

Joint NGO Statement on the 10th Anniversary of the Horizontal Directive

Ten years on and nothing to show for it.

On 2 July 2008, the European Commission proposed an important new anti-discrimination law. While not exhaustive, this directive could ban discrimination on the grounds of religion or belief, disability, age or sexual orientation in all areas of social life, including education, housing, and access to goods and services. These protections are sorely needed. (Remember, at the moment, wide-ranging protection is only available under the EU's employment directive.)

But 10 years on, the draft directive remains stuck at the EU Council. This means that in 2018, in many member states, people can still be refused when they ask to open bank accounts because they are considered "too old". In 2018, we are still hearing stories of couples having their request to rent an apartment turned down - because they are a lesbian couple. We still know of children that are kept apart from their friends and sent to "special schools" – because they have a disability.

Yet in the past decade, the world has moved on. Several EU countries have adopted more progressive equality laws and stepped up non-discrimination protection for their citizens on a country-by-country basis. Meanwhile, the directive that planned to introduce an EU-wide minimum level of protection against discrimination on all grounds listed in Art. 19 of European Treaties remains in cold storage.

It is simply mindboggling that, in 10 years, no significant progress has been made at EU level to close these legislative gaps. And these are not minor issues – these gaps leave substantial numbers of EU citizens vulnerable to discrimination (except in the area of employment) based on inherently personal qualities like their age, disability, sexual orientation or religious belief.

This stagnation is particularly concerning in the current context of populist politics. When groups of people are turned into scapegoats for a whole range of societal ills, intolerance grows. When intolerance is left unchecked – and in some cases actively stoked by public figures – then those groups that are painted as 'outsiders', 'different' or 'a burden to society' really require a basic level of legal protection to rely on. It is clear that, more urgently than ever, a strong legal framework is needed to protect all people in the EU against discrimination in all areas of life.

As emphasised by the Universal Declaration of Human Rights, human rights are inalienable, and inherent to *all* human beings. The EU must send a clear message that human rights are non-negotiable, and the best way of doing that is to start at home.

On the 10th anniversary of the Horizontal Directive, we therefore urge both the European Commission and the EU's member states to come up with a roadmap on how to close the legislative gaps against discrimination on all grounds covered by the proposed directive. They must turn the legislative silence into a clear affirmation of the fact that the provision of these rights must not be politicised.

Just ahead of next year's EU elections, there is no better time for the EU than today to reinstall the trust of its citizens that the union can live up to its key values of equality and non-discrimination and be a key driver to equal protection of human rights for everyone.

Signed by:

- AGE Platform Europe (AGE)
- The European Disability Forum
- The European Women's Lobby (EWL)
- ILGA-Europe - the European Region of the International Lesbian, Gay, Bisexual, Trans & Intersex Association.
- IGLYO- The International Lesbian, Gay, Bisexual, Transgender, Queer & Intersex (LGBTQI) Youth & Student Organisation
- Transgender Europe (TGEU)

