

Equality betrayed: Commission unilaterally gives up on anti-discrimination law

[News](#), [Inclusion and Equality](#), [Anti-discrimination](#), [European Commission](#)

European Civil Society condemns the European Commission's announcement to withdraw the proposed Directive on anti-discrimination as a betrayal of fundamental rights at a critical moment for democracy and equality in the EU.

On 12 February, the Commission publicly announced its intention to withdraw the proposal for the Equal Treatment Directive. This legislative measure aims to close legal gaps in EU anti-discrimination law. The EU Charter of Fundamental Rights and EU Treaties prohibit discrimination based on gender, racial or ethnic origin, religion or belief, disability, age, and sexual orientation. However, existing EU anti-discrimination legislation results in a hierarchy of protection where some forms of discrimination are more comprehensively addressed than others. The Equal Treatment Directive sought to harmonise these protections, ensuring a horizontal approach to equality.

This week's decision severely undermines the EU's commitment to building a Union of Equality at a time when marginalised communities require greater protection than ever. The withdrawal of the proposed Directive leaves a glaring gap in EU law, failing to protect young people, older persons, LGBTIQ+ persons, persons with disabilities or those facing discrimination based on religion or belief when accessing goods and services, housing, healthcare, social protection or education. It also does not sufficiently protect individuals who experience discrimination on the basis of race or ethnic origin and sex/gender in combination with these grounds.

The Commission's intention to withdraw it, without consulting with civil society and without presenting any alternative plan on how to better ensure comprehensive protection against discrimination outside the labour market in the EU, sends the wrong political message.

Furthermore, this withdrawal goes against EU's fundamental values enshrined in its treaties and disregards the support of the European Parliament, civil society, Equality Bodies and international organisations. It is also at odds with the European Commission's repeated commitment to building a "Union of Equality" and undermines the Polish Presidency's priorities.

Scrapping this directive without introducing a stronger and more comprehensive alternative at such a critical time when discrimination and rights violations are on the rise undermines the EU's credibility as a global leader in human rights. It sends a clear message that those living in the EU will not be shielded from the worldwide backlash against equality, democracy and fundamental rights. It is not enough for the Commission to reverse its course. Member States must also step up and finally agree on an ambitious law that fights discrimination.

It is especially concerning that while the far-right is on the rise everywhere in Europe, the Commission chooses to sacrifice the human rights of citizens in what appears as a dangerous political gamble. In times of hatred and fear-mongering, we need more human rights protection, not less.

For this reason, we urge the European Commission to:

- Reconsider its intention to withdraw the Equal Treatment Directive;
- If the withdrawal proceeds, immediately propose a more robust and comprehensive legislative proposal that takes an intersectional approach, along with a clear timeline;
- Immediately engage in meaningful consultation with the European Parliament, civil society, Equality Bodies and EU citizens to determine the necessary action to achieve true equality;
- Make an unequivocal commitment to making the Union of Equality a reality for all of us.

We also call on:

- The Polish Presidency to hold an urgent and public Council meeting for the Commission to explain this decision
- The European Parliament to hold a public hearing with the European Commission on the decision and future steps to ensure protection against discrimination for all people living in the EU

Signatories:

Eurocentralasian Lesbian* Community (EL*C)

European Roma Grassroots Organisations Network (ERGO Network)

Organisation Intersex International Europe e.V. (OII Europe)

The International LGBTQI Youth & Student Organisation (IGLYO)

European Network against Racism (ENAR)

ILGA-Europe

European Disability Forum (EDF)

AGE Platform Europe (AGE)

Trans Europe and Central Asia (TGEU)