

Equinet Executive Board Meeting IV
8 December 2016
Brussels, Belgium

VENUE: Equinet & Unia Offices, Rue Royale 138, 1000 Brussels

ATTENDANCE	
<p style="text-align: center;">Board Members</p> <p style="text-align: center;">Kosana Beker (KB) Sarah Benichou (SB) Anna Błaszczak (AB) Patrick Charlier (PC) Evelyn Collins (ECo) - <i>Chair</i> Sandra Konstatzky (SK) Petr Polak (PP)</p> <p style="text-align: center;">Expert Advisor to the Board: Niall Crowley (NC)</p>	<p style="text-align: center;">Equinet Secretariat</p> <p style="text-align: center;">Anne Gaspard (AG) - <i>Executive Director</i> Tamas Kadar (TK) - <i>Head of Legal & Policy Team</i> Sarah Cooke O'Dowd (SCOD) – <i>Communication Officer</i> Jessica Machacova (JM) – <i>Membership and Policy Officer</i> Silvana Röbbstorf (SR) - <i>Policy and</i> <i>Communication Assistant / Trainee</i> Katrine Steinfeld (KS) – <i>Policy Officer/Gender Equality</i></p>

Chair of the meeting: Evelyn Collins (ECo)

Apologies:

Board Member - Kalliopi Lykovardi (KL)

Resigned Board Member - Elisabeth Lier Haugseth (ELH)

Equinet Secretariat – Yannick Godin (YG), Finance & Administration Officer

Minutes: Jessica Machacova (JM)

MINUTES OF THE BOARD MEETING

1. OPENING AND ANNOUNCEMENTS

ECo opened the Board meeting at 09:00. The proposed agenda for the meeting was reviewed and agreed upon by the Members.

Apologies from **KL** were conveyed to the Board. **KL** was recently appointed to take up new internal responsibilities promoted as Deputy Ombudsman for Equality and was engaged with an ongoing internal reorganization process within the Greek Ombudsman institution. The Board noted congratulations to **KL** for her new role in the equality body.

KB announced her forthcoming resignation from her position at the Office of the Commissioner for the Protection of Equality in Serbia at the end of December 2017. According to Equinet Board Elections procedure in place, she will regrettably therefore resign as an elected Member of the Equinet Executive Board, effective from 1 January 2017.

Following written information to the Board on this issue, **ECo** reminded that **ELH** was appointed Ombud for Consumers in Norway and left her position within the Equality and Non-Discrimination Ombud of Norway in November. In this context, **EHL** had also presented her resignation as an elected Member of the Equinet Executive Board.

The Chair and Members thanked both **ELH** and **KB** for their significant and valuable contribution to the Equinet Board and the European Network overall over the past years, and wished them well for their next steps.

2. FOLLOW-UP LAST EQUINET MEETINGS

Draft Minutes of Board Meeting 8 September 2016

The draft Minutes were reviewed and agreed without amendment.

DECISION: Minutes approved by the Board and will be made available to Members on the restricted Members' area of the Equinet website.

Equinet Annual General Meeting AGM, 29-30 September 2016

The Board thanked the Secretariat for a well-organized Equinet AGM, with a good level of participation of Equinet Members and key contributions from EU and international partners (EC, FRA, ENNHRI, EP, ECRI).

Participants' evaluation results of the Equinet AGM were reviewed and noted.

Equinet Seminar on Fighting Discrimination on the grounds of Race and Ethnic Origin, Budapest, 9-10 November 2016

The Chair and team reported on the recent successful capacity-building Seminar with a good level of Equinet Members' participation and host equality body's engagement in Hungary. The Seminar Summary will be finalised and made available to all members early in 2017.

3. EQUINET GOVERNANCE

Equinet Board Membership

Following prior announcements, the Board noted the formal resignation of two Board Members (ELH and KB).

In accordance with Equinet statutes and Board Elections Procedure, it was first agreed that having one or two substitutes invited to join the Equinet Board would be valuable and welcome for the remaining Board mandate (10 months and 3 planned Board meetings until the next Board elections in October 2017).

Board members also agreed that this shorter mandate invitation should not be counted in the total number of the maximum three consecutive terms a Board Member can serve (cf. Board Election Procedure).

Following discussion considering the current geographical clusters and previous Board elections candidates, it was agreed that the Board will invite **Kirsi Pimiä**, Non-Discrimination Ombudsman, Finland, to substitute for ELH Elisabeth Lier Haugseth (group 1) and **Tena Šimonović Einwalter**, Deputy Ombudswoman, Office of the Ombudswoman, Croatia to substitute for KB Kosana Beker (group 3). The Equinet Chair and Director will follow up with a formal invitation and inform the Board of responses in due course.

DECISION: Unanimous endorsement of proposed invitation to Kirsi Pimiä and Tena Šimonović Einwalter to join the Equinet Board from January 2017.

Board Conciliator Nomination – Equinet staff regulations

ELH had been nominated as Board Conciliator under the Equinet Staff Regulations following Board Elections 2015.

Following ELH resignation as a Board Member, the Chair called for interest within the Board for taking up the role of Board Conciliator. A note on the role of Board Conciliator was presented in the context of Equinet Staff Handbook and employment regulations. **SK** volunteered to take up this role.

DECISION: Unanimous endorsement of SK as the new Board Conciliator. An updated Equinet Staff Handbook 2016 will be made available accordingly to Equinet staff members and Board.

Equinet Board Election Procedures – Group allocation of Bosnia and Herzegovina

Following formal ratification of the membership application from the Institution of Human Rights Ombudsman of Bosnia and Herzegovina at the Equinet AGM (raising Equinet membership to 46 Members from 34 countries), the Board was invited to consider the appropriate allocation of this new membership country under the Equinet Board Elections Procedure.

DECISION: Bosnia and Herzegovina was allocated to Geographical Cluster 3 under the Equinet Board elections procedure.

A review of the Geographical Clusters countries' allocations could be reassessed for potential consideration at an Equinet Annual General Meeting in future, depending on potential membership applications from new countries.

4. STRATEGIC ISSUES

Supporting development of Standards for NEBs: next steps

Board discussions covered:

- **Prospect of a potential FRA Legal Opinion**

The Equinet Secretariat is in contact with the FRA in order to get more information about a potential Legal Opinion addressing Standards for National Equality Bodies, as proposed by FRA Director Michael O'Flaherty as part of his contribution to Equinet AGM.

- **Review of ECRI General Policy Recommendation GPR n°2**

It was agreed that Equinet Board Members and Secretariat will continue to engage as much as possible with ECRI on the review of the GPR n°2 and to support this process in any appropriate ways.

- **Proposal Strategic Meeting 2017 on Developing Standards**

The Board welcomed the proposal to reconvene in 2017 a Strategic Meeting on developing Standards for National Equality Bodies, with Board Members and a wide range of Equinet Members including those involved in the past Equinet Cluster on the topic in 2015.

DECISION: Equinet to plan a Strategic Meeting on Developing Standards in early May 2017

- **Draft Members Communication: What can Equinet Members do to promote Standards for Equality Bodies**

A communication to the Heads of Equality Bodies, Equinet Board members and contact persons will be sent by the Secretariat in January 2017, encouraging Members' use and dissemination of the Equinet Working Paper at national level.

Board members discussed opportunities to get the issue of Standards on the agenda of the next Presidencies of the EU. **SK** underlined it could be timely to profile the issue for the Austrian Presidency (July-December 2018) and will explore relevant contacts.

- **Links between Equality and Human Rights mandates and standards**

FOLLOW UP: Discussion to be pursued at next Board meeting/s considering potential progress on next steps in developing Standards and the upcoming Equinet Strategic Meeting to be organised.

5. MEMBERSHIP

Membership updates

- In **GREECE**, a new anti-discrimination law entered into force in late 2016, according to which, the Greek Ombudsman is now competent for discrimination occurring both in the public and the private sector. **KL** was appointed Deputy Ombudsman for Equality.
- In **FINLAND**, the plan of a potential merger between the two equality bodies will not be pursued. A new Equality Ombudsperson is expected to be appointed soon.
- In **NORWAY**, the tribunal and promotion functions of the Equality and Non-Discrimination Ombud are likely to be split into two different bodies.
- In **SLOVENIA**, a new Advocate for the Principle of Equality was appointed in the context of a new legal structure (including slightly more resources) on the basis of new anti-discrimination legislation. The new Advocate sent a letter to Equinet to communicate the creation of this new institution, while also confirming continuity with the former structure and sustained commitment to contribute and participate in the Equinet Network.

DECISION: It was agreed that, on the basis of this written notification, the formal membership of the Advocate for the Principle of Equality of Slovenia will continue as the legal successor of the member institution under the new law.

- In **CZECH REPUBLIC**, the Ombudswoman presented the annual report of the Public Defender of Rights to the Chamber of Deputies, and faced adverse political reactions.
- In **POLAND**, the Budgetary Committee of the Parliament issued a negative decision concerning the budget of the Commissioner for Human Rights. The Government also officially expressed its opposition to the proposal of EC Horizontal Directive. The Commissioner asked for the main reasons of this decision but did not receive any reply yet.
- In **SLOVAKIA**, a new Director will be appointed in the coming weeks.
- In **FRANCE**, the Defender of Rights has now the possibility to take class actions.
- In **LUXEMBOURG**, the equality body celebrated its 10th anniversary on 28 November. Equinet AG was invited as a keynote speaker to the conference alongside the Prime Minister and President of Parliament in Luxembourg.

Equinet Membership Engagement

The team reported on recent visits to Members and Equinet working meetings hosted in Malta, Germany and Ireland.

Regional Cooperation

In November 2016, Equinet/ **AG** was invited to contribute to and participate in the launch of a formal cooperation between South-East Europe equality bodies.

Unia and FADA (Germany) will meet in a bilateral visit and meeting in December 2016 in Berlin. A similar meeting will be organised between Unia and the Dutch Institute for Human Rights (Netherlands) in early 2017.

Scope and Potential for future Equinet membership development

- Contacts with the **Icelandic Permanent Representation to the EU** were initiated by the Equinet Secretariat in order to identify potential member Equality Body in Iceland.
- **Equality body of Moldova and of Georgia:** A letter to the equality bodies in question will be drafted, and cooperation with DG NEAR pursued.
- In **Liechtenstein**, a new equality body is expected to be set up and operational in early 2017.

- The **Croatian Ombudswoman for Children** showed interest in potential Equinet membership application in future. Board members discussed this interest and concluded that Ombudspersons institutions for Children are not directly matching Equinet current membership criteria. It was also noted that they have access to cooperation in the framework of the European Network of Ombudspersons for Children (ENOC).

6. EQUINET COMMUNICATION

Preparations Equinet 10 years anniversary 2017

An updated note outlining the range of proposed initiatives marking the 10th anniversary of Equinet in 2017 was introduced to the Board for discussion and feedback.

A survey of the membership will be launched at the beginning of 2017 in order to highlight the support Equinet has brought to their work at national level. Among such examples, Board members mentioned: Keeping staff members updated on developments at EU and international levels; and peer-to-peer exchanges.

The idea of a video in which Equinet members could explain how Equinet supports their work was welcomed by the Board members. It was suggested that the video is adapted to persons with disabilities and that it should be ready for the 10th anniversary celebrations in October 2017.

Equinet public statement positioning: follow up discussion/case studies

The Board was invited to pursue discussion on considerations concerning Equinet public statements and positioning.

The following ideas and considerations were raised by Board Members:

- **PC** mentioned that Unia usually asks civil society organisations to refer to their own statement without signing up to them.
- **ECo** suggested that we should keep case-by-case basis on each request coming in
- Overall, Board members were satisfied with the way own statements' assessment and production have worked so far and suggest to continue this way on a case-by-case basis.

FOLLOW UP: concrete statements proposals and new opportunities to be considered with the Board (case studies) in future as these may arise.

7. EQUINET WORK PROGRAMME 2016/2017 – IMPLEMENTATION PROGRESS

Important general planning

Tentative Equinet Calendar 2017

Dates for the next Board meetings and Equinet events were discussed. The following important dates are confirmed: **10th October** (Equinet 10th anniversary celebration conference) and **11th October** (Equinet Annual General Meeting and Board Elections).

Moderation and participation – Equinet Working Groups

The Working Groups Gender Equality and Equality Law will need new moderators in the coming months.

Concerning the Working Group Gender Equality, **KS** proposed the idea of a shared moderation between two Working Group members. Nathalie Schlenzka (Federal Anti-Discrimination Agency, Germany) will apply for the co-moderation in the coming weeks, alongside current Moderator Teresa Hammer from the Austrian Ombud for Equal Treatment) who will be moving on outside the equality body around spring 2017. Board members agreed with the principle of a shared moderation in this context, and will be invited to review the candidate moderator application profile when submitted.

Completion Equinet Work Plan 2016 with continuation in 2017 & Priorities Equinet Work Plan 2017

The Board was presented with updates and commented on the range of work and activities pursued by Equinet under its 2016 work programme implementation and future work under its 2017 Work Plan.

This included reporting progress on the Equinet **Working Groups**, work progress on the **Strategic Litigation cluster**, the upcoming first meeting of the **cluster on Quasi-Judicial Bodies**, the follow up of the **Evaluation Lab Project**, the follow up of the **Factsheet on Inclusion of Migrants**, the **Equinet Training Equality Bodies and Social Media**, and the four **cooperation platforms FRA-CoE-Equinet-ENNHRI**.

The following ongoing work priorities were also discussed in some details:

- **Seminar on equality bodies tackling discrimination against persons with intellectual disabilities (Zagreb, 9-10th March 2017):** **JM** presented the draft agenda of the Seminar and welcomed suggestions from the Board.
- **Project on Violence against Women:** **KS** presented a concept note outlining the main objectives of the project, and welcomed comments from the Board. The following suggestions were made:
 - **SK** suggested a consideration and focus on cooperation with labor inspectorates, as they might be multipliers and watchdogs in companies.
 - Discussing why harassment and sexual harassment is forbidden in the workplace, but not outside the workplace. Or how sexual harassment is forbidden in goods and services.
 - **NC** suggested Equinet should try to be on the agenda of the European Commission's second meeting of the mutual learning program on gender equality, focusing on gender-based violence and violence against women in 2017. Making links with the Istanbul Convention is also essential due to austerity and lack of access to services
- **Positive Duties Conference (4th May, Brussels):** Board members shared initial ideas and suggestions concerning the agenda of the Conference, including:
 - Asking equality bodies in Great Britain, Northern Ireland and Sweden to provide speakers
 - Referring to the ECRI's check lists of legislation during their country visits. The check lists include positive duties.
 - The European Commission is under a mainstreaming duty itself.
 - Academics such as Christopher McCrudden or Colm O'Cinneide could be invited.

8. EQUINET FINANCE & ADMINISTRATION

Equinet Funding - EC Grant Application 2017

The Equinet funding application for EC Grant 2017 was successfully submitted and delivered to the EC, and is undergoing assessment currently.

Management report - situation Equinet Accounts 2016

The Equinet Accounts 2016 will be closed at the end of January 2017 and subsequently audited, considering the final Report of Equinet Grant to the EC is due for submission at the end of February. The financial situation and overview to date give indications of underspending under some 2016 budget headings.

FOLLOW UP: the final situation of Equinet accounts 2016 will be presented at the next Board Meeting in March.

Update other funding prospects (support U.S Mission 2016, EEA Norway Grants, TAIEX...)

The Board was informed of the funding opportunities mapped to date. The Board encouraged further exploration, and sustained efforts at engaging with potential funders.

Equinet external evaluation 2016

Following a restricted call for tenders and assessment of proposals received to conduct Equinet external evaluation for 2016, John Tierney, from the consultancy Transform Management Consultancy, was selected to conduct this evaluation work of the past year.

9. RELEVANT EU AND EUROPEAN STAKEHOLDERS INITIATIVES

The Board was updated about the range of Equinet engagement in connection with relevant events and initiatives at European level.

European Pillar of Social Rights: EC consultation and event 23rd January

The Board was informed of Equinet's planned response to the public consultation, which would be circulated to the Board for approval before the winter holidays. Equinet's attendance at the European Commission's conference summarizing the public consultation was noted.

NEXT MEETINGS

The next Board meeting will take place on 16 March 2017 in Warsaw (Poland) or Brussels (Belgium).

ECo thanked Board Members for their contribution and Equinet staff for all preparations and hard work.

=== The Chair closed the Board Meeting at 15:30 ===