

## INTERNATIONAL FORUM

### *DIVERSITY, EQUALITY AND INTEGRATION*

A comparative study of law and practice

Flemish Royal Academy of Belgium,

Brussels

25-27 September 2007

One of the main challenges confronting our societies in the 21<sup>st</sup> century, is the growing *diversity of people*, as a consequence of the permanent stream of *migration*, which is taken place at an increasing pace, worldwide and especially in the framework of the European Union and NAFTA..

This diversity may lead to growing confrontation and violence between various ethnic, cultural and religious groups, if these migrants, their descendants included, continue to be as well economically as socially excluded.

This clash may be partly or totally avoided if the diversity in our society is first fully recognised and secondly that the allochtones are treated on an equal basis and are adequately integrated.

The fact remains, however, that equal treatment, let alone integration is far from being realised, also in the European Union. Allochtones suffer from persistent discrimination when looking for employment, either as access to a job is denied or as they are systematically engaged in lower ranking jobs, often below their qualifications. The number of young unemployed of foreign origin is double compared to that of native youngsters.

There is even more, namely a cultural problem. Many youngsters of foreign origin speak at home another language than the language they are supposed to learn at school, this is the official language of the country in which they live, with the consequence that they cannot follow in class and eventually drop out. Many of them leave school without any diploma or specific qualification. Some have no skills whatsoever, neither technical nor social.

This situation needs to be remedied and well urgently.

It is not that there is no appropriate legal framework, on the contrary. The principles of equal treatment have been laid down as well in international as European and national legislation: discrimination on the basis of race, ethnical origin, age, gender.....is illegal. The latest directives of the European Union date from 2000 and 2004.

It is, however, a given fact that a formal and pure legal approach is totally insufficient to guarantee equal treatment and social integration.

The question is then how to guarantee equality and integration in practice. There is no doubt that concrete actions by all social actors involved are necessary.

Thus, positive action programs like diversity plans need to be introduced in all enterprises, eventually by way of social dialogue and developed and monitored by diversity managers, leading to effective progress in increasing a diverse workforce; as the adoption of the principle of the “equal opportunity employer”<sup>1</sup> – USA style - has to be examined. Reporting on the diversity action by enterprises seems to be indicated.

Another aspect is how to guarantee that the allochtones acquire the necessary linguistic, technical and social skills to successfully accede to and perform a job. This should help them to positively integrate socially, especially now that the demographic implosion will increase, certainly in Europe by 2012, the already existing shortage of labour.

In short, the International Forum wants to examine how diverse our societies are and especially which concrete programs can effectively contribute to the integration of allochtones in our societies, especially through their participation in the labour markets.

A specific problem arises concerning the reporting of diversity actions by enterprises regarding the privacy of the workers involved. Who will indeed decide to which race or ethnic group a worker belongs? Will workers and/or their representatives have access to those reports and will they be able to eventually correct them?

We will learn from each other, especially from the American experience and self-evidently from the EU action and the country reports. The legislation, caselaw and practices will be evaluated in function of their success regarding the integration of allochtones.

The lessons learned will also allow to draw conclusions on how to effectively fight others forms of discrimination, like those based on gender, age.....

The **program** looks as follows.

Wednesday, 26 September 2007

## **GENERAL REPORTS**

8.30 a.m: Registration

**Chair Roger Blanpain**

9.00 a.m. Diversity, equality and integration: general considerations,

*Roger Blanpain, KU Brussel and University of Tilburg*

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<sup>1</sup> In order to obtain a governmental contract, companies have to prove that they are good opportunity employers by demonstrating the diversity of their workforce.

9.15 a.m. Diversity and equal treatment: the action by the ILO,

*Kaat Landuyt, International Labour Standards Department*

9.45 a.m. The European Union: Equal treatment, legislation, case law and experience

*Petra Foubert, University of Leuven*

10.45 a.m. Equality Policies by the EU: programs and action

*Mrs. Belinda Pyke, Director "Equality between Men/Women, Action against discrimination, Civil Society"*

11.15 *The point of view of the European Social Partners*

*Mrs. Passchier Catelene, ETUC*

*Mr. Holst Benjamin, Danish Employers' Association*

11.30 a.m. Break

12. 00 EU discrimination law and positive action programmes,

*Marc De Vos, University of Ghent*

12. 30 Discussion

13 u. Lunch

### **Chair Manfred Weiss**

14 p.m. Diversity plans in action, The Flemish Employment Service, VDAB,

*Fons Leroy, General Administrator*

14. 30 a.m. Anonymous Solicitation,

*Georges Anthoon, Director Human Resources AXA,*

14. 45 p.m. Diversity reporting and privacy, Frank Hendrickx, *University of Leuven and Tilburg*

### **NATIONAL REPORTS**

1500 p.m. The United States, *Susan Bisom-Rapp, Thomas Jefferson School of Law, San Diego*

15. 30 p.m. *Luuk van den Berg, University of Tilburg,*

15. 45 p.m. China, *Dr. Chen, Ke, Euro-desk, Albright Law, Shanghai*

15.15 p.m. Break

15.45 pm Belgium, *Bruno Blanpain, Partner Marx Van Ranst Vermeersch, Law Firm, Brussels*

16.15 pm Discussions

Thursday 27 September 2007

**Chair Birgitta Nyström**

9.00 a.m. France, *Jean-Pierre Laborde, University of Bordeaux*

9. 30 a.m. Germany, *Manfred Weiss, University of Frankfurt*

10.00 a.m. Italy, *Michele Colucci, University of Salerno*

10. 30 a.m. Hungary, *Csilla Kollonnay, University of Budapest*

11.00 a.m. Break

11. 30 a.m. Sweden, *Birgitta Nyström, University of Lund*

12.00 a.m. United Kingdom, *Stephen Hardy, Barrister, Manchester*

12.30 a.m. Discussion and General Conclusions, *Roger Blanpain*

**13.00 pm Lunch**

**For more information and registration contact: [roger.blanpain@cer-leuven.be](mailto:roger.blanpain@cer-leuven.be)**