



# National Equality Bodies and the European Parliament Engaging Together to Combat Discrimination

Summary of the Event

Wednesday 10<sup>th</sup> September 2014, European Parliament, Brussels



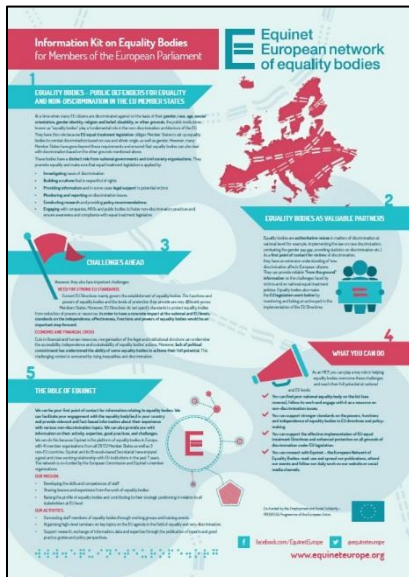
## PRESENTATION OF EQUINET

Equinet is the European Network of Equality Bodies, a membership-based organisation bringing together 41 equality bodies from 31 European countries including all EU Member States.

Equality bodies are public organisations assisting victims of discrimination, monitoring and reporting on discrimination issues, and promoting equality. They do so in relation to one, some or all the grounds of discrimination covered by European Union law – gender, race and ethnicity, age, sexual orientation, religion or belief, and disability – and other grounds covered by their national equal treatment law.

Equinet aims to enhance the strategic capacity of its members and to develop the skills and competences of their staff. Equinet also works to identify and communicate the learning from the work of equality bodies, and enhance their recognition and strategic positioning in relation to all stakeholders at European level.

## NATIONAL EQUALITY BODIES AND THE EUROPEAN PARLIAMENT, ENGAGING TOGETHER TO COMBAT DISCRIMINATION



The roundtable event *“Equality for all? National Equality Bodies and the European Parliament, engaging together to combat discrimination”* was organised on 10th September 2014 at the European Parliament in Brussels. The event provided a platform for exchange and discussion between representatives of Equinet member equality bodies and newly and re-elected Members of the European Parliament.

The event was also the occasion to present a new Equinet information kit for Members of the European Parliament. This aims at raising awareness on the role of and challenges faced by equality bodies at national and EU level and also on the way they can cooperate and bring added value to the role of Members of the European Parliament in their daily work.

The information kit is available in PDF [here](#).

**Photos: Thierry Maroit ©**



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## OPENING SESSION

### MEP Claude Moraes (UK, S&D)

Chair of the European Parliament's Committee on Civil Liberties, Justice and Home Affairs (LIBE)

Claude Moraes opened the event by welcoming all participants and highlighting that, as former Commissioner for the GB Commission for Racial Equality he feels close to equality bodies. He underlined **the context of the roundtable** taking place on the day the new College of Commissioners was proposed by Jean-Claude Juncker. The fact that several Commissioners have been designated for the equality area makes it challenging to ensure coherence and shows that advancing equality is a continuous struggle.

He recalled the **European Parliament's good track record on equality**, mentioning for example the adoption in 2014 of the [Report on the EU LGBTI Roadmap](#) but also work on Roma rights and the Race Directive. He indicated that the European Parliament is committed to refresh and **renew its commitment to the struggle for equality and to keep equality high up on the agenda**. It is essential to keep anti-discrimination as a major legislative and mainstreamed issue. A lot has still to be done, especially the adoption of the proposal for an [EU Anti-Discrimination Directive](#) beyond employment (or "Horizontal Directive").

Claude Moraes also underlined the **essential role of national equality bodies in implementing equality legislation** and the role of Equinet to support the implementation of EU equality legislation. Equality directives still have to be implemented fully and equality bodies are key to this important work.

To conclude, he underlined that equality bodies and Equinet should work with Members of the European Parliament to make sure equality is not a marginal issue and that resources are allocated to making progress towards equality.



## MEP Iratxe García Pérez (ES, S&D)

Chair of the European Parliament's Committee on Women's Rights and Gender Equality (FEMM)



Iratxe García Pérez also underlined the good timing of this roundtable, at a time when MEPs are beginning the processes of hearings of Commissioner-designates. She mentioned the importance of maintaining a **gender perspective in this process leading to a new College of Commissioners**.

She highlighted that 52% of European population are women, yet they face huge inequalities. They need to be able to participate in all areas equally: social, political, economic opportunities have to be equal. **Out of the 28 candidates Commissioners, there were only 4 women initially: the European Parliament made clear that it would not vote in favor of a Commission with such gender imbalance.** Iratxe García Pérez underlined that she rejected the notion that they were the “best candidates”: **men are overrepresented in decision-making not because they are better but because they have easier access to power.** We need parity democracy. Fighting for equality and gender equality is also fighting for a fairer Europe. All actors have to cooperate for this goal.

## MEP Ulrike Lunacek (AT, Greens/ALE)

Vice-President of the European Parliament

Ulrike Lunacek opened her presentation by referring to the title of the event: **“Equality for all?”** with a question mark reflects the current situation. However, it should be Equality for all! as a clear demand. She hopes that the European Parliament together with equality bodies and civil society will make it happen. She introduced herself as a fighter for women's rights, feminist issues and LGBT rights for decades. Almost 20 years ago she was the first Austrian politician openly lesbian.

Regarding the **proposed new Commission**, she recalled the adoption of [the European Parliament 2012 report on women in political decision-making](#) which demanded that each Member State should nominate one man and one woman candidate Commissioner. So many women are ready to take on the job of Commissioner. It is unacceptable that the European Commission President needs to remind Member States to nominate women.



Concerning **the Horizontal Directive**, she recalled the commitment of the European Parliament to push its adoption and that Member States are blocking it in Council. She might be the new Rapporteur, or a colleague from the Greens group, on this Directive. It is essential to ensure that at times of crisis, equality issues are not pushed in the background. Equality and solidarity are European values. Adding up the groups discriminated against, we see that they constitute the majority of the population.

Hate speech is increasing and widespread, especially against migrants or minorities but also homophobic, islamophobic, anti-Semitic or sexist: there is no conflict between freedom of expression and institutional monitoring and sanctions of hate speech. Spreading hate is simply not acceptable; it

limits others' freedom and it has to be sanctioned. We have to find the right way to do so.

She underlined the importance of improving **cooperation between national equality bodies and the European Parliament**. In some Member States, we are not keeping to the fundamental values of the EU and we need a better monitoring system. With the contribution of national equality bodies, sharing findings with FRA, with the Commission and the European Parliament, we can work to make sure the EU is doing inside the Union what it expects from third countries.

## **Evelyn Collins**

### **Chair of Equinet and Chief Executive of the Equality Commission for Northern Ireland**

Evelyn Collins thanked previous speakers and wished the MEPs a fruitful mandate until 2019, trusting that the Parliament will maintain its role as champion of equality and non-discrimination, including by **closing gaps in the legal framework** as with the adoption of the Horizontal Directive.

She presented [Equinet's new information kit for Members of the European Parliament](#). Equality bodies are closely y linked to the EU, as Directives oblige Member States to have independent equality bodies. Equality bodies, independent from governments and civil society, occupy a particular space in the fight for equality. They are public institutions that provide assistance to victims of discrimination, undertake research and promote equality. Equality bodies in the EU have **different levels of powers, resources and independence. Common standards would be important to protect equality bodies and ensure effective access to justice and equal rights across the EU.**

[Equinet](#), a membership organization of 41 equality bodies, **supports equality bodies** in strengthening their capacity, and **supports the gathering and sharing of experiences of equality bodies with decision-makers such as Members of the European Parliament**. Equality bodies can support both the development of equality legislation and policies and their implementation. She encouraged MEPs to [contact their national equality bodies](#) and the [Equinet Secretariat](#) to discuss potential cooperation.





## INTERACTIVE DISCUSSION

**Mari-Liis SEPPER**

**Gender Equality and Equal Treatment Commissioner, Estonia**



Mari-Liis Sepper highlighted the fact that EU treaties indicate the importance of equality and antidiscrimination, yet a patchwork of protection exists, differing by grounds and the protections on grounds such as disability and age. She referred to the proposal for a Horizontal Directive: potential victims and economic operators need clarity and certainty and redress mechanisms. The fact that this proposal is stuck in the Council sends out to businesses the message that **Members States are not sure if it should be allowed or not to discriminate**. Adopting his directive would abolish the hierarchy of protection and would create a uniformed protection level.

She concluded by underlining that the cost of the directive's provisions is one of the key arguments against it but one should keep in mind that there is a cost to violation of rights as well: the first impact assessment of the directive indicated that the economic value of life of those who die of health service discrimination among sexual minorities is 4 million euro. Net wage losses to ill health of people of with disabilities from health service discrimination are 599 million euros per year. Equal treatment is not a cost but an investment.



**MEP Malin BJÖRK (Sweden, GUE/NGL)**  
**Coordinator GUE/NGL FEMM Committee**

Malin Björk expressed concern about lack of progress with gender equality policies. It is essential to scrutinize policies affecting gender equality such as austerity measures. An anti-discrimination approach is not enough: we need to adopt a social rights approach. Legal action is needed against **violence against women as called for by the European Parliament**. Better legal standards are also needed to protect **maternity leave, parental leave, equality in decision-making power, good public services and care policies**. Sexual health and reproductive rights are also central for gender equality.

She indicated that the FEMM Committee will inform European Commission's work on the new EU Gender Strategy and invited equality bodies to contribute with suggestions and recommendations.



**MEP Therese COMODINI CACHIA (Malta, EPP)**

Therese Comodini Cachia mentioned her previous role as legal consultant to the Maltese equality body. She underlined that **Member States do not realise the costs of discrimination**. National



equality bodies and the European Parliament should work more on the arguments necessary to support adoption of the Horizontal Directive. **The cost of discrimination is huge: we are not using the potential of all in society.**

She mentioned the lack of awareness of citizens towards their rights and that this creates a huge rate of underreporting. MEPs and equality bodies should cooperate on raising awareness of rights.

Therese Comodini Cachia underlined the importance of **stronger and more independent equality bodies**. She advised equality bodies to **monitor the impact of their work on the ground**, to help decision makers to identify what needs to be done in policies and legislation.

She also underlined that the European Commission and the European Parliament have to monitor the standards of independence they want equality bodies to have. At least they have to live up to what is indicated in the directives. She shared that when working in an equality body sometimes she wondered **where was the European Commission and where was the European Parliament to ensure that the standard of independence indicated in the Directives are secured for equality bodies**. This has to be a priority for EU institutions.

### Sandra Konstatzky

Deputy Director of the Ombud for Equal Treatment, Austria

Sandra Konstatzky underlined that the implementation of legislation as well as the enforcement of rights is key. To do so, **equality bodies need standards for independence and effectiveness**.

Standards to ensure a sufficient level of **competences and powers** to equality bodies are also needed to allow them to fulfil their fundamental mission. She pointed out in particular that it would be necessary to discuss more effective litigation powers for equality bodies



### MEP Birgit SIPPEL (DE, S&D)

Coordinator S&D FEMM Committee



Birgit Sippel underlined the **lack of funding** allocated to the German Equinet member equality body, the Federal Anti-Discrimination Agency. The priority is put on money and not on human rights anymore. Member States seem to forget that they accepted to implement legislation in the field of human rights and equality, but they do not live up to their commitments. Fundamental rights are continuously put in question.

She called for a **European monitoring mechanism for human rights**. Copenhagen criteria, which define the conditions to join the European Union, are not respected inside the EU and there are no real sanctions to prevent that.



## Tena ŠIMONOVIĆ EINWALTER

Deputy-Ombudswoman, Office of the Ombudsman, Croatia



Tena Šimonović Einwalter underlined the need for **independence and effectiveness of equality bodies**. She mentioned that it is necessary to provide standards for equality bodies in order to achieve the goal of promoting equality and defending equal access to rights. She expressed her hope of a strong cooperation on this between equality bodies and the European Parliament.

The standards in the EU directives are not enough. Member States when negotiating the directives opposed to the wording ‘independent bodies’ but rather referred to bodies doing their work in an independent manner. This does not guarantee full independence. In particular, it is very important for equality bodies’ functional political independence, to be **protected from influences of executive powers**. As long as national equality bodies are funded from the state budget without standards, there will always be some level of dependence. Pressures can be direct, indirect, and financial.

In the same manner as the degree of independence, functions of equality bodies are also very different from Member State to Member State. Minimum standards on the functions of equality bodies are necessary to ensure them a sufficient level of effectiveness.

She concluded by recalling that [the European Commission called the national equality bodies “watchdogs for equality”](#). Today, equality bodies would like to be dogs with teeth to fight for equality, not dogs on chains. If MEPs can be partners on this, then we can together secure equality.



## MEP Sirpa PIETIKÄINEN (FI, EPP)

Sirpa Pietikäinen underlined the importance of organising more exchanges between equality bodies and the European Parliament. She shared her support to increasing EU competences in the field of

human rights and equality. She underlined the importance of calling on Frans Timmermans, designate First Vice-President of the European Commission responsible for the Charter of Fundamental Rights, to urge the adoption of the Horizontal Directive.

She also mentioned the importance of raising awareness through information campaigns. One-stop shops are needed to ease reporting of discrimination cases. **Increasing reporting is fundamental to make discrimination visible.** Following reporting, an action programme on correcting measures should also follow up on changes needed.

To conclude, she underlined the importance of focusing on multiple discrimination and of complementing this approach by promoting antidiscrimination not only as a right to freedom but also as **empowerment rights: right to equal social, health and economic conditions.**

## Jozef de Witte

Director of the Interfederal Centre for Equal Opportunities, Belgium

**Beyond legislation against discrimination, we have to talk about mainstreaming of equality.** Jozef de Witte took the example of policies and actions often designed to suit the “average person”. Instead of this, we should take into account the diversity of people at the design stage of policies, what in disability policies is called **universal design.** **Focusing from the very beginning of policy-making on the fact that the population is made of men and women, people of different ethnicities and religion will provide better policies.**

He highlighted the importance **of measurement to have solid data to build policies for all.** We now focus on the 9 women Commissioners: today we started to count in gender equality but not yet on other grounds. **“If you are not counted you do not count”.** Figures on diversity can be required from organisations and companies by way of **positive duties for duty bearers.**



## MEP Soraya Post (SW, S&D)



According to Soraya Post we need to change the perspective. We speak about ‘weak groups’ that are discriminated against. We should rather speak about **weak structures that cannot ensure the rights of everyone**. We should not talk about “Roma issues”, or “Women issues”, but rather of “Human rights issues” and structural issues.

Soraya Post also mentioned the importance of ensuring the independence of equality bodies. She also underlined that it is essential to ensure that public officers are trained on anti-discrimination and equality issues.

## Jane Bevan



## Equality and Human Rights Commission, Great Britain – United Kingdom

Jane Bevan encouraged Members of the European Parliament to **inform equality bodies** of ongoing debates and to ask them to provide information to inform policy making and to **reference their contribution** as important partners.



## CONCLUDING REMARKS

**Evelyn Collins** encouraged Members of the European Parliament to **use Equinet and equality bodies as a resource in their daily work**. Members of the European Parliament and national equality bodies have much common ground and share the same strong commitment to advancing equality. She also recalled the **importance of adopting sufficient standards to ensure the independence and effectiveness of equality bodies**. **Strong and enforced legislation** is needed to protect citizens from all forms of discrimination as well as measurement of discrimination. Raising awareness and tackling underreporting, and also mainstreaming of equality and gender equality, are key. Further exchanges between equality bodies and Members of the European Parliament would be welcomed.

**Iratxe Garcia Perez** highlighted the need for Members of the European Parliament to make more use of the work of national equality bodies. They need to work closely and to support each other as MEPs and equality bodies need each other. The European Parliament needs equality bodies to get data to back up their demands. Monitoring and strict implementation of existing rules is also essential both for equality bodies and the European Parliament. The European Parliament can cooperate with equality bodies on this and hold the European Commission to account.

**Claude Moraes** closed the roundtable by recalling that equality is about society, poverty and structures. Equality legislation is different from all other legislation in that it can truly change the nature of society and lives of people. He recalled the key role of the European Parliament to make things happen. Unblocking the horizontal directive is one area where things have to happen. Not only the LIBE and FEMM Committees are important: all the EP Committees have a role to play.

