



UK Race and Europe Network

Review of UK and EU balance of competences: call for evidence on economic and social rights - Evidence from UKREN

The UK Race and Europe Network (UKREN) is a network of 160 local and national organisations across Great Britain and Northern Ireland that work to combat race discrimination within a European context.

Our members value the equality provisions in the European treaties and the subsequent directives. We regard these as providing an important set of minimum standards applicable across the common market. If the internal market within the EU is to operate effectively then these standards are the essential glue that holds the internal market together.

As our members primary concern is the impact of race discrimination consequently our comments on this consultation relate primarily to the race equality provisions and also to those concerning discrimination on grounds of religion or belief.

The argument for social and employment competence

1. *To what extent is EU action in this area necessary for the operation of the single market?*

The single market depends on the free movement of people as well as of goods and services, capital and labour. People from the UK who fear discrimination will be reluctant to exercise their free movement rights unless they are likely to receive a comparable standard of protection from discrimination as they would receive in the UK. The single market itself depends on the full and equal implementation of all aspects of EU law in each member state. Only the EU and its institutions are in a position to provide such oversight.

The question, focusing on the single market, might be better posed as “To what extent is EU action in this area necessary for the operation of a just and fair society in Europe”.

2. *To what extent are social and employment goals a desirable function of the EU in their own right?*

Social and employment goals do constitute a desirable function of the EU. They are an important element of the internal market. EU integration means that it is not possible to contain social problems within a single Member State. For example, the well-documented discrimination and exclusion of Roma communities in some parts of eastern Europe has a cross-border effect because it may cause increased levels of migration by those seeking to escape discrimination. The Race Equality Directive provides important protection for racial minority groups at risk of discriminatory treatment.

3. *What domestic legislation would the UK need in the absence of EU legislation?*

The UK would continue to need comprehensive anti-discrimination legislation such as that provided by the Equality Act 2010. Other international legal instruments cover the social and employment competence, for example the UN International Covenant on Economic, Social and Cultural Rights, International Covenant on Civil and Political Rights, International Convention on the Elimination of all forms of Racial Discrimination, and International Labour Organisation standards.

Impact on the national interest

1. *What evidence is there that EU action in social policy advantages the UK?*

The inclusion of new grounds for discrimination in the Employment Equality Directive, in particular the ground of religion or belief, led the UK to introduce domestic legislation to outlaw this form of discrimination. This is of particular benefit to racial minorities who experienced racial discrimination which was expressed as religious discrimination, it is also of benefit to those who experience discrimination because they hold a minority religious belief. There is significant academic research that a workforce free of discrimination and coercion is more productive, has a lower turnover of skilled employees, is more competitive and in turn creates more profit for business. The EU and its institutions as a body overseeing Member States is in the best position to ensure non-discrimination is practiced across all member countries.

2. *What evidence is there that EU action in social policy disadvantages the UK?*

We do not consider that EU action in social policy disadvantages the UK.

Future options and challenges

1. *How might the UK benefit from the EU taking more action in social policy?*

The proposal to introduce a new equality directive to cover discrimination outside the employment sector on grounds of religion or belief as well as disability, sexual orientation and age would benefit people when they are living or working elsewhere in the EU or if they are travelling around the EU. It would ensure that they receive a common minimum standard of treatment.

2. *How might the UK benefit from the EU taking less action in social policy, or from more action being taken at national rather than EU level?*

We do not consider that it is in the interests of the UK for the EU to take less action in relation to social policy.

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www.ukren.org

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