taleban and all Muslims are tarred with the same brush when the vast majority are decent British citizens.

Something extreme happens and the press rush to get a comment from the "Muslim parliament which has no following among Muslims in this country." Professor Anwar insists, instead of going to talk to the mainstream.

That is particularly damaging because different ethnic groups seldom have a clear idea about how their counterparts live.

Professor Anwar believes that race relations in this country have gone backwards recently.

Unrest in British inner cities between Asian youths and white extremists, the reaction to the atrocities of 11 September are examples.

Ultimately he believes a key element of improving the relationship between the people of the UK is ensuring that they are properly reflected at all levels of British politics.



MPs demand action on police racism

Police are more likely to stop black people

November 1998 (http://news.bbc.co.uk/2/hi/uk_news/politics/207765.stm)

MPs are calling for action to address police racism and improve community relations.

Liberal Democrat MP Dr Vincent Cable, the chair of the all party police group, told MPs that although he did not believe that the police force was "institutionally racist" he did believe the police were guilty of stereotyping different groups of people.

It was a practice, he said, that led to serious errors of judgement during the investigation into the murder of black teenager Stephen Lawrence in 1992.

'Canteen culture'

It was time, he said, that the "canteen culture" which tolerates racist comments and views within the force was stamped out by senior officers.

He said racist views in the force often led to the police "showing bias" and should be combated through increased recruitment from minorities and police training in race relations.



Lawrence investigation suffered say MPs

Mr Cable said black people were much more likely to be stopped and searched by the police.

Ironically this happened to Liberal Democrat peer Lord Dholakia who was stopped by officers on his way to address chief constables on race affairs.

Racism challenged

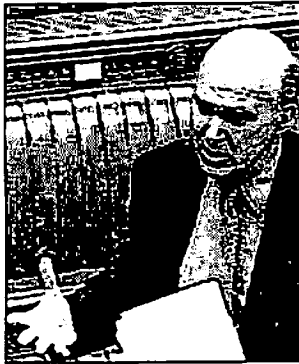
Dr Cable was backed by the Labour MP for Eltham, Clive Efford. It was in his constituency that Stephen Lawrence was murdered.

Mr Efford said the police had failed in their investigation of the case because of attitudes which led them not to act on evidence that could have secured arrests within 24 hours of the murder.

He added that "racism should be challenged everywhere" and that police were part this process.

'Institutional racism'

He also said that he did not accept the view of the Chief Commissioner of the Metropolitan Police, Sir Paul Condon, that there was no institutional racism within the force.



Dr Vincent Cable: Canteen culture must end

"It would be a remarkable thing if there was no racism within the police. I would say to Sir Paul Condon that racism of whatever form which exists in the police force is there because there is racism within our society."

Mr Efford told MPs that in the 1997-98 report by Sir Paul, figures on the use of police powers showed that of 336,692 searches, 41% were of non whites which make up just 20% of London's population

Policing by consent

Replying for the government, Home Office Minister Kate Hoey said the police needs to fully reflect the society it serves if it is going to continue to police by consent.

She then pointed out that positive action was being taken by the police to address some of the concerns raised by MPs.

The Association of Chief Police Officers, she said, had drawn up best practice guidelines on race relations.

She said the importance the government attached to the problem of racism was highlighted by the inclusion of tough laws on racially aggravated offences in the recent crime bill.

Ms Hoey then took the opportunity to remind the House of the 1981 report into the police for by Lord Scarman which she quoted.

"A police force which fails to reflect the ethnic diversity of our society will never succeed in securing the full support of all its sections."

She then told MPs: "I am confident that there is strong commitment from all levels of the service make these changes. I am confident that we will learn from the past. I am confident we will learn from the Lawrence inquiry. "

❖ SA right to stick with quotas?

July 2002 (http://news.bbc.co.uk/sport2/hi/sports_talk/2115713.stm)

South Africa will select at least five black players for the World Cup, apparently scrapping a decision to abandon quotas.

Have they made the right decision?

The quota system was introduced as part of South Africa's re-admission into international cricket after the abolition of apartheid, but came in for criticism from several senior cricket figures, particularly during the winter series against Australia.

Under pressure the United Cricket Board's (UCB) decided on Sunday to scrap its racial quota system for provincial and national teams involving a mandatory four black players.

But in a dramatic U-turn South Africa have announced a commitment to a minimum of five black players in their squad for the World Cup.

❖ SA universities: The racial balance

March 2004 (<http://news.bbc.co.uk/2/hi/africa/3564535.stm>)

Mohammed Allie
BBC Africa Live, Cape Town

Walking into the students' cafeteria at the University of Cape Town (UCT) at lunchtime was something of an eye-opener.

University of Cape Town is undergoing a racial transformation

As usual the place was crowded with students enjoying a well-earned break.

The only difference was that most students were black; a stark contrast to the situation 10 years ago, when most of the students in the cafeteria were white.

Like other former white-only universities in South Africa, UCT has embarked on a process of transformation which among other things has seen them admitting more black students in an effort to reflect the demographics of the country.

"We have had a comprehensive plan to attract more black students which has involved an alternative admissions programme because many students come from severely disadvantaged backgrounds," says Deputy Vice Chancellor, Professor Martin West.

"Their formal results may not be as good as pupils from advantaged backgrounds but they remain talented and have the potential to succeed at university," says Professor West.

Dilemma

The changing face of UCT is phenomenal. For the first time in its 175-year history, more than half of its new admissions this year are black students.

65 To reverse the brain drain, African governments have to create stability and equal opportunity for all.

Barrie Amadu, USA

Have your say

A majority of those admitted through the alternative admissions programme come from township schools where there is still a lack of facilities and resources.

Many of those students are beneficiaries of the academic development programme which provides additional tuition and mentoring as well as allowing the students to take an extra year to complete their degrees.

Third year engineering student, Bongikosi Mkwebu, says the programme benefited him a lot.



"In my stream, instead of doing my degree over a four-year period, I'm taking one extra year. At least it's giving people like me a chance to become engineers, scientists and accountants. For me the end justifies the means," he says.

There has been an increase in the number of blacks studying medicine

In addition to admitting more black students, UCT has also seen a significant increase in those doing courses in science, engineering, commerce and medicine - previously most black students were doing courses in the social sciences.

Historical disadvantages

The complexities of South African society leave many black students in a dilemma over whether merit should be the sole criterion for admission as opposed to making allowances for historical disadvantages to have more black students admitted to university.

Mvusa Inyoni, a third year Psychology student, says while merit should be the major factor in gaining admission, consideration should also be given to providing black students with opportunities.

"Results should matter because after all you're coming here to study. If you don't have good results at school then you won't cope. But I also think they also need to integrate demographic issues as well while providing the appropriate support."

This view is supported by Mbali Vilakazi, a film and media studies student.

"What's more important is not so much about me getting in because that's not good enough. The main issue is can I get in and come out as a successful student - that's the key issue," she says.

Injustices of apartheid

In its pursuit of admitting more black students, some white students who would have gained automatic entry because of their results have been turned away from courses like medicine, engineering and accounting.

For Ambragam Barley, a white business science student, this is not easy to accept.

"I feel this is apartheid in reverse. We are being disadvantaged but I guess we have to make allowances for the injustices of apartheid," she says.



Most black students come from severely disadvantaged backgrounds

For some white students the issue of admitting black students who have slightly lower grades but who have the potential to succeed must be hard to swallow.

However, UCT, like many other former white universities have recognised they have a role to play in redressing the skills imbalance caused by apartheid.