



MINUTES OF

THE FIFTH ANNUAL GENERAL MEETING OF

EQUINET

THE EUROPEAN NETWORK OF EQUALITY BODIES

16 & 17 NOVEMBER 2010

Attendance

Board Members

Jozef De Witte
Domenica Ghidei
Kalliopi Lykovardi
Ingrid Nikolay-Leitner
Néphéli Yatropoulos
Mandana Zarrehparvar (Chair)

Board Advisor

Niall Crowley

Equinet Secretariat

Anne Gaspard
Tamás Kádár
Caroline Nsenda
Yannick Godin
Alastair Cullen

Equinet Members' representatives

Please refer to the attendance list attached (**Annex 1**)

Apologies

Katri Linna (Board Member)

Minutes:

Yannick Godin

Venue

Area 42
42, Rue des Palais
B-1000 Brussels, Belgium

Quorum

On 16 November 2010, 28 Equinet Members (including Serbia) had a voting representative attending the Annual general Meeting and 4 Equinet Members delegated their voting right to a representative of another member attending the meeting. The required quorum of half the members was reached and the regularity and validity of the decisions adopted by the Assembly of Members gathered at the Equinet Annual General Meeting 2010 is therefore established.

PROGRAMME ANNUAL GENERAL MEETING

EQUINET European Network of Equality Bodies

16 – 17 NOVEMBER 2010
BRUSSELS

Tuesday 16 November 2010 (AGM Day 1)		
14.15-14.45	Registration of delegates <i>Welcome coffee/tea</i>	
14.45	Opening & welcome	Anne Gaspard <i>Executive Director - Equinet Secretariat</i>
14.45-18.00 <i>Plenary Room</i>	Session 1 – EQUINET Network of Equality Bodies: ways forward <i>Chair: Jozef De Witte, Equinet Board Member</i>	
14.45-15.30	EQUINET 2010 - Report from the Equinet Executive Board - Equinet 2010 activities and budget - Membership update Q&A, plenary discussion	Mandana Zarrehparvar <i>Chair of Equinet Board</i>
15.30-17.00	EQUINET ways forward: - Proposal for a Strategic Plan 2011-2014 - Draft 2011 Work Plan and Budget - Q&A, plenary discussion	
17.00-17.30	EQUINET Governance – Board Elections Procedure Proposal - Proposal for new Board Elections Procedures - Q&A, plenary discussion	
VOTES in Session 1: - Equinet AGM 2009 minutes and 2009 accounts - Membership application: Commissioner for Protection of Equality, Serbia - Equinet Strategic Plan 2011-2014 - Equinet 2011 Work Plan and Budget - Equinet Executive Board Elections Procedures (from 2011)		
17.30-18.00	Concluding remarks & discussion with members	
19.00	EQUINET AGM Reception / Dinner	

Wednesday 17 November 2010 (AGM Day 2)		
09.30-11.15 <i>Plenary Room</i>	Session 2 – Tackling under-reporting of discrimination and building awareness of specialised equality bodies in society <i>Chair: Mandana Zarrehtarvar, Chair of Equinet Board</i>	
<i>09.30-09.40</i>	Setting the scene & introduction for the discussion	Niall Crowley <i>Equinet Board Advisor</i>
<i>09.40-10.00</i>	Presentation by the European Union Agency for Fundamental Rights (FRA) on tackling under-reporting of discrimination and cooperation with equality bodies	Morten Kjaerum <i>Director, EU Agency for Fundamental Rights (FRA)</i>
<i>10.00-11.00</i>	Open roundtable discussions - Experience and perspective of equality bodies / Equinet members - Sharing experience from equality bodies - Q&A and roundtable / plenary discussions on practical approaches to addressing under-reporting and building greater awareness	
<i>11.00-11.15</i>	Plenary discussion with equality bodies <i>Drawing conclusions and recommendations</i>	Niall Crowley <i>Equinet Board Advisor</i>
11.15-11.30	Break (coffee / tea)	
11.30-12.45 <i>Breakout Rooms</i>	Session 3– Discussion Groups / Equinet ways forward Taking a strategic approach to the effective implementation of the Equinet Strategic Plan 2011-2014 <i>Structured discussions in three small groups</i>	
<i>Room 1</i>	Group I (Facilitators: Ingrid Nikolay-Leitner (Equinet Board Member) / Anne Gaspard (Equinet Secretariat) Group II (Facilitators: Kalliopi Lykovardi (Equinet Board Member) / Tamás Kádár (Equinet Secretariat) Group III (Facilitators: Néphèli Yatropoulos (Equinet Board Member) / Caroline Nsenda (Equinet Secretariat)	
<i>Room 2</i>		
<i>Room 3</i>		
12.45-14.15	Lunch	

14.15-16.30 <i>Plenary Room</i>	Session 4 – EU perspectives for equality and non-discrimination <i>Chair: Domenica Ghidei, Equinet Board Member</i>	
14.15-14.30	Setting the scene & introduction <i>(including Equinet opinions and initiatives - disability / gender / Roma / transgender)</i>	Mandana Zarrehparvar <i>Chair of Equinet and Moderator of the Working Group Policy Formation</i>
14.30-14.55	Perspective of the European Commission – ongoing projects and policy priorities	Belinda Pyke <i>Director – DG Employment, Social Affairs and Equal Opportunities</i>
14.55-15.20	Perspective of the European Parliament	Ádám Kósa MEP <i>Chair of Disability Intergroup / Member of the European Parliament</i>
15.20-15.45	Q&A - plenary discussion	
15.45-16.00	Perspective on the European year for combating poverty and social exclusion in the context of equality and non-discrimination	Fintan Farrel <i>Director, European Anti-Poverty Network (EAPN)</i>
16.00-16.25	Q&A - plenary discussion Concluding remarks	
16.25-16.30	Conclusion and closing	Anne Gaspard <i>Executive Director – Equinet Secretariat</i>
16.30-17.00	Closing networking (coffee / tea) Departure of delegates	

16 NOVEMBER 2010

The Fifth Annual General Meeting of Equinet was declared open at 2:45 p.m. on 16 November 2010.

Session 1: EQUINET Network of Equality Bodies

Chair of the session: Jozef De Witte, Equinet Board Member

Presentation of the reports: Mandana Zarrehparvar, Chair of the Executive Board

The chair started the session by announcing that no amendment had been introduced for any of the six items submitted to the vote of the General Assembly of Equinet Members.

The chair of the session then asked members' representatives for remarks and objections concerning the minutes of the Equinet AGM 2009 and the accounts 2009, 2008 and 2007.

Several typing mistakes were spotted and corrected in the accounts 2009:

In the Expenditures 2009 chart, in the Budgeted "Staff costs" and "Services" it should read respectively 276,507 and 76,883.

In the Income 2009 chart, in the Budgeted "Membership fees" and budgeted "Members' contributions in kind" it should read respectively 29,000 and 116,863.

In the budgeted "Other income" and "Reserves from previous years", it should read 0 for both items.

The Commissioner for the Protection of Equality of Serbia introduced her organisation and the reasoning behind their application for full Equinet Membership.

DECISIONS:

1. *The Minutes of the AGM 2009 (see **Annex 2**) were adopted (27 in favour, 2 abstentions)*
2. *The Equinet accounts 2007, 2008 and 2009 (see **Annex 3**) were adopted (27 in favour, 2 abstentions) with the corrections mentioned above*
3. *The application for full Equinet membership of the Commissioner for the Protection of Equality of Serbia was adopted at the unanimity of the voting representatives*

Equinet 2010 – Report from the Board

See **Annex 4**

Equinet Ways Forward

See **Annex 5** and **Annex 6**

DECISIONS:

4. *The Equinet Strategic Plan 2011-2014 (see **Annex 7**) was adopted (29 in favour, 3 abstentions)*
5. *The Equinet Workplan 2011 (see **Annex 8**) was adopted (30 in favour, 1 abstention)*

Equinet Governance – Board Elections Procedures Proposal

See **Annex 9**

The issue of continuity on the occasion of Board renewals and elections was raised and discussed in plenary prior to voting. The Board committed to look into possible ways and considerations with a view to ensure minimum level of continuity and that the experience gathered by the previous Board is passed on to the new one.

DECISION:

6. *The new Board Members election procedures (see **Annex 10**) were adopted (27 in favour, 3 against, 2 abstentions)*

=== End of Day 1 ===

17 NOVEMBER 2010

Session 2: Tracking under-reporting of discrimination and building awareness of specialised equality bodies in society

Chair of the Session: Mandana Zarrehparvar, Chair of the Equinet Board of Directors

Setting the Scene

Niall Crowley, *Equinet Board Advisor*, made a presentation on the issue of under-reporting of incidents of discrimination. He pointed to research that suggested not reporting incidents of discrimination is the norm and stated that this poses a threat to the impact and effectiveness of equal treatment legislation.

He noted three levels to the problem:

The societal level. There is a need to create a culture of rights where rather than being normal to experience discrimination it becomes normal to exercise one's rights. There is a need to build a culture of compliance among service providers and employers. There should be an expectation that discrimination will have negative consequences for the discriminator.

The institutional level. Equality bodies are key players in responding to under-reporting but they are not the only players. Equality bodies need to prioritise this issue. It is also important to mobilise other stakeholders – public authorities, trade unions and NGOs – to play a role in addressing under-reporting and to offer advocacy supports to those who experience discrimination.

The community level. There is a need to dispel fears of and inform people within communities experiencing inequality. There is a need to engage with the organisations within communities experiencing inequality so that they serve as channels of communication about rights and so that they offer advocacy supports within their communities.

Tackling under-reporting and cooperation between FRA and Equality Bodies

Morten Kjaerum, *Director European Union Fundamental Rights Agency*, addressed the AGM. He emphasised the importance of collaboration in responding to under-reporting. He pointed to work done on under-reporting by the FRA.

The EU Midis study of FRA gave important insights into the causes of under-reporting. In particular low levels of awareness emerge with 80% of respondents not knowing of any organisation providing

supports in this area. There was a reluctance found in respondents who felt that there was no point taking a case, that discrimination was a trivial or normal matter, and that there would be negative consequences from taking a case.

He emphasised the importance of local offices. He pointed to important potential for collaboration with the police, with public and private sector service providers and with local authorities. He pointed to the importance of engaging with social media.

He invited Equinet and the equality bodies to continue networking with the FRA. FRA is currently doing a research project on access to justice. There could be some form of joint launch of this work and a follow up workshop. He invited the heads of communication of the equality bodies to come to a workshop with the FRA on the issue of under-reporting.

A discussion followed these inputs with a number of points emerging:

We have been through the decade of establishment for equality bodies. We must now identify this next phase as the period for addressing under-reporting. There is a danger in creating rights without developing access to those rights.

A local presence or a local office for equality bodies is vital. There are already some interesting examples of this local presence developed by equality bodies.

The use of own media, the engagement with mainstream media and social media are key tools in fighting under-reporting.

Equality bodies need to be aware of and address any barriers in their own work methods where, for example, their bureaucracy blocks access to justice.

Equality bodies could engage with other networks and stakeholders (legal networks, social care networks, municipalities, police, community leaders etc) in this fight against under-reporting.

There are resource barriers. There are difficulties where it is the whole system that is the problem, where it is institutional discrimination rather than an individual act. It is demoralising where a key case with the potential for a ripple effect is lost.

Cooperation within Equinet and work with FRA will be important in advancing this issue.

Annex 11 contains the full transcript of Morten Kjaerum's speech.

Conclusions and recommendations from discussion

Possible outreach activities:

- Production of flyers, leaflets, posters but also need to communicate personally, face to face, to go on the field
- Trainings of police forces

- Interactive activities, social media
- Regional branches and networks of volunteers. Going local is the way forward toward an improved reaching out.

Barriers:

- Financial and Human Resources
- Structures and internal culture. NEBs should be able to assess and question their work and adapt it to real situation
- Support for staff: strategic litigation

Equality Bodies need to produce more internal statistics to better identify and understand vulnerable groups. They should also take advantage of their own success stories by communicating about them.

One of the main reasons behind under-reporting is that people being discriminated lack trust in NEBs and their capacity to make a change. This trust needs to be built up.

The main challenges facing NEBs in better tackling discrimination are, among others, the hurdles of bureaucracy (length of procedures...), finances, how best to approach and communicate with local community leaders, visibility and the misconceptions.

Improving on under-reporting will be a long way process with a lot of barriers to overcome but actions need to be taken now.

Having a local action, through local branches or networks and using other types of media in complement with paper communication (interactive, social media's) are especially important as is the capacity of NEBs to question their way of doing things, learn from this questioning and adapt to that learning.

Session 3: Discussion Groups

Group 1:

Moderator: Ingrid-Nikolay Leitner (Equinet Board Member) / Anne Gaspard (Equinet Secretariat)

Participants mainly expressed their views on the Equinet Working Groups:

- The role of the moderator is essential in ensuring the active, full and equal participation of all participants in a Working Group and that it is not dominated by more experienced and articulate participants
- The length/time commitment ratio for the Working Groups Meetings should be improved. A way to do this would be to have longer meetings
- It is crucial that preparatory documents and information to working group meetings are clear and provided on time, to alleviate as much as possible participants' time commitments to the preparation of the meetings
- It could be useful for each working group to have a dedicated webpage on the Equinet website to share information
- The size of the groups is key to the overall quality of their output. Groups that are too small might lack a lot of information while big groups might be more difficult to handle.
- While the meetings are well organised, the dialogue remains difficult during the periods between them. Ways and tools to improve it should be explored (for instance, it was felt that the forum only worked with people who have already met and therefore have a personal connection. Hence the importance of meeting face to face, as well).

Group 2:

Moderator: Kalliopi Lykovardi (Equinet Board Member) / Tamas Kadar (Equinet Secretariat)

Participants first expressed their views on their perception of Equinet and its added-value:

- Trainings are generally well regarded
- Equinet is useful in updating members on the European developments in the field of anti-discrimination
- Equinet as a platform for the exchange of expertise and knowledge is valuable and should be further strengthened.
- More high-level exchanges are necessary
- Equinet has a strong communication with its members but could make it more straightforward

Here are some of the views that were expressed on the Equinet working groups:

- The idea of a working group on communications was well received
- Involvement in the working groups give participants a real sense of belonging to Equinet
- The legal working group should analyse cases from the ECJ and the ECHR

Group 3:

Moderator: Néphèli Yatropoulos (Equinet Board Member) / Caroline Nsenda (Equinet Secretariat)

The discussions mainly focused on the new working group on communication.

Suggestions of topics to be addressed by this working group:

- Reaching out to target groups
- Communication with other stakeholders
- Assessing the need for and devising a communication Plan/Strategy
- Evaluating a communication strategy/communication activities
- How to handle relations with the press
- How to communicate with limited resources
- Best practices in communication
- Making communication part of the work of other departments
- Using alternative channel to communicate (via NGOs...)

Session 4 – EU Perspectives for Equality and Non-Discrimination

Chair of the session: Domenica Ghidei, Equinet Board Member

Panellists: Mandana Zarrehparvar (Equinet), Belinda Pyke (EC), Ádám Kósa (MEP), Fintan Farrel (EAPN)

Setting the scene

Mandana Zarrehparvar, *Chair of the Equinet Board of Directors*, began by underlining that Equinet was entering a new phase of its existence with the adoption by its members of the Strategic Plan 2011-2014 on 16 November 2010. The consolidation of Equinet, from a newly-established platform into a broad, successful and fully operational international network, is happening in a changing European political landscape: the Lisbon treaty and its inclusion of the Charter of Fundamental Rights; the Europe 2020 Strategy and the promise of new guidelines for the Open Method of Coordination in the field of social protection and inclusion and the Horizontal Equal Treatment Directive that will hopefully be adopted.

Mrs Zarrehtarparvar said that these developments broadened the focus of the work of national equality bodies and provided additional scope for implementing their mandates.

According to Mrs Zarrehtarparvar, the challenge is to enable equality bodies to maximize their potential.

In this respect, the current economic and political changes taking place in Europe make this objective more difficult to achieve.

In this context, Equinet has adopted a Strategic Plan that specifies that it will try to address these hurdles and seize all the opportunities to advance the fight against discrimination.

One such obstacle is the issue of under-reporting, which is apparent in all areas of discrimination, but is particularly acute in the case of Romas and Travellers, disability and gender. Mrs Zarrehtarparvar referred to the three framework approach laid out by Niall Crowley in the morning session as the best approach to tackle this issue.

Mrs Zarrehtarparvar expressed her conviction that policy making and programme development at EU and national level would benefit from the tremendous knowledge and experience of Equality Bodies resulting from their unique nature.

In its written perspectives, Equinet has made a marked contribution to policy formation at EU level.

In 2010, Equinet produced perspectives that focused on the better inclusion of Romas and Travellers, Transgender people and also on the particular challenges posed by poverty in the field of social inclusion.

In 2011, Equinet will continue to focus on the discrimination of Roma and transgender people and will also study the link between equality work and human rights work in the form of a new written perspective. The two fields of equality and human rights are naturally linked and mutually complementary. A number of Equinet members currently hold a human rights mandate or are expecting to receive one. In countries which have a single mandate it is important to ensure that both areas receive the necessary attention and resources. In countries where the human rights mandate and the equality mandate have been separated, it is important that the responsible bodies find the optimal ways to collaborate.

She also stressed how important it was to keep the work of Equinet and National equality Bodies relevant to the evolving and increasingly difficult context. In order to do so, standards for Equality Bodies need to be developed and agreed upon at the EU level. These standards should allow the vulnerability of certain National Equality Bodies (affected by budget restrictions and/or political

interference) to be addressed, and push National Equality Bodies to become even more effective in their approach to combating discrimination and promoting equality.

Mrs Zarrehtarparvar conceded that the development of such standards was falling within the remit of the European Commission, but also that she would like to encourage the Commission to inspire itself of the Paris Principles from the United Nations and the recommendations from ECRI.

These standards would be instrumental in ensuring the effectiveness and independence of equality bodies, as well as allowing for an improved monitoring and impact assessment of their work.

Mrs Zarrehtarparvar thanked the European Commission for the constant support it has shown, allowing Equinet to fulfil its objectives of providing peer-support to staff members of National Equality Bodies; of providing peer support at the institutional level; of providing a platform for knowledge and expertise exchange and of providing a platform for constructive dialogue with the European institutions and other stakeholders in the fight against discrimination and the promotion of equality. Mrs Zarrehtarparvar concluded her speech by expressing to the audience how eager she was to continue to build upon the existing dialogue and to reinforce trust that has been developed over the years

Perspective of the European Commission

Belinda Pyke, *European Commission, Director – DG Employment, Social Affairs and Equal opportunities*, mentioned that on 1st January 2011 the current Directorate of Equality between Men and Women, Action against Discrimination, Civil Society will be moved from DG EMPL to the Directorate General for Justice and Fundamental Rights with the new name of Directorate for Equality and she detailed the different aspects of the current European context:

- The economic crisis
- The EU 2020 Strategy and the need for the EC to adapt its work within that framework
- Lisbon Treaty linking fundamental rights and equality
- Article 10 on equality mainstreaming
- March 2010: adoption of the parental leave directive
- July 2010: revision of the self-employed persons directive
- October: first reading resolution of EP on the proposed amendments to the maternity leave directive
- Article 19: lack of political will and technical issues that need to be addressed at member states level in order to widen and deepen protection

She then underlined what would be the focus and priorities of the EC on the policy level:

- **Age in employment:** discrimination of elderly workers. 2012 will be the European Year of Active Aging and will give the opportunity to focus on the issue.

- **LGBT:** Diffusion of good practices of certain member states among other Member States. She welcomed Equinet's perspective on transgender
- **Roma issues:** in April 2010 the first ever EC communication on Roma inclusion on the necessity to develop active measures to ensure that policies actually reach Roma was issued
- In April 2011: in collaboration with Hungary holding the EU presidency, another EC communication is expected on the **framework for national strategies**.
- In September 2010, a strategy for ensuring the **equality between women and men** was adopted, focusing on 5 priorities: equal economic independence, equal pay, equality in decision-making, ending gender-based violence and gender equality in external actions.
- On 15 October 2010, a strategy on **disability** was adopted. 10-year strategy, recognises that society is ageing and sets a number of priorities: accessibility, empowerment...
- **Equality Bodies:** the EC has launched a study exploring the work of equality bodies and the effect of the economic crisis. Given the diversity of Equality Bodies, it will be important to continue working on the development of standards, even though the European legal landscape will have varied implications in terms of the adoption of those standards by the different member states.

Perspective of the European Parliament

Ádám Kosá, *Member of the European Parliament, Chair of the Disability Intergroup*, presented the Disability Intergroup and the new European Disability Strategy.

Please refer to **Annex 12**.

Perspective on the European Year for Combating Poverty and Social Exclusion

Fintan Farrel, *Director of the European Anti-Poverty Network*,

2010 European Year against Poverty allowed shedding a light on the topic and it is now important to keep the momentum created high on the EU agenda. The European institutions have been created to manage the public goods in the interest of the public but the development model currently applied is creating poverty.

The EU 2020 Strategy is a real chance for the fight against poverty, as it focuses much more on social concerns. Guideline 10 to Member States will allow pushing for effective anti-discrimination measures. The fact that the Strategy sets out a certain number of targets is a success, as it really shows the way forward.

Concerning the funding mechanisms for the EU 2020 Strategy, it is positive that structural funds will be available and that social innovation will be supported.

The reinforced OMC (Open Method of Coordination) with its common indicators, objectives, mutual learning, peer review and impact assessment is a step in the right direction although poorly implemented and therefore has to be preserved.

M. Farrel also confirmed that in his mind it was necessary to adopt a specific ground covering socio-economic discrimination. Human rights are breached when people are not able to get access and enjoy some of their rights because of their socio-economic background.

Thanks and wrap-up

The Executive Director of the Equinet Secretariat Anne Gaspard thanked all participants and reminded Members' representatives of the coming duties and main events for 2011.

The Fifth Annual General Meeting of Equinet was officially closed at 4:30 p.m. on 17 November 2010