



## **EQUINET BUSINESS PLAN (FINAL\*):**

- **Part I: strategic plan 2007 – 2010**
- **Part II: work plan 2010**

**Brussels, November 2009**

*\*: approved by Equinet AGM (5-6 Nov 2009)*



## BUSINESS PLAN EQUINET

### Table of contents

<b>Introduction</b> .....	<b>3</b>
<b>Part I Strategic plan</b> .....	<b>4</b>
<b>1. Vision</b> .....	<b>4</b>
<b>2. Mission</b> .....	<b>4</b>
<b>3. Strategy</b> .....	<b>6</b>
3.1 Overview.....	6
3.2 Development of equality concepts.....	6
3.3 Development of enforcement strategies and practices.....	6
3.4 Dialogue between Equinet and European institutions.....	7
3.5 Supporting good practice in promoting equality.....	7
3.6 Development and implementation of training.....	7
3.7 Development and keeping a resource of relevant information.....	8
3.8 Create opportunities to network.....	8
<b>3.9 Major initiatives</b> .....	<b>8</b>
<b>4. Management and operation</b> .....	<b>8</b>
4.1 Overview of management and operational structure.....	8
4.2 The Executive Board.....	9
4.3 Operational structure: the working groups.....	10
4.4 Operational structure: secretariat.....	10
4.5 Resources.....	12
<b>Part II Work plan and resources 2010</b> .....	<b>13</b>
<b>1. Overview</b> .....	<b>13</b>
<b>2. Information exchange</b> .....	<b>14</b>
<b>3. Training and capacity building</b> .....	<b>15</b>
<b>4. Working groups</b> .....	<b>16</b>
4.1. Overview.....	16
4.2. Working Group on Dynamic Interpretation.....	17
4.3. Working Group on Strategic Enforcement.....	17
4.4. Working Group on dialogue with the EU institutions (Policy Formation).....	18
4.5. Working Group on supporting strategies for the Promotion of Equality.....	18
<b>5. Major initiative(s)</b> .....	<b>19</b>
6. Secretariat: location and resources.....	19
7. Income.....	20



## INTRODUCTION

Please find therein the business plan 2010 of Equinet, the European Network of the specialised equality bodies in the field of equal treatment and non-discrimination.

Equinet was initiated in 2002 by seven specialised equality bodies with a long term perspective of gradually developing a network of all specialised equality bodies in the EU and accession countries. Since 2007 after five years of development Equinet has reached that goal as an established network comprising members in almost every EU and accession states, supported by a Brussels-based secretariat.

Upon reaching its institutional development target, Equinet has entered a new phase in its development. Equinet was established in 2007 as a non-profit International Association under Belgian law (AISBL) providing its own legal status of Equinet members as association of specialised equality bodies. This business plan is the guiding document to continue and strengthen that new phase in the development of Equinet.

Part I contains the Equinet strategic plan: vision, mission, strategy and management and operational structure. The 2007 Annual General Meeting (AGM) of Equinet has approved this strategic plan.

The strategic plan is intended to last for a four year period (2007 until 2010) and will therefore in principle not be subject to review until 2010, although it may be amended by decisions of the Annual General Meetings.

Part II contains the work plan for the year 2010 and is subject to renewal at every year's AGM.



## PART I STRATEGIC PLAN

### 1. Vision

In an increasingly integrated Europe, it is in the interest of all actors in society, not least the victims of discrimination, that European legislation is applied in a uniform way and that the anti-discrimination laws, policies and practices of the Member States are approximated at the highest possible level.

The protection offered against discrimination is not yet the same for all grounds of discrimination. Special efforts are warranted to ensure that the grounds of sexual orientation, disability, age and religion receive the same level of protection as gender and race.

Specialised equality bodies are in a unique position to promote equality in line with the EC's Framework Strategy to promote equality and the 2007 European Year of Equal Opportunities for All with its four main priority objectives (Rights, Recognition, Representation, Respect)<sup>1</sup> as well as the legacy of that year. They do so through awareness building, enforcement and levelling up of European and national equality laws, as well as development and implementation of policies and practices to promote and ensure equal treatment, take account of diversity and combat discrimination.

Specialised equality bodies are established by law, giving them a legal basis and a specific mandate to assist victims of discrimination and non-equal treatment, to give independent advice and to conduct independent investigation. Specialised equality bodies are embedded in a network of a wide variety of organisations with distinct and complementary responsibilities and strategies to combat various forms of discrimination and to promote equality.

Hence specialised bodies act as centres of expertise to which governmental and non-governmental actors turn for advice and support, making them as statutory and independent bodies indispensable in all stages of development and implementation of anti-discrimination legislation and equality policies.

### 2. Mission

Equinet is an International not-for-profit Association established under Belgian law (INFPA or AISBL). The association unites specialised equality bodies in all EU and EER countries, as well as accession states and Norway, with a similar mandate and profile, sharing the same interests and striving for the same objectives at the European level, benefiting from the cooperation in the network, but also contributing to the network.

The specialised equality bodies united in Equinet are established on the basis of article 13 of the Racial Equality Directive (2000/43/EC), article 8bis<sup>2</sup> of Directive 76/207/EEC on the implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions, as well as article 12 of the Gender Equality Directive regarding goods and services (2004/113/EC) and article 20 of the recasting Gender Equality Directive (2006/54/EC) with regard to equal opportunities and equal treatment of men and women in matters of employment and occupation. Specialised equality bodies are key to the enforcement process of equal treatment legislation and policies and are determined to effectively use a combination of their powers and functions to strategically push for change and respect for the principles of equality, diversity and non-discrimination on all grounds.

Equinet is established to ensure that specialised equality bodies can benefit from each other's experiences and expertise in their constant efforts to improve the enforcement of equal treatment

---

<sup>1</sup> *Non-discrimination and Equal Opportunities for All – A Framework Strategy, COM (2005) final, Brussels 1/6/2005.*

<sup>2</sup> *Inserted by Article 1.7 of the 2002 Gender Equality Directive regarding employment (2002/73/EC)*



laws, policies and practices and that the equality bodies united in Equinet can make their views heard at a European and, where necessary and opportune, national level.

Equinet and its members are independent from, yet transparent for and accountable to a variety of stakeholders in society: legislative bodies, governmental structures, interest groups, the media, NGOs and society at large.

Equinet members feel ownership of and commit themselves to maintaining Equinet.

Equinet has a focus on equality issues in the broadest sense. Equinet has the ambition to become the major source of information on equal treatment good practice in Europe and as such a key reference base for each other and for all European institutions and national governments and institutions.

Equinet also strives to become, with its members as its main source of expertise and information, a key actor on the European scene with regard to the development of and implementation of equal treatment regulation, policies and practice.

Furthermore, Equinet wants to inform on EU regulations, policy and practice with regard to equal treatment, basing its actions and policy opinions on information coming from the expertise and practice of its members in their national context.

Equinet values cooperation and exchange with other stakeholders in the field of equal treatment and non-discrimination, and intends and is prepared to co-operate with these stakeholders, whether these are organisations, institutions or other networks.

Equinet also wants to act as a point of support to and development of specialised equality bodies in the implementation of their core functions as defined in the Directives referred to above:

- providing independent assistance to victims of discrimination in pursuing their complaints about discrimination,
- conducting independent surveys concerning discrimination,
- publishing independent reports and making recommendations on any issue relating to such discrimination.

In brief, Equinet pursues its overarching mission of implementing equality and enhancing the contribution of specialised equality bodies to the promotion of equal treatment and combating discrimination through:

- a. Stimulation and facilitation of developing the equality concepts used in European and national laws and policies.
- b. Stimulation and facilitation of (further) development of effective enforcement strategies and practices by equality bodies.
- c. Expressing views and opinions at a European level on issues related to promoting equality and combating discrimination based on the practical experience of the specialised equality bodies.
- d. Cooperation and exchange with other stakeholders in the field of equal treatment and non-discrimination, whether these are organisations, institutions such as the newly established EU Fundamental Rights Agency, or other networks.
- e. Stimulating and facilitating further development of effective strategies of equality bodies in supporting good practice by institutions in promoting equality, accommodating diversity and combating discrimination.
- f. Stimulation and facilitation of capacity building within equality bodies.
- g. Developing and maintaining a resource of relevant information for equality bodies.
- h. Creating opportunities for persons involved in specialised equality bodies to network.

Sustainability of Equinet is first and foremost a matter of ownership of and commitment to networking at a European level with equality partners. Members in Equinet consider participating in and sustaining the network a part of their national tasks.



### 3. Strategy

#### 3.1 Overview

Equinet has established in 2007 its own legal status as association of Equinet members, with an Annual General Meeting (AGM) of member representatives, an executive board elected by the AGM and a professional secretariat operating in Brussels.

Equinet's main strands of activities are geared to:

- a. Development of equality concepts.
- b. Development of enforcement strategies and practices.
- c. Dialogue between Equinet and European institutions.
- d. Development of strategies for supporting good practice in promoting equality.
- e. Development and implementation of training.
- f. Development and keeping a resource of relevant information.
- g. Create opportunities to network.
- h. Major initiatives

#### 3.2 Development of equality concepts

By sharing their views on the interpretation of equal treatment law, specialised equality bodies will come to understand those laws and the legal concepts incorporated therein in a similar manner, be it through issuing decisions in cases brought before them, in arguing test cases before the courts, through pro-actively advocating changes in policies or laws or in the exercise of their other powers. The task of specialised equality bodies is to promote the principle of equal treatment on the various grounds for all in society, and therefore, their interest is in securing equality at the highest possible level: equality bodies will seek to level up the legal protection currently provided, and this includes seeking to eradicate differences in the protection of certain discriminated groups compared to others.

The shared interpretation and development of legal concepts that are included in European and national equal treatment legislation will become a common resource of interpretation of equality law concepts and help to improve the performance of the specialised equality bodies. It will also contribute to establish the equality bodies as one of the authoritative sources of interpretation and enforcement of equality law.

The development of equality concepts will not only help to improve the performance of specialised equality bodies. It will also contribute to assessing the effectiveness of equality legislation and to identify legislative change necessary.

#### 3.3 Development of enforcement strategies and practices

The members in Equinet will learn from the practices in enforcement strategies of their counterparts in other countries. The insight gained from this exchange will assist in identifying further what might be useful and necessary for specialised equality bodies to fulfil their mandates. A common resource of good practice examples will be built up.

This strand of work is about exploring and contributing to effective decision-making around the strategic deployment of the powers accorded to equality bodies as well as contributing to the effective implementation of these various powers.



The exchange of good practices is not confined to members among themselves. Equinet also seeks to actively exchange good practices with bodies outside the EU, in particular in Australia, Canada, New Zealand and the United States.

### 3.4 Dialogue between Equinet and European institutions

A dialogue between Equinet and European institutions provides European debates with an input of national experiences. In this way national and European debates are linked and will mutually influence each other for the benefit of enhancing the further development of pro-active anti-discrimination and equality law, policies and practices.

A dialogue with the European institutions will give Equinet the opportunity - based on the practical experience of the specialised equality bodies - to:

- a. submit views on the interpretation and development of legal concepts,
- b. give advice on issues related to the work of specialised equality bodies, as well as the implementation of equal treatment legislation and policies,
- c. submit views on the need for further elaboration of legal concepts, of the enforcement powers of equality bodies, and of equality legislation and policies,
- d. submit views on the effective implementation and further development of the EU framework strategy for equality,
- e. submit opinions on equality and combating discrimination with regard to EU policy making and programme development to assist equality mainstreaming and to assist targeted equality initiatives.

### 3.5 Supporting good practice in promoting equality

Specialised equality body mandates include promotion of equality. Many equality bodies are involved in development and promotion of equality policies and practices. They consult a variety of national stakeholders and actors, such as social partners and civil society and have set up departments to design and implement programs to promote equality policies and to support good equality practice within organisations.

The specialised equality bodies encourage prevention of discrimination and promotion of equality policies as a pre-emptive strategy to facing the task of continuously processing complaints. The idea is that while sanctions are undoubtedly necessary, other parallel ways need to be found to encourage "substantive equality", and raise awareness on fostering equality.

Equinet will implement a programme of exchange between members of experiences, tools and best practices on prevention and promoting equality in order to develop a resource of strategies and methodologies to contribute to the promotion of equality.

### 3.6 Development and implementation of training

Equinet develops and implements a programme of training by:

- a. continuously identifying the needs of the members in relation to training and reviewing the needs on a regular basis
- b. providing training that meets the needs identified and is based on learning from each other and from each other's experiences.



Institutional development is first and foremost the prime responsibility of the equality bodies themselves. In this respect, Equinet has a subsidiary role.

### **3.7 Development and keeping a resource of relevant information**

Members in Equinet are both producing and using information relevant to equal treatment legislation and policies. In order to facilitate the exchange of information between members, Equinet will:

- a. maintain a system of electronic information exchange,
- b. maintain a resource of information offered for exchange between the members,
- c. design and manage the procedures and instruments for information exchange related to priorities set by the members.

### **3.8 Create opportunities to network**

Equinet stimulates networking among its members and their staff in person as well as through electronic means by:

- a. holding an Annual General Meeting (AGM) that serves as a meeting point next to its function as highest decision making body of the network,
- b. constituting working groups and facilitating meetings in person of staff with a common professional interest,
- c. maintaining a secretariat that facilitates and supports the network and the implementation of its functions,
- d. developing and implementing a programme of regular training,
- e. facilitating staff exchanges between specialised equality bodies and countries.

### **3.9 Major initiatives**

Equinet will develop significant initiatives at a European level to support its mission and objectives. Each year a specific topic will be selected that relates to major initiatives and/or developments at the EU level.

## **4. Management and operation**

### **4.1 Overview of management and operational structure**

In June 2007 Equinet has been established as independent legal entity under Belgian law as an International not-for profit Association (INFPA or AISBL).

Equinet's management structure consists of an Annual General Meeting (AGM), made up of all network members and a bi-annually elected Executive Board.

The AGM of all member representatives is the highest decision making body, meeting once every year.

The operational structure consists of working groups of staff of the members in Equinet and a secretariat headed by an executive director.

Equinet members will increasingly play an important role in the implementation of activities through

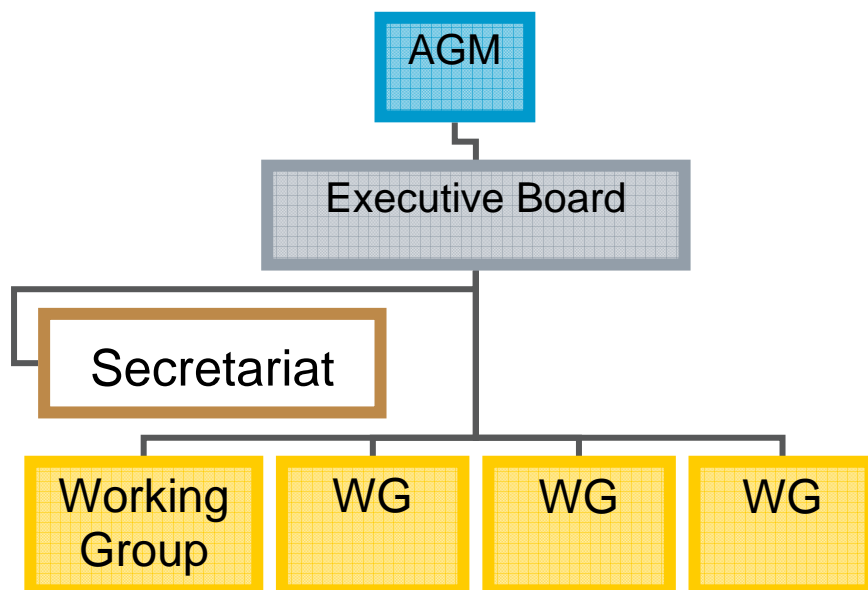




various participative structures, such a working or project groups, participation in trainings which have an element of exchange and networking as well, sharing information on the state of play in their countries, answering questions of members on a variety of issues relating to equal treatment, sharing views on issues of policy and strategy and so on.

Each working group has a convenor/ moderator who is responsible for the organization of the work of the group. The moderators report to the Executive Board through the executive director. The moderators can meet if there is a wish to do so. The meeting of moderators can advise executive board and executive director on issues relating to the work of the working groups.

The executive director reports to the Board. Executive director and secretariat manage and support the work of the working groups within the framework of the decisions of the Board.



#### 4.2 The Executive Board

Between the Annual General Meetings (AGM), the Executive Board will be responsible for the overall management of the network and constitutes the strategic leadership of Equinet. The Board submits proposals for Equinet's strategic and operational orientation to the AGM and is responsible for the proper implementation of the adopted plans and decisions through Equinet's operational structure.

The Executive Board operates on the basis of the business plan and budget agreed by the Equinet members and discusses and takes decisions on the management and operational structure for the period of their mandate, specifying the arrangements as laid down in this document.

Whereas a key role of the Executive Board is to ensure that the decisions made by the AGM are carried out by the executive director/secretariat and the working groups, the Executive Board is therefore responsible for:

- a. the development of the overall business plan and management structure for the period of their mandate,
- b. approving plans/reports of and giving feedback to (the moderators of) the working groups,
- c. providing guidance for the executive director/secretariat on the implementation of the business plan,
- d. representing Equinet in relation to EU Commission and other relevant institutions,
- e. organisation and conducting the AGM,



- f. convening a special AGM in case of emergency,
- g. ensuring Equinet's future,
- h. the budget and financial reporting.

The Executive Board reports at least once a year to the AGM and meets as often as it deems necessary (with a minimum of 3 times a year).

#### **4.3 Operational structure: the working groups**

One of Equinet's major assets is the status of its members as independent specialised equality bodies and the commitment and the expertise from its members. The involvement of the members in working groups commits members to Equinet and its activities and enhances ownership of the network and its outputs.

Working groups operate under the following conditions:

- a. staff persons of the members constitute the membership of the working group;
- b. working groups will exchange views/ documents electronically as well in person;
- c. the members who provide a representative for the core group guarantee the availability of sufficient staff time to participate effectively in the work of the group; the partner who volunteers to provide for a staff member to act as convenor/ moderator will guarantee the availability of that persons to effectively act as moderator of the group; moreover, the members guarantee sufficient staff time to effectively contribute to the exchange of information via Equinet's website/ database; staff time is specified in a number of days for each member as income (own contribution);
- d. the secretariat provides support to facilitate the working group;
- e. the working group has a budget for central working group requirements (e.g. rental of meeting room and publications);
- f. the activities of each working group are based on an annual work plan, specifying its objectives and how it plans to deliver the outputs required for its area of work;
- g. the work plan will serve as a tool not only for planning, but also for monitoring the progress of the working group towards achievement of its objectives and output;
- h. the Executive Board carries out decisions made by the AGM on establishing working groups. It approves (changes in) the mandate and work plan of the working groups and the composition of the working groups.

The Executive Board may decide to set up temporary working or project groups to deal with specific issues of concept, enforcement or dialogue or pursue other priorities decided for Equinet.

The topics and priorities for the various working groups will be further integrated in the system of information exchange, e.g. information exchange needs to support the work related to strategic enforcement, dynamic interpretation, policy dialogue and promotion of equality.

Emphasis will be put on enhancing communication and exchange to ensure output. The secretariat will play a strong supportive role in research and communication to facilitate the working groups.

The working groups will have the possibility to meet. Furthermore, the moderators of working groups and/ or the executive director can initiate a joint meeting of moderators and secretariat to discuss the (progress in the) work of the working groups, to identify and benefit from (potential) synergetic effects of the work of the working groups and to ensure the board is advised on overall progress.

#### **4.4 Operational structure: secretariat**

The secretariat is headed by the executive director. It is geared first and foremost towards servicing the network and the network structures: AGM, executive board, working groups or other participative working structures.



The secretariat has a professional expert profile with a number of permanent professional staff and additionally ad hoc project staff or consultants for specific assignments if and as required.

The professional secretariat provides basic services to the network such as ensuring the information exchange through modern means, ensuring exchange of expertise through trainings and other supporting networking among members and stimulating members to become involved.

Equinet's secretariat's has as important task to stimulate communication within the network and therefore will be communicative and networking itself.

The secretariat needs to be constantly aware of the necessity to keep a balance between the requirements related to producing quality products and the need to keep members involved and committed, ensuring members' ownership of Equinet.

The secretariat is the contact point for the EU institutions to relate to Equinet. The secretariat will ensure that the EU institutions are aware that Equinet is first and foremost a network of specialised equality bodies, not only a Brussels secretariat.

The secretariat reports directly to the Board through the executive director and manages and supports the work of the working groups within the framework of the decisions of the Board.

The secretariat implements the training program, for which no working (sub-) group will be set up (see operational structure). The secretariat will furthermore perform the editing/ translation function for publications (partly), reports and the website.

The secretariat also manages the exchange of information between members and the website/ database of Equinet.

The secretariat will also play an implementing role in the major initiatives strand of activity.

In brief, the functions of the secretariat are to:

- a. ensure the effective communication between the various structures of/ participants in the network (Executive Board, working groups, members, project management, secretariat)
- b. support the effective communication of the Executive Board with external parties (European institutions, other equality or other networks/ institutions, etc.)
- c. monitor / assist in the effective implementation of decisions of the Executive Board and the Annual General Assembly,
- d. ensure the Equinet narrative and financial reporting obligations to third parties, such as the European Commission,
- e. manage the flow of documentation and information within the network, including the website or Content Management System (CMS),
- f. support the working groups in the implementation of their responsibilities and activities (assist in the development of the work plan, assist in the reporting, provide information and documentation, create links between the working groups and other parts of the Equinet structure)
- g. monitor the effective implementation of the activities of the working groups, provide guidance for working groups to report on their activities and remind working groups on the need to report if necessary
- h. conduct supporting research in relation to working group activities
- i. develop and implement a plan of activities with a view to capacity building of members to enhance the effectiveness as specialized equality bodies
- j. perform a helpdesk function for newcomers within the network
- k. ensure effective arrangements for conducting the AGM and meetings of the Executive Board, including writing the preparatory documents and reports, as well as taking care of the necessary logistics
- l. facilitate meetings of working groups if necessary
- m. make the necessary arrangements for/ ensure electronic and printed publications of Equinet, including translations



n. implement major initiatives.

#### 4.5 Resources

The income of the Equinet comes from various sources.

First, members will contribute their own staff time: between 20 and 30 days per partner per year for activities in the field of information exchange, for activities of the working groups and for management of the Equinet structure. The value of the staff time is calculated on the basis of real costs of staff members per day.

Secondly, the 2009 General Assembly of Equinet has voted to implement a membership fee system based on the declared operating budget of each of its members. Depending on the size of this budget, members will be required to contribute a minimum of € 1000, € 2000 or € 3000 of annual membership fee.

Staff time and membership fee, as well as travel and accommodation costs to attend AGM events as appropriate, will make up the beneficiary contribution as matching funding to obtain financial support from the European Commission.



## PART II - WORK PLAN AND RESOURCES 2010

### 1. Overview

In the past year, Equinet has grown significantly and has consolidated itself as a key European Network. It now includes 33 member organisations / national equality bodies (from 26 countries) and 3 observers (until formal membership application or the formal setting up of an official national equality by law in Poland, Czech Republic and Portugal).

The setting up of the Equinet secretariat with its full staff team was completed in 2009. All positions of the Equinet Secretariat were recruited and filled, including the Executive Director (started February 2008), the Administration & Finance Officer (since 2007 with successor replacement from October 2009), the Policy Officer (started 2008) and the Communications Officer (started 2009). Since 2009 therefore, the Equinet secretariat was fully staffed to ensure the effective implementation of the activities of the association and ongoing support to members.

Equinet operations for 2010 are designed as a continuation of previous year(s) work, with a broadly similar but strengthened approach that includes:

- a. A focus on communication and strengthening of the information exchange
- b. Enhanced training activities for members
- c. Working group activities related to supporting strategic enforcement, promoting dynamic interpretation to legal concepts, engaging in policy dialogue with EC institutions and supporting practice in the promotion of equality, and ongoing linkages and information exchange throughout the thematic areas of work and expertise
- d. The organisation of selected and specific major initiative
- e. The strengthening of the structure and network with a view to ensuring the sustainability and impact of Equinet activities

A few highlights - In 2010 Equinet will focus on:

- Implementing a specific initiative on transgender persons to enhance the role of equality bodies in relation to tackling discrimination faced by transgender people and to support new policy and practice for equality in this area of transgender discrimination and gender identity.
- Integrating a focus on discrimination in access to goods and services across Equinet activities to further develop the expertise of specialised equality bodies in this area.
- Developing and implementing a comprehensive communications plan and strategy for the Equinet Network, addressing both internal and external communication priorities.
- Invigorating the exchange of information and experience between members in relation to tools for good practice in the prevention of discrimination, recent developments in EU equality legislation and jurisprudence in this area, as well as in promoting equality. This will be progressed through the strengthening and development of online tools, a database and use of the website.
- Publishing policy opinions based on learning from the work of the equality bodies in implementing equal treatment legislation at Member State level.
- Further disseminating the findings of the study on the practices and tools of independence and impartiality by equality bodies and supporting an ongoing focus on the experience and practice in this area of equality bodies.
- Organising an Annual General Meeting (AGM) to facilitate consultation of the Members on important developments in 2010, the preparation of a new EQUINET Strategic Plan (2010-2014) and of the annual work plan and budget for the following year according to EC reporting and funding purposes.
- Facilitating as part of the AGM a high-level meeting of Members bringing together the top representative(s) of specialised equality bodies to secure their ongoing engagement with the work of Equinet and to build collaboration between equality bodies at this level.
- Organising two training events for staff of the national equality bodies (members).



- Organising a specialised legal expert training seminar for equality body staff as well as key stakeholders and legal experts on the key concepts of discrimination law and case law. This will further enhance capacity-building and training activities in 2010.

## 2. Communication & information exchange

The main communication priority will be to further boost information exchange between members and between Equinet and EU institutions as well as other relevant international organisations. The Equinet website ([www.equinet-europe.org](http://www.equinet-europe.org)) is the main communication and information tool serving this purpose. It also raises awareness about Equinet and the work of member equality bodies.

Further developments on the website are required to ensure that this communication tool meets members' needs both in terms of content and accessibility. A review of the site architecture, content and design will be initialised in the first quarter of 2010.

It is crucial that the website relays information about member's activities and campaigns, developments in topical EU anti-discrimination policy and legislation in a timely manner. Regular updates will be carried out and profiles of members' organisations will be reviewed and frequently updated to be published on website.

The quality and relevance of the website content will be reassessed and further developed. New website sections, such as "*Members in the Spotlight*", will act as open and transparent platforms for showcasing the work of selected members. Information related to the advancement of equality policy, good practice highlights and significant case law in the members' countries will also be posted.

The forum, which is already part of the website, will be re-organised, boosted and improved to encourage the sharing of experience and knowledge amongst members. Forums dedicated to each working group will be set up to generate thematic dialogue and strengthen ongoing exchange of expertise. This will help overcome some of the perceived obstacles to an active participation in Equinet. The use of the forum via the posting of messages by members without Equinet secretariat assistance will be stimulated. This work will contribute to a greater ownership of the network by members and the forum's development as a unique platform for the sharing of experience and expertise amongst specialised equality bodies.

One particular focus for 2010 will be the development of an Equinet identity. It will help build awareness about and the visibility of Equinet, as well as increase members' sense of belonging to the network. Selected branded materials and stationery will be produced and made available during events and communication actions. Furthermore Equinet will invite its members to display Equinet publications and promotional material in their premises and at their events. As in 2009, Equinet will publish comprehensive reports presenting the outputs of each working group. In addition, a concise Equinet Annual Report will be produced to provide an overview on Equinet, its Members organisations, its priorities and highlights of its core activities in the past year.

The secretariat will disseminate Equinet publications and materials to various target groups both external and internal to the network via Equinet's distribution lists and events.

Equinet will continue building a strong relationship with its members through points of contact within member organisations. This will be done via regular bilateral visits, attendance at milestone events of member bodies and the organisation of joint events with member organisations. Equinet main points of contact will be entrusted with the mission of cascading relevant information within their organisation. Additionally, Equinet will coordinate a social network platform giving the floor to communications experts from national equality bodies. Through the use of new media, Equinet is intending to facilitate the sharing of expertise in this specific domain but also encourage equality bodies entering the era of digital content.

Joint statements with members and opinions on topical issues will also be drafted when required to support the advancement of the promotion of equality.

Finally, Equinet will start exploring particular needs of those members and equality bodies which





function primarily as quasi-judicial bodies and those whose principal tasks also involve promotional work in the field of equality.

### 3. Training and capacity building

#### *Two Training events for staff of equality bodies*

In 2010, Equinet will organise two 2-days training events for members of national equality bodies in the course of the year (first training event is foreseen in the first quarter and the second training event in the third/fourth quarter of the year). Each training seminar will be held in a different country and hosted by a national equality body – Equinet member.

Training events are a core element, and an essential part of Equinet's yearly activities and capacity-building objectives. The training events give an excellent and unique opportunity to Equinet members and their staff to level-up their capacity, skills and knowledge on the recent development of anti-discrimination legislation, on new equality policy in Europe and on the implementation by equality bodies of their mandate. Based on the inputs of high-level experts, lecturers and facilitators in the field of anti-discrimination policy, law and research, Equinet training events provide an essential platform for learning and capacity building, for the staff members of specialised equality bodies. The training events also serve a networking function that enables staff to meet and share experience and expertise on selected topics and areas of work.

It is Equinet policy to invite members to host the training events. This allows national equality bodies to use the opportunity of training seminars to make organisations and colleagues in other EU member states more familiar with their particular context and situation and with their work, thereby allowing for some (modest) profiling of the hosting Equinet member in its own country. The added value of Equinet trainings is also to facilitate exchange and informal contacts among Equinet members, which further contribute to the aims of cooperation and peer support between specialised equality bodies across the Member States.

As a result of feedback and evaluations from previous Equinet trainings, Equinet will pursue and strengthen this approach by proposing to two member organisations to host one training event focused on anti-discrimination law and the other training event oriented to the policy work and practice of equality bodies. Participation in each training event will be limited to 45 participants from Equinet members' staff so as to allow for an effective training and interactive learning approach.

In 2010, the policy and practice-oriented training could focus on data collection and impact assessment. The training event will aim to raise awareness and build capacity of equality bodies' staff in the field of data collection and analysis. This will have a particular emphasis on the collection and analysis of data by equality bodies in assessing the impact of their promotional and policy work and on ways to enhance and make use of this as well as other sources of equality data as appropriate. The training event will focus on the use of equality data in measuring progress resulting from equality awareness-raising campaigns and projects. This part of the training event will aim to raise awareness and build capacity of equality bodies' staff to engage in and support the use of equality impact assessment tools in policy making.

The legal oriented training event will target legal staff within specialised equality bodies. The training event will have a particular focus on a comparative approach to the implementation of anti-discrimination law. The main goal of this training will be to deepen participants' knowledge of case law and to further develop their skills in interpreting anti-discrimination legislation, particularly in the context of proving discrimination cases. The training will focus on aspects such as the use of situational testing as evidence in court, the preparation of evidence in relation to particular incidents of discrimination to be selected by the working group on dynamic interpretation, and the use of statistics as one of the possible proof of discrimination. The training will create the opportunity to share experience and knowledge in relation to building and developing effective strategies when proving discrimination cases.



The first training is likely to take place in Bratislava, Slovakia (hosted by the National Centre for Human Rights) in spring 2010, whilst the second training will take place in the second half of the year (location and host organisation still to be determined).

#### *Expert Legal Training Seminar*

There was a very positive evaluation and feedback from the Equinet Legal Seminar held and initiated in 2009. Participants pointed to the need for, and the added value of, further training events at this higher level of legal expertise. The participation of a wider stakeholder group in this event was also deemed to be valuable. Equinet will organise a two-day legal expert seminar for members and other stakeholders. This expert training seminar will focus on key concepts in anti-discrimination legislation and jurisprudence.

The seminar will be targeted at 80 participants with a good level of legal expertise. It will involve keynote lectures and presentations by high-profile legal practitioners and academics specializing in equality and non-discrimination law. A detailed concept and proposal for the seminar will be developed and submitted for discussion within the Equinet executive board and membership early in 2010. The proposed approach may include a focus on recent developments in European Court of Justice (ECJ) and national courts' judiciary in the area of non-discrimination as well as on the practical application of the principle of equality in public procurement. The expert legal seminar will also be a unique platform to present the results of the Equinet survey on specific powers of equality bodies to provide assistance in discrimination cases.

#### *Structured bilateral visits and exchange programmes*

- Between members – Equinet will facilitate bilateral visits, on request, between countries and national equality bodies, with a view to establishing a possible longer-term exchange or twinning among national equality bodies from various Member States.
- Between Equinet secretariat and members – the Equinet director and secretariat staff team will visit selected member organisations if and as appropriate. Consideration will also be given to members proposing work experience / *traineeship* for a member of their staff within the European activities and secretariat of Equinet in Brussels.
- Between the EC and members - Equinet will facilitate , on request one-day visits to and/or the presence in a national equality body of an official (particularly new staff) from legal or policy units working on equality and non-discrimination issues within the European Commission. This is to enable sharing and learning from the real work and practice of a national equality body on the ground.

## **4. Working groups**

### **4.1. Overview**

Equinet working groups are the core structures for ongoing exchange and cooperation between members in the European network of national equality bodies. The working groups will be stimulated by ongoing support and back up from the secretariat and by provision of facilities (travel and accommodation) to hold regular meetings.

Each working group will aim to produce at least one publication in 2010. In principle these publications will be for external distribution (unless it is decided that the topic of the publication requires further internal discussion or is more appropriate for internal dissemination). The value of these thematic publications lies not only in the information, knowledge and analysis presented in the reports but also in the preparation process which requires joint work and shared inputs from working group members of equality bodies which create opportunities for useful discussion,





sharing of information, and learning.

There are four standing working groups, one for each of the areas of work<sup>3</sup>:

- a. Working Group on Dynamic Interpretation, if necessary with subgroups on specific concepts (see part I, 3.2)
- b. Working Group on Strategic Enforcement (see part I, 3.3)
- c. Working Group on dialogue with EU institutions – Policy Formation (see part I, 3.4)
- d. Working Group on supporting strategies for the promotion of equality – Promotion of Equality (see part I, 3.5)

#### **4.2. Working Group on Dynamic Interpretation**

The Equinet Working Group on Dynamic Interpretation focuses on how to interpret legal concepts and issues in anti-discrimination law with a view to harmonised implementation of EU law so as to secure equality at the highest possible level.

In 2010, the working group will continue to focus on a practical approach to dynamic interpretation by using real-life cases as a basis for a comparative analysis of the application of anti-discrimination law in their different countries.

The analysis of these cases will demonstrate the similarities as well as the differences among Equinet members in interpreting the equal treatment Directives. The analysis will also identify any gaps in the implementation of community anti-discrimination legislation into national legal systems. This process of joint analysis of cases helps members in their daily work and supports development of views and policy proposals by Equinet as to how to enhance the development and implementation of EU equal treatment law.

The working group will analyse three to six cases in 2010. These will be selected where possible with a focus on discriminatory situations in relation to the provision of goods and services in the area beyond employment. Experience shows that it is generally possible to draw cases from a variety of EU member states and on a diversity of discrimination grounds, which enhances the value of the exchange.

The working group will publish the cases and related analysis by producing an external report and through the use of the Equinet website.

The working group will meet at least once during the year to discuss the approach to and outcomes from the analysis of the cases.

Secondly in 2010, the Dynamic Interpretation working group will complete a report on the powers of European equality bodies to provide assistance in discrimination cases to influence the interpretation of Equality law. This will follow a survey of the litigation powers of equality bodies to be launched at the end of 2009.

Thirdly, the Group will draft a ECJ litigation plan to build on the work done on this issue in 2009. The ECJ litigation plan will be able to be used by Equinet members either working themselves or in conjunction with other Equality Bodies. Equinet members will then implement the plan by conducting strategic litigation in ECJ preliminary rulings where possible or appropriate.

#### **4.3. Working Group on Strategic Enforcement**

The Equinet Working Group on Strategic Enforcement aims to contribute to the effective implementation of the equality bodies' mandate through exchanging expertise, experience and information on the most strategic use of the diverse powers available to equality bodies. Through

---

<sup>3</sup> Work plans of the working groups to be attached as annexes



its work the working group will contribute to the equality bodies' ability of to have an impact on the issues of discrimination and equality.

In 2010, the working group on Strategic Enforcement will deepen its work on the role of equality bodies in the context of wider society. The working group will focus on key long term strategies and explore what tools these strategies can, or need to, include to be effective. In its work the working group will consider:

- The ability of equality bodies to contribute to the effective implementation of EU Directives
- The need to apply a strategic approach
- The interaction of equality bodies with key stakeholders, including civil society

The working group will meet at least once during the year. It will prepare a report resulting from its work on these themes.

#### **4.4. Working Group on dialogue with the EU institutions (Policy Formation)**

The Working Group on Policy Formation underpins Equinet's work to engage in a dialogue with EU institutions that supports policy formation at EU level to effectively promote equality, value diversity and tackle discrimination. The working group supports the dialogue of Equinet with the EU institutions through the preparation of Equinet opinions. These opinions seek to inform current policy development within the EU institutions in the area of equality and non-discrimination and to contribute an equality dimension to policy being developed on other issues. Equinet opinions are developed from the work and experience of national equality bodies at Member State level.

In 2010 the following themes will be in the core of interest of the Working Group on Policy Formation:

- Support follow-up exchanges and dissemination of the work done and opinion in relation to the Roadmap for equality between women and men, the Action Plan on disability and the work of equality bodies in combating discrimination of Roma people.
- Lead Equinet special initiative on transgender persons' rights by preparing an opinion based on the work of equality bodies in combating discrimination against transgender people, as well as a roundtable meeting with equality bodies and key stakeholders in defending the rights and equal treatment of transgender people across Europe.
- Develop an initiative to explore the impact of economic recession and accompanying backlash against equality on specialised equality bodies and their work, and how best to protect equality bodies and advance their work in this context.
- Support a dialogue on the relationship between equality work and work on human rights and the role of bodies with responsibilities in both areas.

The working group will meet at least once during the year to discuss the activities of the working group. It is anticipated that all opinions will be published (in English and French) and available for internal use as well as widely disseminated externally.

#### **4.5. Working Group on supporting strategies for the Promotion of Equality**

Many Equinet members have mandates and strategies to promote equality and to prevent discrimination. Some bodies have training departments, others have established standard procedures to consult with civil society and some have set up departments to study non-legal issues. One of the key reasons to encourage prevention of discrimination and promotion of equality policies is to balance the need for processing an inexhaustible flow of complaints. The idea is also that the elimination of discrimination can only be achieved where substantive equality has been advanced.

The objective of the Working Group on Promotion of Equality is to develop a dialogue between Equinet members on prevention and equality policies and to exchange experiences, tools and



good practices in this field.

In 2010, the Group will deepen its works in relation to:

- Identifying national equality body strategies in the collection, processing and use of internal and external quantitative and qualitative data.
- Exploration of a common tool (matrix/database) to be possibly developed and facilitated in the context of Equinet, that would enable a common system for gathering information on complaints handled by national equality bodies as recommended by the European Commission in its Communication (2 July 2008).

The Working Group on the Promotion of Equality will meet at least once during the year.

## 5. Major initiative(s)

Key issues proposed and approved as suitable for Equinet major initiatives in 2010 include:

### *Development of a new EQUINET Strategic Plan 2011-2014*

The Executive Board will develop and implement a process for the preparation of a new Strategic Plan for EQUINET. This strategic plan will guide the development and growth of Equinet in the coming 4-years period. The process will involve a broad participation by members and by the range of stakeholders. The Strategic Plan 2011-2014 will be presented by the Executive Board to the Members for comments and approval by the AGM 2010.

### *Follow-up of Equinet Roma initiative & Initiative focusing on transgender discrimination*

Cf. section 4.4 above (Working Group on Policy Formation)

### *Continued follow-up on practices and tools for independence of equality bodies*

Develop a support system for equality bodies in relation to pressures they experience on standards of independence and effectiveness. Sustain a focus on these standards by linking to the survey work commissioned by the EC on equality bodies. This initiative will be based on the Equinet study on the practices and tools of independence and impartiality by equality bodies.

### *2010 European Year against Poverty and Social Exclusion*

The European Year 2010 on poverty and social exclusion provides a valuable context within which to stimulate a debate and a new policy focus on the interaction between poverty and discrimination issues. Poverty policy needs to take account of the diversity of people experiencing poverty and of discrimination as a causal factor for poverty. Equality bodies need to take account of poverty as a barrier for groups in exercising their rights under equality legislation. Equality and non-discrimination policy needs to take account of poverty and socio-economic status as a causal factor in inequality and discrimination. Equinet will seek to engage with the European Year programme at European level and to make a contribution to a focus on the interaction of poverty and discrimination.

## 6. Secretariat: location and resources

In conformity with the decisions of the 2007 AGM, Equinet has been established as a legal entity under Belgian Law (*AISBL Association Internationale Sans But Lucratif* - international non-profit association). The Equinet secretariat is located at the offices of the Belgian Centre for Equal Opportunities and Opposition to Racism.

Brussels has been selected as Equinet *hub* due to its central location and proximity of EU institutions and European NGOs and institutions working in the field of equal treatment and non-discrimination from a European perspective. The Equinet Secretariat is hosted within the premises of the Belgian Centre for Equal Opportunities and Opposition to Racism providing valuable support in daily office administration and facilities.



The recruitment of the staff for the secretariat has been completed, with an executive director, policy officer, a communications officer and an administration & financial officer. The complete team functioning within the Equinet secretariat will further enhance effective support and services to Equinet members as part of the network.

As indicated in part I (4.4) the information exchange will also continue to benefit from the steer of the communications officer within the Equinet secretariat with the development and implementation of a new comprehensive communication plan for Equinet. The tasks of the communications officer will include the role of a web moderator/editor, not only for the one-off implementation of the necessary technical changes, but even more so to moderate the web forum, to structure the information exchange (develop and improve formats for exchange) within the members' network and externally, develop information exchange priorities (in consultation with the policy officer content and working group moderators) and edit Equinet publications.

Working groups will further benefit from the full time support of the Equinet policy officer for content. The policy officer is furthermore responsible for ensuring the implementation of the training programmes, preparation of Equinet publications and so on.

As in previous years, Equinet members will make staff available to engage in information exchange and to participate in the working groups (on average twenty days per member/year) and to participate in the management of the Equinet network (AGM, executive board, moderators of working groups, contribution of articles, etc.).

## 7. Income

The income for the Equinet budget will be from various sources.

Members contribute their own staff time (on average between 20 and 30 days per member per year) for activities in the field of information exchange, of the working groups and for management of the Equinet structure. The value of the staff time is calculated on the basis of real costs of staff members per day. The exact contribution of the members will be calculated in the *beneficiary contribution (overview own contribution Equinet members 2010)* to be attached to the Equinet 2010 budget.

In addition to this, there will be a minimum applicable of the current annual membership fee of minimum € 1000 to each member organisation (from presently 33 members), and a new proposal approach for 2010 on based on a three-levels membership fee determined by the annual budget of equality bodies is proposed to the AGM. The membership fee will, together with the member contributions in staff time, make up the twenty percent minimum beneficiary contribution to match the maximum eighty percent budget support requested from the European Commission.

Furthermore, most Equinet members will pay their own travel and accommodation in relation to the AGMs.

The majority of funding will however come from the application for funding to the European Commission.

