

Social Affairs

EQUAL TREATMENT BETWEEN PERSONS IRRESPECTIVE OF RACIAL OR ETHNIC ORIGIN IN EMPLOYMENT & BEYOND

Council Directive [2000/43/EC](#) of 29 June 2000 implementing the principle of equal treatment irrespective of racial or ethnic origin.

Objective

To lay down a framework for combating discrimination on the grounds of racial or ethnic origin.

Relevance for the hospitality industry

As the hotel, restaurant and café sector employs a large number of workers of all origins, this Directive is of particular relevance to it. It also impacts the hospitality sector as service-provider.

State of progress

The Directive was adopted in June 2000.

Member States had until 19 July 2003 to comply with this Directive.

The proposal ([COM \(2008\) 0426 final](#)) for a Council Directive on implementing the principle of equal treatment between persons irrespective of religion or belief, disability, age or sexual orientation, currently being discussed, builds amongst others on the provisions of this Directive. *(see fiche on discrimination beyond the workplace)*

Content

The Directive prohibits direct and indirect discrimination based on racial or ethnic origin. It includes a definition of the terms “direct” and “indirect discrimination”.

Harassment and instruction to discriminate against persons on the grounds of racial or ethnic origin shall also be considered as discrimination. A definition is also given for the term “harassment”.

This principle of equal treatment, shall apply to all persons irrespective of racial or ethnic origin in the public and private sectors, in relation to:

- conditions for access to employment, to self-employment and to occupation, including selection criteria and recruitment conditions and promotion;
- access to all types and to all levels of vocational training, including practical work experience;
- employment and working conditions, including dismissals and pay;
- membership of and involvement in an organisation of workers or employers, or any organisation whose members carry on a particular profession;
- social protection, including social security and healthcare and social advantages;
- education; and
- access to and supply of goods and services which are available to the public, including housing.

It shall be to the respondent to prove, in case of a claim, that there has been no breach of the prohibition of discrimination.

HOTREC position

HOTREC fully supports the concerns of the European institutions in relation to the implementation of the principle of equal treatment to persons irrespective of their racial or ethnic origin. However, HOTREC is of the opinion that this issue is better dealt with at national level where existing national legislations already offer a comprehensive framework to combat all forms of discrimination.

Official reference

Council Directive [2000/43/EC](#) of 29 June 2000 implementing the principle of equal treatment irrespective of racial or ethnic origin, O.J. L 180, 19.7.2000

See also

Proposal ([COM \(2008\) 0426 final](#)) for a Council Directive on implementing the principle of equal treatment between persons irrespective of religion or belief, disability, age or sexual orientation which is currently being discussed, builds amongst others on the provisions of this Directive.