

APPENDIX D: QUESTIONNAIRE FOR INTERVIEWING JOURNALISTS

Interviewer Name	
Interviewee Name	
Interviewee Organisation	
Interview Date & Time	
Interview Location	

SECTION 1: GENERAL

Journalists reporting on ethnicity/religion: professional norms and values

How many journalists work in your news organisation?	
What is the exact name/title of your job?	
Do you usually work on a specific “beat” or subject area? (Or do you usually work on different types of stories, more like a general assignment?)	<ul style="list-style-type: none"> a) Work on specific beat b) Work on different types of stories c) Don't know d) Refuse to answer
Which beat or area do you usually work on?	
In addition to working for your primary news organization, do you work for other media outlets? (Which other media do you work on?)	<ul style="list-style-type: none"> a) Yes (name it) b) No c) Don't know d) Refuse to answer
What are the terms of your employment?	<ul style="list-style-type: none"> a) full-time employee b) part-time employee c) freelancer d) other
On average, how many news items do you produce and/or process in a usual week?	<ul style="list-style-type: none"> a) b) Don't know c) Refused
There are a number of things the news media do or try to do. Please tell me, in your own words, what is the most important role of journalists in [add country]?	
<p>The following list describes some of the things the news media do or try to do. Please tell me on a scale of 1 to 5 how important is each of these things in your work.</p> <p>1 means you find them extremely important, 2 means very important, 3 means somewhat important, 4 means little important, and 5 means not important at all.</p>	<p>To be an absolutely detached observer. 1 2 3 4 5</p> <p>To act as watchdog of the government. 1 2 3 4 5</p> <p>To provide citizens with the information they need to make political decisions.</p>

	<p>1 2 3 4 5 To concentrate mainly on news that will attract the widest possible audience.</p> <p>1 2 3 4 5 To set the political agenda.</p> <p>1 2 3 4 5 To convey a positive image of political and business leadership.</p> <p>1 2 3 4 5 To provide the audience with the information that is most interesting.</p> <p>1 2 3 4 5 To influence public opinion.</p> <p>1 2 3 4 5 To support official policies to bring about prosperity and development.</p> <p>1 2 3 4 5 To advocate for social change.</p> <p>1 2 3 4 5 To act as watchdog of political elites.</p> <p>1 2 3 4 5 To motivate people to participate in civic activity and political discussion.</p> <p>1 2 3 4 5</p>
<p>The following statements describe different approaches to news coverage. For each of them, please tell me on a scale of 1 to 5 how strongly you agree or disagree.</p> <p>1 means you strongly agree, 2 means somewhat agree, 3 means neither agree nor disagree, 4 means somewhat disagree, and 5 means strongly disagree.</p>	<p>I do not allow my own beliefs and convictions to influence my reporting.</p> <p>1 2 3 4 5</p> <p>I provide analysis of events and issues in my work.</p> <p>1 2 3 4 5</p> <p>I think that facts speak for themselves.</p> <p>1 2 3 4 5</p> <p>I remain strictly impartial in my work.</p> <p>1 2 3 4 5</p> <p>I make claims only if they are substantiated by hard evidence and reliable sources.</p> <p>1 2 3 4 5</p> <p>I think that journalists can depict reality as it is.</p> <p>1 2 3 4 5</p> <p>I always make clear which side in a dispute has the privileged position.</p> <p>1 2 3 4 5</p> <p>I always stay away from information that cannot be verified.</p> <p>1 2 3 4 5</p> <p>There are ethical principles which are so important that they should be followed by all journalists, regardless of situation</p>

	<p>and context.</p> <p>1 2 3 4 5</p> <p>Journalists should avoid questionable methods of reporting in any case, even if this means not getting the story.</p> <p>1 2 3 4 5</p> <p>Ethical dilemmas in news coverage are often so complex that journalists should be allowed to formulate their own individual codes of conduct.</p> <p>1 2 3 4 5</p> <p>Reporting and publishing a story that can potentially harm others is always wrong, irrespective of the benefits to be gained.</p> <p>1 2 3 4 5</p> <p>What is ethical in journalism varies from one situation to another.</p> <p>1 2 3 4 5</p> <p>There are situations in which harm is justifiable if it results in a story that produces a greater good.</p> <p>1 2 3 4 5</p>
Do you feel your news organisation has a gender inclusive culture?	<p>Yes</p> <p>No</p> <p>Somewhat</p>
Can you think of an occasion at work where you feel you were treated less favourably or discriminated against due to your gender?	
Do you think male and female journalists are treated equally in terms of salary?	<p>Yes</p> <p>No</p> <p>Don't know</p> <p>Refused to answer</p>

SECTION 2: QUESTIONNAIRE ON AWARENESS AND UNDERSTANDING

What is the level of journalists' awareness and understanding of: (1) relevant law and policies at the EU and national levels on human rights, particularly the right to equality and non-discrimination on the grounds of race and ethnicity (Study 1) and religion (Study 2) ; (2) national human rights institutions and/equality bodies, NGOs and civil society groups promoting equality and non-discrimination; (3) the role of the media in promoting equality and non-discrimination on the grounds of race and ethnicity (Study 1) or religion (Study 2)? How can this be improved?

What is your knowledge of laws and policies at the EU level which prohibit discrimination on the grounds of race and ethnicity or religion?	<p>1) Excellent</p> <p>2) Very good</p> <p>3) Good</p> <p>4) Poor</p> <p>5) Very poor</p>
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<p>What is your knowledge of the following particular aspects of EU law? (For each of them, please tell me on a scale of 1 to 5 how much you know. 1 stands for excellent ,2 very good knowledge, 3 good, 4 poor, 5 very poor:)</p> <p>(a) provisions of the Charter of Fundamental Rights for the EU concerning non-discrimination (Articles 20-26);</p> <p>(b) Article 19 of Treaty of the Functioning of the EU competence to take appropriate action to combat discrimination on the grounds of, inter alia, race, ethnicity and religion;</p> <p>(c) the EU Racial Equality Directive (2000/43/EC) against discrimination on grounds of race or ethnic origin in areas including employment and training, education, social protection and access to goods and services; the Employment Framework Directive (2000/78/EC) against discrimination at work on grounds of, inter alia, religion?</p>	<p>a) 1 2 3 4 5</p> <p>b) 1 2 3 4 5</p> <p>c) 1 2 3 4 5</p>
<p>What is your knowledge of similar laws and policies at the national level?</p> <p>(Legislation which prohibits discrimination and promote equality on the grounds of race and ethnicity or religion. Please tell me on a scale of 1 to 5 how much you know. 1 stands for excellent ,2 very good knowledge, 3 good, 4 poor, 5 very poor)</p>	<p>Excellent</p> <p>Very good</p> <p>Good</p> <p>Poor</p> <p>Very poor</p>
<p>Have you heard of [the national body/bodies designated for the promotion of equal treatment, may be a national human rights institution (NHRI), if there is one]?</p>	<p>Yes</p> <p>No</p> <p>Other</p>
<p>Do you know of any bodies or organisations which aim to promote equality?</p>	<p>Yes</p> <p>No</p> <p>Other</p>
<p>What type of cooperation exists between your organisation and civil society groups?</p>	
<p>In your view, what are the responsibilities and the role of the media in these matters? (Combating discrimination and promoting equality and diversity as well as intercultural and interreligious understanding and dialogue)</p>	
<p>In your opinion, are negative stereotypes of individuals and groups being furthered by the media?</p>	
<p>What are the main obstacles to reporting about issues concerning race and ethnicity or religion?</p>	
<p>What type of training is provided by your organisation? (Training on human rights, equality and non-discrimination and inter-cultural and inter-religious understanding eg professional development programmes), if any?</p>	

<p><i>For public service broadcasters only:</i></p> <p>Do you have legal obligations in these matters? (To avoid negative stereotyping of individuals and groups and to promote intercultural/interreligious understanding (through, for example, the airing of programmes which portray different communities)</p> <p><i>For the (print media) journalists only:</i></p> <p>Is there a professional code of conduct for your profession which reflects the principles of equality and diversity? (With particular regard to issues of race and ethnicity or religion) and are effective steps being taken to implement such a code.)</p> <p><i>For online media:</i></p> <p>What, in your view, are your responsibilities to combat discrimination? (And promote intercultural/interreligious understanding and do you think you fulfil these responsibilities?)</p>	
What is your view on the ways you can improve reporting on issues concerning race and ethnicity or religion?	
What are the conditions of such improvement in your view?	

SECTION 3: QUESTIONNAIRE ON CASE-STUDIES

What are the examples of journalism practice that could be usefully elucidated in order to breakdown prejudices, tackle discrimination, promote intercultural and interreligious understanding endorse common values and provide independent and trustworthy information?

1	CASE STUDY: What was the best news story written/produced last year in your country concerning issues of racial/ethnicity or religion? (Who published it? Explain what was good there.)	
2	CASE STUDY: What was the least successful news story written/produced last year in your country concerning issues of race and ethnicity or religion? (Who published it? Explain the problems there.)	
3	CASE STUDY: What was the best news story you have written/produced about concerning issues of race and ethnicity or religion? (Explain what was good there.)	
4	CASE STUDY: What was the least successful news story you have written/produced concerning issues of race and ethnicity or religion? (Explain the problems there.)	
5	CASE STUDY: What do you think of the coverage of Angela Merkel's speech on the end of multiculturalism? (Have you written any story? Was there any follow-up? If yes, what exactly? If not, why not? What could have been done?)	

SECTION 4: PERSONAL

This final set of questions is being asked simply so we can make some comparisons. None of it will be used to identify you or anyone else participating in the study.

How would you describe your gender?	Male Female Other Refused
How old were you on your last birthday?	
What is the highest grade of school or level of education you have completed?	a) Primary school b) Secondary school c) Undergraduate study no degree d) Undergraduate degree (BA) e) MA f) PhD
How many years have you been working in journalism?	
How important is your ethnicity to you? Would you say extremely important, very important, somewhat important, little important, or not important at all?	Extremely important Very important Somewhat important Little important Not important at all Don't know Refused to answer
Do you consider yourself as affiliated with any particular ethnic organisation? If yes, which one?	
How important is religion or religious belief to you? Would you say extremely important, very important, somewhat important, little important, or not important at all?	Extremely important Very important Somewhat important Little important Not important at all Don't know Refused to answer

<p>Do you consider yourself as affiliated with any particular religion or religious denomination? If yes, which one?</p>	<p>No religion or denomination Buddhist Hindu Jewish Muslim Protestant Orthodox (Russian/Greek/etc) Roman Catholic Other Don't know Refused to answer</p>
<p>In political matters, people talk of “the left”, “the right”, and the “centre”. On a scale where 1 is left, 7 is right, and 4 is centre, where would you place yourself?</p>	<p>left centre right 1 2 3 4 5 6 7 Don't know Refused to answer</p>

APPENDIX E: QUESTIONNAIRE FOR INTERVIEWING EDITORS

Interviewer Name	
Interviewee Name	
Interviewee Organisation	
Interview Date & Time	
Interview Location	

SECTION 1: GENERAL

Editors: professional norms and values

How many journalists work in your news organisation?	
How is the newsroom organized? (Prompts: How many desks, what are the beats?)	
What are the basic principles of editorial policy? (Prompts: Is it a written document? Why yes or not?)	
What are the ground principles in covering ethnicity/religion? (Prompts: How journalists know about them?)	
Who are the journalists who usually cover these issues? (Names needed, ask for help with arranging interviews with journalists)	
How diverse is a newsroom in terms of ethnicity/religion and gender? (Prompts: Can you provide some data?)	
Do you think your workforce is diverse and representative of society as a whole?	
How often do you personally edit reports on ethnicity/religion? (Prompt: What type of a story requires your attention?)	
There are a number of things the news media do or try to do. Please tell me, in your own words, what is the most important role of journalists in [add country]?	
The following list describes some of the things the news media do or try to do. Please tell me on a scale of 1 to 5 how important is each of these things in your work. (1 means you find them extremely important, 2 means very important, 3 means somewhat important, 4 means little important, and 5 means not important at all)	<p>To be an absolutely detached observer. 1 2 3 4 5</p> <p>To act as watchdog of the government. 1 2 3 4 5</p> <p>To provide citizens with the information they need to make political decisions. 1 2 3 4 5</p> <p>To concentrate mainly on news that will attract the widest</p>

	<p>possible audience. 1 2 3 4 5</p> <p>To set the political agenda. 1 2 3 4 5</p> <p>To convey a positive image of political and business leadership. 1 2 3 4 5</p> <p>To provide the audience with the information that is most interesting. 1 2 3 4 5</p> <p>To influence public opinion. 1 2 3 4 5</p> <p>To support official policies to bring about prosperity and development. 1 2 3 4 5</p> <p>To advocate for social change. 1 2 3 4 5</p> <p>To act as watchdog of political elites. 1 2 3 4 5</p> <p>To motivate people to participate in civic activity and political discussion. 1 2 3 4 5</p>
<p>The following statements describe different approaches to news coverage. For each of them, please tell me on a scale of 1 to 5 how strongly you agree or disagree. (1 means you strongly agree, 2 means somewhat agree, 3 means neither agree nor disagree, 4 means somewhat disagree, and 5 means strongly disagree)</p>	<p>I do not allow my own beliefs and convictions to influence reporting. 1 2 3 4 5</p> <p>I provide analysis of events and issues in my work. 1 2 3 4 5</p> <p>I think that facts speak for themselves. 1 2 3 4 5</p> <p>I remain strictly impartial in my work. 1 2 3 4 5</p> <p>I make claims only if they are substantiated by hard evidence and reliable sources. 1 2 3 4 5</p> <p>I think that journalists can depict reality as it is. 1 2 3 4 5</p> <p>I always make clear which side in a dispute has the better position. 1 2 3 4 5</p> <p>I always stay away from information that cannot be verified. 1 2 3 4 5</p> <p>There are ethical principles which are so important that they should be followed by all journalists, regardless of situation and context. 1 2 3 4 5</p>

	<p>Journalists should avoid questionable methods of reporting in any case, even if this means not getting the story. 1 2 3 4 5</p> <p>Ethical dilemmas in news coverage are often so complex that journalists should be allowed to formulate their own individual codes of conduct. 1 2 3 4 5</p> <p>Reporting and publishing a story that can potentially harm others is always wrong, irrespective of the benefits to be gained. 1 2 3 4 5</p> <p>What is ethical in journalism varies from one situation to another. 1 2 3 4 5</p> <p>There are situations in which harm is justifiable if it results in a story that produces a greater good. 1 2 3 4 5</p>
<p>How often do you involve yourself in activities such as charities, NGO's, and local committees as a news organisation? (Would you say, on average, at least every week, once a month, once every three to four months, once a year or never?)</p>	<p>Every week Once a month Once every three to four months Once a year Never Refused to answer</p>
<p>How often do you involve yourself in activities such as charities, NGO's, and local committees as an editor? (Would you say, on average, at least every week, once a month, once every three to four months, once a year or never?)</p>	<p>Every week Once a month Once every three to four months Once a year Never Refused to answer</p>

SECTION 2: QUESTIONNAIRE ON AWARENESS AND UNDERSTANDING

What is the level of journalists' awareness and understanding of: (1) relevant law and policies at the EU and national levels on human rights, particularly the right to equality and non-discrimination on the grounds of race and ethnicity (Study 1) and religion (Study 2) ; (2) national human rights institutions and/equality bodies, NGOs and civil society groups promoting equality and non-discrimination; (3) the role of the media in promoting equality and non-discrimination on the grounds of race and ethnicity (Study 1) or religion (Study 2)? How can this be improved?

<p>What is your knowledge of laws and policies at the EU level which prohibit discrimination on the grounds of race and ethnicity or religion?</p>	<p>1) Excellent 2) Very good 3) Good 4) Poor 5) Very poor</p>
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<p><i>Prompt for editors who answered the previous question as 'excellent'.</i></p> <p>What is your knowledge of the following particular aspects of EU law? (For each of them, please tell me on a scale of 1 to 5 how much you know. 1 stands for excellent ,2 very good knowledge, 3 good, 4 poor, 5 very poor:)</p> <p>(a) provisions of the Charter of Fundamental Rights for the EU concerning non-discrimination (Articles 20-26);</p> <p>(b) Article 19 of the Treaty on European Union giving the EU competence to take appropriate action to combat discrimination on the grounds of, inter alia, race, ethnicity and religion;</p> <p>(c) the EU Racial Equality Directive (2000/43/EC) against discrimination on grounds of race or ethnic origin in areas including employment and training, education, social protection and access to goods and services; the Employment Framework Directive (2000/78/EC) against discrimination at work on grounds of, inter alia, religion?</p>	<p>a) 1 2 3 4 5</p> <p>b) 1 2 3 4 5</p> <p>c) 1 2 3 4 5</p>
<p>What is your knowledge of similar laws and policies at the national level?</p> <p>(Legislation which prohibits discrimination and promote equality on the grounds of race and ethnicity or religion. Please tell me on a scale of 1 to 5 how much you know. 1 stands for excellent ,2 very good knowledge, 3 good, 4 poor, 5 very poor.</p> <p><i>(For the interviewer: Laws and policies might include national constitutional law, legislation, regulations and policies, including and especially those intended to implement the EU directives indicated above)</i></p>	<p>Excellent</p> <p>Very good</p> <p>Good</p> <p>Poor</p> <p>Very poor</p>
<p>Have you heard of [the national body/bodies designated for the promotion of equal treatment, may be a national human rights institution (NHRI), if there is one]?</p>	<p>Yes</p> <p>No</p> <p>Other</p>
<p>Do you know of any bodies or organisations which aim to promote equality?</p> <p>(For the interviewer: Promote equality by, inter alia, offering advice or support (including legal advice) to individuals and groups who have suffered discrimination on the grounds of race, ethnicity or religion (e.g. NHRI, national equality body, civil society organisations, NGOs)?</p>	<p>Yes</p> <p>No</p> <p>Other</p>
<p>What type of cooperation exists between your organisation and civil society groups?</p>	
<p>In your view, what are the responsibilities and the role of the media in these matters? (Combating discrimination and promoting equality and diversity as well as intercultural and interreligious understanding and dialogue)</p>	
<p>In your opinion, are negative stereotypes of individuals and groups being furthered by the media?</p>	
<p>What are the main obstacles to reporting about issues concerning race and ethnicity or religion?</p>	
<p>What type of training is provided by your organisation? (Training on human rights, equality and non-discrimination and inter-cultural and inter-religious understanding eg professional development programmes), if any? Prompt: Are they successful in your view?</p>	

<p><i>For public service broadcasters only:</i></p> <p>Do you have legal obligations in these matters? (To avoid negative stereotyping of individuals and groups and to promote intercultural/interreligious understanding through, for example, the airing of programmes which portray different communities)</p> <p><i>For the (print media) editors only:</i></p> <p>Is there a professional code of conduct for your profession which reflects the principles of equality and diversity? (With particular regard to issues of race and ethnicity or religion, and are effective steps being taken to implement such a code?)</p> <p><i>For online media:</i></p> <p>What, in your view, are your responsibilities to combat discrimination? (And promote intercultural/interreligious understanding and do you think you fulfil these responsibilities?)</p>	
What is your view on the ways media can improve reporting on issues concerning race and ethnicity or religion?	
What are the conditions of such improvement in your view?	

SECTION 3: QUESTIONNAIRE ON CASE-STUDIES

What are the examples of journalism practice that could be usefully elucidated in order to breakdown prejudices, tackle discrimination, promote intercultural and interreligious understanding endorse common values and provide independent and trustworthy information?

1	CASE STUDY: What was the best news story written/produced last year in your country concerning issues of racial/ethnicity or religion? (Who published it? Explain what was good there)	
2	CASE STUDY: What was the least successful news story written/produced last year in your country concerning issues of race and ethnicity or religion? (Who published it? Explain the problems there)	
3	CASE STUDY: What was the best news story you have written/produced about concerning issues of race and ethnicity or religion? (Explain what was good there)	
4	CASE STUDY: What was the least successful news story you have written/produced concerning issues of race and ethnicity or religion? (Explain the problems there)	
5	CASE STUDY: How did you cover Angela Merkel's speech on the end of multiculturalism? (Was there any follow-up? If yes, what exactly? If not, why not? What could have been done?)	

SECTION 4: PERSONAL

This final set of questions is being asked simply so we can make some comparisons. None of it will be used to identify you or anyone else participating in the study.

How would you describe your gender?	Male Female Refused
How old were you on your last birthday?	
What is the highest grade of school or level of education you have completed?	a) Primary school b) Secondary school c) Undergraduate study no degree d) Undergraduate degree (BA) e) MA f) PhD
How many years have you been working in news media?	0-5 5-10 10-15 More than 15
How important is your ethnicity to you? (Would you say extremely important, very important, somewhat important, little important, or not important at all?)	Extremely important Very important Somewhat important Little important Not important at all Don't know Refused to answer
Do you consider yourself as affiliated with any particular ethnic organisation? (If yes, which one?)	
How important is religion or religious belief to you? (Would you say extremely important, very important, somewhat important, little important, or not important at all?)	Extremely important Very important Somewhat important Little important Not important at all Don't know Refused to answer

<p>Do you consider yourself as affiliated with any particular religion or religious denomination? (If yes, which one?)</p>	<p>No religion or denomination Buddhist Hindu Jewish Muslim Protestant Orthodox (Russian/Greek/etc) Roman Catholic Other Refused to answer</p>
<p>In political matters, people talk of “the left”, “the right”, and the “center”. On a scale where 1 is left, 7 is right, and 4 is center, where would you place yourself?</p>	<p>left center right 1 2 3 4 5 6 7 Don't know Refused to answer</p>

APPENDIX F: LEGAL FRAMEWORK

EU Member States should give effect to their obligations under international human rights treaties, the European Convention on Human Rights and EU law. These applicable international and European human rights laws mean that states should have a clear domestic legal and policy framework for the protection of equality and non-discrimination on a range of grounds including racial and ethnic origin and religion or belief. Moreover, states should provide accessible and effective remedies (judicial and non-judicial) to ensure that equality on these grounds is realised.

The following indicates the main relevant provisions of EU law on the principle of equal treatment on the grounds of racial and ethnic origin and religion or belief.

EUROPEAN UNION CHARTER

Articles 20-26 (Chapter III) of the EU Charter concern equality. This chapter states the following:

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.

It is also notable that the EU protects freedom of expression and information.

Article 11. Freedom of expression and information

1. Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers.
2. The freedom and pluralism of the media shall be respected

TREATY ON THE FUNCTIONING OF THE EUROPEAN UNION

Article 19 of the Treaty on the Functioning of the European Union (Ex Article 13 of the Treaty Establishing the European Community) gives the EU the competence – or the power – to combat discrimination, including on racial, ethnic or religious grounds. It states:

1. Without prejudice to the other provisions of the Treaties and within the limits of the powers conferred by them upon the Union, the Council, acting unanimously in accordance with a special legislative procedure and after obtaining the consent of the European Parliament, may take appropriate action to combat discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation.
2. By way of derogation from paragraph 1, the European Parliament and the Council, acting in accordance with the ordinary legislative procedure, may adopt the basic principles of Union incentive measures, excluding any harmonisation of the laws and regulations of the Member States, to support action taken by the Member States in order to contribute to the achievement of the objectives referred to in paragraph 1.

RACIAL EQUALITY DIRECTIVE

Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin (“Racial Equality Directive”) is a binding piece of EU legislation that prohibits discrimination on the grounds of racial or ethnic origin. Member States are required to implement into their domestic laws the directive’s provisions. Individuals may rely upon the Directive in national courts against state authorities. Member States can be liable for not implementing the Directive or not transposing it into domestic law properly.

The Directive prohibits a broad range of different kinds of discriminatory behaviour (Article 2): (1) direct discrimination, where one person is treated less favourably than another in a comparable situation on grounds of racial or ethnic origin; (2) indirect discrimination, where an apparently neutral provision, criterion or practice would put persons of a racial or ethnic origin at a particular disadvantage compared with other persons unless it is objectively justified by a legitimate aim and means of achieving aim are appropriate and necessary; (3) harassment, when unwanted conduct related to racial or ethnic origin takes place with purpose or effect of violating the dignity of a person and of creating an intimidating, hostile, degrading, humiliating or offensive environment; and (4) instruction to discriminate.

The Directive applies to all persons in public and private sectors in relation to a number of areas but only insofar as the EU has the power to “regulate” these areas (Article 3): (1) access to employment, self-employment and occupation (including promotion); (2) access to vocational guidance and training; (3) employment and working conditions, including dismissal and pay; (4) membership of workers’, employers’ or professional organisations; (5) social protection, including social security and health care; (6) social advantages; (7) education; (8) access to and supply of goods and services which are available to the public, including housing.

The Directive allows for exceptions to the principle of equal treatment for “genuine and determining occupational requirements” (Article 4). So for example, an employer may select a person for a particular post where, due to nature of

work involved or context it is a “genuine and determining occupational requirement” that the person should have a characteristic related to racial or ethnic origin.

The Directive permits Member States to maintain or adopt measures of positive or affirmative action (Article 4), specific measures to prevent or compensate for disadvantages linked to racial or ethnic origin. Such measures may include: trainings; planned and targeted steps when seeking to recruit new employees; and publicising posts in different ways in order to encourage members of such groups and support if necessary.

The Directive is intended to provide a minimum floor of protection against discrimination on racial or ethnic origin grounds only (Article 6). Member States are able to introduce provisions which are more favourable to principle of equal treatment although they are not allowed to reduce level of protection against discrimination.

The Directive provides for a variety of remedies, including for judicial enforcement through the courts, as well as the possibility for organisations with a “legitimate interest” to support individuals bringing a claim of discrimination (Article 7). When there is a de facto case of discrimination (i.e. when there is clear evidence to suggest that there was discrimination), there is a reversal of the burden of proof in favour of the individual/s alleging discrimination (Article 8).

Member States are, among other things, obliged to promote social dialogue between the two sides of industry to foster equal treatment through monitoring, collective agreements, codes of conduct, research and exchanges (Article 11) and to encourage dialogue with appropriate NGOs who have an interest in combating discrimination and to designate (Article 12). They are also obliged to designate a body to promote equal treatment to provide assistance to victims of discrimination, conduct independent surveys and studies, publish independent reports and make recommendations (Article 13).

Any laws, regulations, administrative provisions which are inconsistent with the Directive need to be abolished (Article 14). Victims of discrimination are entitled to compensation (Article 15).

EMPLOYMENT FRAMEWORK DIRECTIVE

The Employment Framework Directive (2000/78/EC) against discrimination at work prohibits discrimination on grounds of religion or belief (as well as sexual orientation, age and disability) in the sphere of employment and occupation. The Directive has a broad definition of discrimination to include direct and indirect forms of discrimination, as well as harassment and an instruction to discriminate (Article 2). However, it is more restricted in its scope than the Racial Equality Directive and only covers (1) conditions for access to employment, to self-employment or to occupation, including selection criteria and recruitment conditions and promotion; (2) access to all types and to all levels of vocational guidance, vocational training, advanced vocational training and retraining, including practical work experience; (3) employment and working conditions, including dismissals and pay; (4) membership of, and involvement in, an organisation of workers or employers, or any organisation whose members carry on a particular profession, including the benefits provided for by such organisations.

This Directive also provides for “genuine and determining occupational requirements” so that there may be an exception to the principle of equal treatment if it was decided that, due to nature of work involved or context involved (e.g. organisation’s ethos), that the person should have a characteristic related to religion or belief (Article 4).

Like under the Racial Equality Directive, states may maintain or adopt positive action measures (Article 7). The Directive is supposed to provide a minimum floor of protection (Article 8). The remedies under this Directive are similar to those under the Racial Equality Directive (Articles 9-14).

APPENDIX G: EQUALITY BODIES

The list of designated equality bodies is available here:

<http://www.equineteurope.org/361.html>

Equality bodies function as independent organisations giving assistance to victims of discrimination, monitoring and reporting on discrimination issues, and promoting equality. They have a statutory remit to promote equality and combat discrimination in relation to one, some or all of the grounds covered by the EU Equal Treatment Directives – gender, race and ethnicity, age, sexual orientation, religion or belief and disability.

The EU equal treatment legislation requires Member States to set up an equality body. Most of them have implemented the Racial Equality Directive (2000/43/EC) and the gender equal treatment Directives (2002/73/EC and 2004/113/EC) either by designating some existing institution or by setting up a new institution to carry out the competences assigned by the new legislation. However, there are no specific guidelines to Member States on how these bodies should operate. Now, more than six years after the implementation date of the Racial Equality Directive and the gender equal treatment Directives, a wide variety of practices concerning equality bodies are flourishing in the EU Member States. So far, European anti-discrimination law only requires that equality bodies are set up in the fields of race and ethnic origin and gender. However, many countries have bodies that deal with other grounds of discrimination as well.

Equality bodies are required to have the function to provide independent assistance to victims of discrimination. This function can involve a range of activities:

- including providing information about the existence of anti-discrimination legislation and about the possibility to take legal action to secure redress for discrimination
- referring the people who experience discrimination to an organisation/institution that could assist them, assisting people who experience discrimination to come to an amicable settlement (mediation) and
- providing legal advice and representation to people who have experienced discrimination.

Equality bodies are further required to have the functions of conducting independent surveys concerning discrimination, publishing independent reports and making recommendations on any issue relating to discrimination. Most equality bodies also have functions to promote equal treatment e.g. through information campaigns aimed at the general public or through providing support to employers and service providers in relation to good equality practice.

APPENDIX H: MEDIA RESPONSIBILITY

The responsibilities of the media to combat discrimination may be found in international standards on freedom of expression and equality, notably the *Camden Principles on Freedom of Expression and Equality*, as well as professional codes of conduct for journalists.

THE CAMDEN PRINCIPLES ON FREEDOM OF EXPRESSION AND EQUALITY

The Camden Principles on Freedom of Expression and Equality elaborate upon legal obligations of public service broadcasters and the moral and social responsibilities of the mass media to ensure diversity in their workforces and their outputs and to combat discrimination.

Principle 9.2 relates to **public service broadcasters** and states:

1. Public service broadcasters should be under an obligation to avoid negative stereotypes of individuals and groups, and their mandate should require them to promote intercultural understanding and to foster a better understanding of different communities and the issues they face. This should include the airing of programmes which portray different communities as equal members of society.

Principle 6: **The Role of Mass Media**

- 6.1. All mass media should, as a moral and social responsibility, take steps to:
 - i. Ensure that their workforces are diverse and representative of society as a whole
 - ii. Address as far as possible issues of concern to all groups in society
 - iii. Seek a multiplicity of sources and voices within different communities, rather than representing communities as monolithic blocs
 - iv. Adhere to high standards of information provision that meet recognised professional and ethical standards

Principle 9: **Media Responsibilities**

- 9.1. All media should, as a moral and social responsibility, play a role in combating discrimination and in promoting intercultural understanding, including by considering the following:
 - i. Taking care to report in context and in a factual and sensitive manner, while ensuring that acts of discrimination are brought to the attention of the public.
 - ii. Being alert to the danger of discrimination or negative stereotypes of individuals and groups being furthered by the media.
 - iii. Avoiding unnecessary references to race, religion, gender and other
 - iv. Raising awareness of the harm caused by discrimination and negative stereotyping. group characteristics that may promote intolerance.
 - v. Reporting on different groups or communities and giving their members an opportunity to speak and to be heard in a way that promotes a better understanding of them, while at the same time reflecting the perspectives of those groups or communities.
- ...
- 9.3. Professional codes of conduct for the media and journalists should reflect equality principles and effective steps should be taken to promulgate and implement such codes.
- 9.4. Professional development programmes for media professionals should raise awareness about the role the media can play in promoting equality and the need to avoid negative stereotypes.

CODE OF PRINCIPLES OF IFJ (1986)

International Federation of Journalists Declaration of Principles on the Conduct of Journalists

This international declaration is proclaimed as a standard of professional conduct for journalists engaged in gathering, transmitting, disseminating and commenting on news and information in describing events.

1. Respect for truth and for the right of the public to truth is the first duty of the journalist.
2. In pursuance of this duty, the journalist shall at all times defend the principles of freedom in the honest collection and publication of news, and of the right to fair comment and criticism.
3. The journalist shall report only in accordance with facts of which he/she knows the origin. The journalist shall not suppress essential information or falsify documents.
4. The journalist shall only use fair methods to obtain news, photographs and documents.
5. The journalist shall do the utmost to rectify any published information which is found to be harmfully inaccurate.
6. The journalist shall observe professional secrecy regarding the source of information obtained in confidence.
7. The journalist shall be alert to the danger of discrimination being furthered by media, and shall do the utmost to avoid facilitating such discriminations based on, among other things, race, sex, sexual orientation, language, religion, political or other opinions, and national and social origins.
8. The journalist shall regard as grave professional offenses the following: plagiarism; malicious misinterpretation; calumny; libel; slander; unfounded accusations; acceptance of a bribe in any form in consideration of either publication or suppression.
9. Journalists worthy of the name shall deem it their duty to observe faithfully the principles stated above. Within the general law of each country the journalist shall recognise in matters of professional matters the jurisdiction of colleagues only, to the exclusion of any kind of interference by governments or others.

(Adopted by 1954 World Congress of the IFJ. Amended by the 1986 World Congress)