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AN EQUINET PERSPECTIVE

EQUALITY BODIES CONTRIBUTING TO THE PROTECTION, RESPECT AND FULFILLMENT OF ECONOMIC AND SOCIAL RIGHTS

Equinet
European network
of equality bodies

Equality Bodies contributing to the protection, respect and fulfillment of Economic and Social Rights is published by Equinet, the European Network of Equality Bodies.

Equinet brings together 45 organisations from 33 European countries which are empowered to counteract discrimination as national equality bodies across the range of grounds including age, disability, gender, race or ethnic origin, religion or belief, and sexual orientation. Equinet works to enable national equality bodies to achieve and exercise their full potential by sustaining and developing a network and a platform at European level.

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EXECUTIVE SUMMARY

This *perspective* aims to:

- Explore the specific nature of the contribution that can be made by equality bodies to protecting and fulfilling economic and social rights.
- Establish the contribution being made by equality bodies to the enjoyment of economic and social rights without discrimination.
- Identify how this contribution might be further reinforced.

Equality bodies make a particular, additional, and unique contribution to the protection and fulfilment of economic and social rights. This is due to their specific mandate and to the particular traditions that have evolved over time in the field of seeking to prevent discrimination, accommodate diversity, and achieve full equality in practice.

Equality bodies:

- Provide a non-discrimination foundation to economic and social rights.
- Contribute a diversity perspective to economic and social rights.
- Draw in partners in pursuing economic and social rights.
- Infuse economic and social rights with an ambition for equality.

The legal work of equality bodies under equal treatment legislation provides a non-discrimination foundation to economic and social rights. This includes supporting and representing claimants or hearing and mediating cases, particularly in relation to employment, equal pay, labour market programmes, and in relation to public services or publicly funded services in education, housing and health fields. This contribution can be amplified where equal treatment legislation goes beyond non-discrimination to impose positive duties on employers. Equality bodies that implement equal treatment legislation that includes a ground of socio-economic status can be better placed to make this contribution.

Equality bodies contribute a diversity perspective to economic and social rights by making visible the economic and social situation of different groups in society. These initiatives include general data gathering and analysis initiatives and specific pieces of research. Some equality bodies are involved in monitoring international human rights instruments and this allows them to bring a focus on taking diversity into account in their implementation. Equality bodies' work of commenting on legislation and making policy recommendations in policy areas concerned provides another route to bring this diversity perspective to bear.

Equality bodies draw in partners to the work on economic and social rights through the formal partnership arrangements with key stakeholders they have developed in their work on issues relevant to these rights. This has included

working directly with individual employers and service providers to implement good equality, diversity and non-discrimination practice. It has included supporting practice by duty bearers to comply with outcomes and recommendations from casework and inquiries. Equality bodies have also worked to enhance the capacity of stakeholders to devise and implement good equality, diversity and non-discrimination practice through guidance and training.

Action by equality bodies on mainstreaming equality in public policy, especially economic policy and social policy, can infuse economic and social rights with an ambition to achieve equality. European equal treatment legislation allows Member States to maintain or adopt measures that permit action by employers and service providers to achieve full equality in practice. The promotion and deployment of positive action by equality bodies has an important contribution to make to infusing these rights with an ambition for equality.

Equality bodies could make explicit their specific contribution to the protection of economic and social rights. Particular actions could be identified and goals could be set in this regard. Equality bodies could develop and deepen their economic expertise and their capacity for economic analysis to enhance their contribution in this field.

Equinet could build a debate on the specific contribution to be made by equality bodies to the protection of economic and social rights and on the differentiation between equality and human rights. This could be developed through the *cooperation platform on advancing social and economic rights and socio-economic equality*, in partnership with the Council of Europe, the European Union Agency for Fundamental Rights, and the European Network of National Human Rights Institutions. Equinet could develop exchanges, training, and peer learning on equality bodies contributing to the protection and fulfilment of economic and social rights.

The authorities at European and Member State level could ensure a broad mandate for equality bodies to ensure they can make their contribution to the protection and fulfilment of economic and social rights. In particular, the mandate of equality bodies could be expanded to include the ground of socio-economic status and the powers of equality bodies could be expanded to include mandatory consultation with equality bodies on new legislation. Steps could be taken to ensure that equality bodies are allocated sufficient resources and powers to fulfil their roles and potential and to ensure a parity between work on equality and work on human rights in bodies that are established to pursue both of these mandates in order to maximise their contribution to the protection and fulfilment of economic and social rights.

INTRODUCTION

Economic, social and cultural rights are those human rights relating to the workplace, social security, family life, participation in cultural life, and access to housing, food, water, health care and education.[1] They cover workers' rights, the right to social security and social protection, protection of and assistance to the family, the right to an adequate standard of living, the right to health, the right to education, and cultural rights.

States that have ratified international human rights instruments addressing economic, social and cultural rights are obliged to respect, protect and fulfill these rights, to progressively realise these rights to the maximum of available resources, and to ensure their enjoyment without discrimination.

The key international human rights instruments relating to economic, social and cultural rights are:

- UN International Covenant on Economic, Social and Cultural Rights
- European Social Charter of the Council of Europe
- Charter of Fundamental Rights of the European Union

The economic crisis and austerity policies provide a very particular context for equality bodies making a contribution to the protection and fulfilment of economic and social rights. These phenomena create situations that demand some priority for a focus on protecting, respecting and fulfilling economic and social rights. It is, however, a context that can also make it difficult to pursue such goals.

The economic crisis and austerity are stimulating increased and changing demands on equality bodies from individual claimants and NGOs. Individual casework linked to the labour market and public sector provision grows in some jurisdictions. But, under-reporting grows in other jurisdictions as people become more fearful of losing their job with little likelihood of securing another. NGOs cast around for new ways to challenge the disadvantage and increasing poverty associated with the economic crisis and austerity policies and turn to equality bodies with new demands. At the same time many equality bodies experience reduced resources which makes it difficult for them to respond.

The economic crisis and austerity can be responsible for diminishing political traction for economic and social rights in some jurisdictions. There can be a political unresponsiveness to the demand for economic and social rights. This makes it difficult for equality bodies to make their full contribution.

[1] Office of the United Nations Commissioner for Human Rights - www.ohchr.org

This *perspective* acknowledges the particular mandate that equality bodies have. It is based on the reality that the implementation of this mandate has a particular, additional, and unique contribution to make to the protection and fulfilment of economic and social rights.

It aims to:

- Explore the specific nature of the contribution that can be made by equality bodies to protecting and fulfilling economic and social rights.
- Establish the contribution being made by equality bodies to the enjoyment of economic and social rights without discrimination.
- Identify how this contribution might be further reinforced.

This *perspective* is a contribution to the work of Equinet within the platform for economic and social rights established with the Council of Europe, the European Union Agency for Fundamental Rights, and the European Network of National Human Rights Institutions.

It is based on a round table debate facilitated within the Policy Formation Working Group of Equinet, the presentation of good practice exemplars by equality bodies on their work in contributing to economic and social rights, and a survey of Equinet members with responses from twenty equality bodies.[2]

[2] Responses to the survey were received from equality bodies in the following countries: Albania, Austria (2), Belgium (Exemplar only), Croatia, Cyprus, Great Britain, Greece, Hungary (2), Ireland, Latvia, Luxembourg, Malta (2), Montenegro, Northern Ireland, Serbia, Slovak Republic, Sweden

EQUALITY BODIES, EQUALITY AND HUMAN RIGHTS

Making a Specific Contribution

Equality bodies make a particular, additional, and unique contribution to the protection and fulfilment of economic and social rights. This is due to their specific mandate and to the particular traditions that have evolved over time in the field of seeking to prevent discrimination, accommodate diversity, and achieve full equality in practice.

The implementation of equal treatment legislation makes a direct contribution to the protection of economic and social rights. This is evident in the extensive legal action by equality bodies in taking, supporting or hearing and mediating claims of discrimination in relation to employment, equal pay, and labour market programmes and in relation to public services or publicly funded services in areas such as housing, education, and health.

Equality bodies bring a key focus on discrimination to the protection and fulfilment of economic and social rights. This brings with it the potential to render some aspects of economic and social rights justiciable in drawing on the non-discrimination provisions in human rights instruments.

Economic and social rights might otherwise be difficult to claim in Court given the leeway provided to States in fulfilling them. While States are only obliged to secure economic and social rights progressively, they do have an obligation to ensure there is no discrimination in how anyone can enjoy these rights. Equality bodies thus offer a non-discrimination foundation for the pursuit of claims in relation to economic and social rights.

Equality bodies bring an additional group dimension to bear in work on economic and social rights. This goes beyond the human rights focus on the individual rights holder. In doing this, equality bodies raise the issue of diversity and the practical implications of diversity for the protection and fulfilment of economic and social rights. This goes beyond the individual enjoyment of these rights to emphasise the specific needs of particular groups of people and challenge the adverse impact of policies, plans and budgets on these groups. The enjoyment of these rights can be assessed and progressed for groups experiencing inequality in society. Equality bodies can bring a diversity focus to bear in the pursuit of economic and social rights.

Equality bodies bring their tradition of partnership with duty bearers as a means of ensuring the awareness of, commitment to and capacity of these stakeholders to implement effective action to realise social and economic rights. This is a tradition that has proven particularly fruitful in the promotional work of equality bodies in supporting good practice by public sector policy makers, and

employers and service providers in the private and public sectors. It has proven valuable in engaging with NGOs in supporting a wider infrastructure for equality, diversity and non-discrimination. Equality bodies can draw in partner organisations and create further champions and a wider infrastructure for the pursuit of economic and social rights.

Equality bodies draw attention to the need to both protect and fulfill human rights and to go beyond this to advance the achievement of full equality in practice. This differs from a human rights tradition that has primarily prioritised the protection of human rights and that has found it difficult to prioritise economic and social rights given their lack of justiciability. This contribution from equality bodies rests on their mandate to promote equality, the potential in equal treatment law in allowing positive action measures to achieve full equality in practice, and the inclusion of positive duties on the public and private sectors in equal treatment law in some jurisdictions. It further rests on the ambition of equality bodies to contribute to the achievement of full equality in practice. Equality bodies can infuse the pursuit of economic and social rights with this ambition for equality.

Benefit to Equality Bodies

There is a value for equality bodies in developing a focus on economic and social rights. It enables them to pose the issues they are dealing with in a broader way. An emphasis on human rights can be used to strengthen the arguments put forward by equality bodies in their casework in some jurisdictions. This focus can lift the attention of equality bodies to significant societal issues such as those associated with economic crisis and austerity. It can ensure equality bodies attend to the intersection of the grounds covered in equal treatment legislation with the ground of socio-economic status.

Equality bodies that hold mandates that combine their equality and non-discrimination mandate with a human rights mandate or equality bodies that have strong links with national human rights institutions are better placed to contribute to the protection and fulfilment of economic and social rights. This outcome, however, demands a parity of focus between their work on equality and non-discrimination and their work on human rights.

This draws attention to Equinet's previous work on making links between equality bodies and national human rights institutions.[3] This work also emphasised the necessity for such links to be underpinned by a coherent legal basis for and a leveling up of powers in relation to

[3] Equality Bodies and National Human Rights Institutions: Making the Link to Maximise Impact, Equinet, Brussels, 2011.

work on equality and on human rights; a multidisciplinary competence among staff in relation to equality and human rights; and action to address fragmentation of stakeholders between equality and human rights concerns.

Potential for National Human Rights Institutions

The particular tradition and values that equality bodies bring to their work on economic and social rights might also encourage new approaches to human rights that better link with equality and diversity concerns and objectives. Such approaches could seek to empower people experiencing a violation of their economic and social rights, enable them to analyse their situation and experience in terms of equality and non-discrimination and of economic and social rights, and give voice to their search for their economic and social rights to be fulfilled. Such approaches to economic and social rights could be particularly effective in the current context.

PART ONE: PROVIDING A NON-DISCRIMINATION FOUNDATION

1.1 LITIGATION, NON-DISCRIMINATION AND CASEWORK

The first level of contribution of equality bodies to economic and social rights rests in their legal work under the provisions of equal treatment legislation. This includes supporting and representing claimants or hearing and mediating cases, particularly in relation to employment, equal pay, labour market programmes, and public services or publicly funded services in education, housing and health fields. This contribution can be amplified where equal treatment legislation goes beyond non-discrimination to impose positive duties on employers.

The **Equality and Human Rights Commission** (EHRC) in Great Britain has intervened in litigation using discrimination arguments in the context of economic and social rights. Recent welfare measures have included a "cap" or limit on the amount of state welfare benefits an individual can receive, and provisions limiting the amount of housing benefit an individual may receive if they are considered to have a spare bedroom. These measures have been subject to legal challenge on the grounds that the measures have a discriminatory impact, which makes a challenge in the context of economic and social rights justiciable when it would not otherwise be.

The leading case on these issues at present is 'R (on the application of SG) v Secretary of State for Work and Pensions Supreme Court [2015] UKSC 16' in which the Supreme Court held that although the effect of the benefits cap did have a discriminatory impact on women (as lone parents) the measure was justified under Article 14 ECHR.

The EHRC has intervened in a number of such cases:

- R (on the application of Hurley, Jarrett and Palmer) v Secretary of State for Work and Pensions' 2015 EWHC 3382 (Admin) in which the court held that the failure to exempt family carers of disabled people from the impact of the benefit cap was discriminatory on the grounds of disability and not justified.
- 'R (on the application of A) v Secretary of State for Work and Pensions'. This case concerns the discriminatory impact of the spare room provisions on victims of domestic violence who are accommodated in specialist "Sanctuary Scheme" accommodation, and who are overwhelmingly women. The case was heard by the Court of Appeal on 4-5 November 2015 and judgement is awaited;
- 'MA and Others v Secretary of State for Work and Pensions' in which the challenge is to the discriminatory effect of the spare room provisions on

disabled people. Permission has been granted in this case to appeal to the Supreme Court.

The **Irish Human Rights and Equality Commission** (Commisison) was approached by Ballymun Community Law Centre seeking support for the preparation of a collective complaint under the Revised European Social Charter, on housing, to the European Committee of Social Rights (ECSR). The complaint has been submitted to the ECSR by the International Federation for Human Rights (FIDH) and alleges that the Irish Government has not ensured the satisfactory application of a number of articles of the Charter, particularly with regard to local authority housing and the associated rights of several groups of people, including groups covered by the ground of 'Race'. The Commission has agreed to provide financial assistance in support of the work of research and participation associated with the complaint.

The **Ombudsman of the Republic of Latvia** has provided an opinion to the Constitutional Court in Case No.2012-09-01. The proceedings were initiated with regard to compliance with Subclause 1 of Clause 16 of Transitional Provisions of the Law "On State Pensions" with Article 91 and 109 of the Constitution, to the extent it relates to the conversion formula of disability pensions in the event of a change of the disability group if the beneficiary of the disability pension before the change of a group has been an employee and has made social contributions. The Constitutional Court declared that the contested provision does not comply with Article 91 of the Constitution without assessing its conformity with Article 109 of the Constitution

Austrian Equal Treatment Law states that discrimination with regard to pay is forbidden. Austria still has one of the largest pay gaps between women and men in the EU and minority groups are also subject to pay discrimination. Individual access to equal pay via Court procedures is costly and the risk of failure is high. Austrian Equal Treatment Law, since 2011, obliges private sector employers, in companies with more than 150 employees, to compile biannual reports on average salaries of men and women employees in different positions and pay levels. The Austrian **Ombud for Equal Treatment** holds regular training sessions for duty bearers and Work Councils to strengthen their awareness and capacity in relation to equal pay.

In Hungary, the **Commissioner for Fundamental Rights** (CFR) has investigated several cases on economic and social rights from an equality, diversity and non-discrimination perspective. In 2012 the CFR emphasised that public work

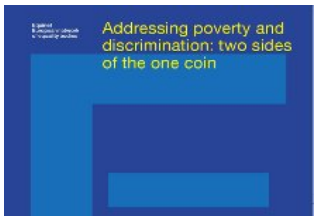
schemes should fully respect the equal dignity of all potential employees, including those belonging to vulnerable groups especially Roma people, women, people with health problems and older workers (Report of AJB-3025/2012). The CFR found that these people had difficulties in accessing public work schemes, have been employed only part-time or under less favourable working conditions than others, and have been exposed to humiliating treatment by their managers. The CFR also found that Roma are increasingly engaged in public work schemes which fail to improve the employment prospects of participants and to meet fully with the requirements of labour law such as minimum wage.

The CFR has made findings in relation to the segregation of Roma children in education[4]. Segregation in education is prohibited by law, but, in practice, the segregation of Roma students is widespread. The CFR found that in most of the cases, segregation was the consequence of different direct and indirect discriminatory practices against Roma students, and, at the same time, Roma minority education may also lead to segregation or malpractice. The latest human rights concern highlighted by the CFR is the amendment of the National Public Education Act in such a way that it authorises the Government to establish criteria for exemption from the prohibition of segregation in case of minority and religious education in form of a Government Decree. Given developments in the case-law, the Government decree could blur the borders of minority and religious education in order to justify separation in education with the aim of social inclusion. This is arguably contradictory.

Equality bodies can also intervene in cases by using a discrimination argument to support economic and social rights. The challenge they can make on the grounds of discrimination potentially makes economic and social rights justiciable when they would not otherwise be.

1.2 A GROUND OF SOCIO-ECONOMIC STATUS

Equality bodies that implement equal treatment legislation that includes a ground of socio-economic status, however defined, can be better placed to contribute to the protection and fulfilment of economic and social rights.



This draws attention to Equinet's previous work on the links between poverty and discrimination where this ground was found to be useful in addressing the intersection between discrimination and poverty.[5] The

[4] Report of No. 5572/2007., 1541/2008., 1542/2008., 1543/2008., 1544/2008., 1545/2008., a 1552/2008., and 1553/2008, No. NEK-356/2011., NEK-425/2011., NEK-476/2011., NEK-356/2011., NEK-1022/2010. Report of NEK-356/2011., NEK-425/2011., NEK-476/2011 in cases of placement of Roma student diagnosed with mental disability, Report of AJB-6010/2014., AJB-3894/2012, and Report of NEK-368/2010., NEK-411/2011.

[5] Addressing Poverty and Discrimination: Two Sides of the One Coin, Equinet, Brussels, 2010.

implementation of this ground by equality bodies, at the time, was found to have a particular focus on housing and education issues. It was also found, however, that this ground was difficult to operationalise.

Nine equality bodies responding to the survey identified that the equal treatment legislation in their jurisdiction named a ground related to socio-economic status and one identified it as named in the Constitution.[6] This ground was named in different ways in the nine different jurisdictions involved.

Naming the Ground of Socio-Economic Status:

Albania: "economic, education or social situation"
Belgium: "fortune"
Croatia: "property status" and "social status"
Cyprus: "social descent", "wealth", and "social class"
Hungary: "social origin, property, birth" and "financial status" (Hungary)
Latvia: "social status"
Montenegro: "social origin" and "material status"
Serbia: "financial status"
Slovak Republic: "social origin" and "property"

The **Commissioner for the Protection of Equality** (CPE) in Serbia has only had a few complaints in relation to socio-economic status, however poverty is often identified in complaints alongside other discrimination grounds. The majority have been unfounded. Discrimination was found and a recommendation issued on the ground of financial status against the Communal/Municipal Police that had published a job advertisement, requiring the results of a physical examination issued by one specific health institution to be submitted. The candidates had to pay for the examination themselves. The CPE found that there was indirect discrimination. The request for a physical examination is justifiable, but candidates in a poor financial situation would not be able to pay in advance of getting a job.

A civil society organisation filed 15 complaints with the CPE in 2013 related to the decisions of the Centres for Social Work to relocate a number of children from families of origin and provide them with accommodation in foster families on the basis of their "socio-economic vulnerability". The organisation considered that these children were placed in foster families because their parents were poor. In the course of the procedure it was established that the poor financial situation of the children and their parents was not the only criterion for the relocation of these children from their families of origin to foster care. In most of

[6] Albania, Belgium, Croatia, Cyprus (in Constitution), Hungary (2), Latvia, Montenegro, Serbia, and Slovak Republic.

the families, there were other problems that could have contributed to the decision to place their child/children in foster families.

Although discrimination was not established, the CPE issued a recommendation to the Centres for Social Work that:

- In making decisions on relocating children from their families of origin, their financial situation or vulnerability must not be the only criterion for placing children in foster care;
- Decisions and opinions on the parental competences of mothers cannot be founded on stereotypical models for the behaviour of women as wives and mothers;
- Decisions regarding "socio-economically vulnerable children" who are still in foster families must be reviewed by submitting a detailed explanation for the grounds on which the decisions to place the child in a foster family were based;
- Information on measures of support and assistance that the Centres for Social Work had undertaken before adopting the decision on placement of children in foster must also be submitted.

The **Equal Treatment Authority** (ETA) in Hungary reports a settlement concluded in a case in which the petitioner, citing their property status, found it injurious that the municipality, after having accepted their equity application for public housing, only offered them flats that were in bad condition. During the proceedings, the petitioner was offered a choice of the real estate most appropriate for their needs from a selection of housing provided by the municipality. Pursuant to the settlement, the municipality undertook to ensure that the petitioner would be able to sign a preliminary lease contract pertaining to the lease, as public housing on an equitable basis, of a municipality-owned flat. This was a precondition for beginning the work of upgrading the real estate in question.

The other subject of the procedure, the Asset Management Corporation, undertook to improve the flat, including its heating system, hot water installations, and electric wiring by the delivery date of the flat. The municipality also undertook to ensure that by the agreed deadline a contract of lease would be signed, pursuant to a corresponding recommendation by the Human Public Service Committee, between the petitioner and the municipality, which would provide for the fixed-term lease on an equitable basis as public housing of the flat in question.

In Belgium, the **Interfederal Centre for Equal Opportunities** (the Centre), reports that the ground of "fortune" appears mostly in complaints linked to housing where it is the second highest

ground after the ground of race. Claims on this ground mainly come from people denied the renting of a flat because they are social assistance recipients, or they have a fixed term contract, or are over-indebted. Difficulties arise with this ground because of the blurred difference between selection and discrimination. A landlord can select a tenant on the basis of the amount of their income: denying an apartment that costs 500 euros/months to someone who has an income of 800 euros/month cannot be considered discrimination. The examination of the solvency of a person (capacity to pay the rent every month) has to take into account all the revenues of the household: salary, social allowances, personal savings, etc. Refusing to rent a flat to someone only because their income comes from a social security or a social assistance scheme is considered as discrimination.

A recent judgment found that a landlord had discriminated for refusing to rent his flat to someone with a fixed term contract. The ground of fortune is often linked to other grounds such as gender, ethnic origin, or disability, which leads to case of multiple discrimination. The Diversity Barometer report of the Centre shows that social benefits recipients are more likely to be excluded on the private housing market because of discrimination on the ground of fortune.

REPUBLIC OF CROATIA
OMBUDSMAN

The **Office of the Ombudsman** in Croatia received a number of complaints claiming discrimination on the basis of property or social status, in different areas. These pointed to possible discrimination in the access to goods and services, labour market and employment, health care and the social welfare system. The Office of the Ombudsman also participated on the Working Group drafting the National Action Plan for Elimination of Discrimination 2016-2020 (NAP). This participation has ensured that both grounds of property status and social status are targeted by the NAP with particular measures for the prevention and protection from discrimination on socio-economic status in the areas of work and working conditions; education, science and sports; social security, including social welfare; health protection and access to participation in cultural and artistic creation.

Equality Commission
FOR NORTHERN IRELAND

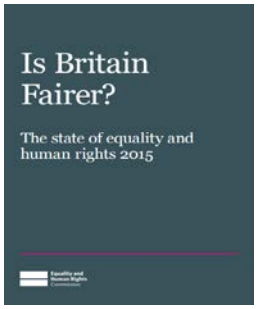
While the equality legislation in Northern Ireland does not have a separate ground of socio-economic status, as a matter of agreed policy the **Equality Commission for Northern Ireland** (Commission) routinely indicates that the barriers experienced by individuals/groups protected under the legislation can be exacerbated by poverty and social deprivation, highlights the link between poverty and social exclusion and the inequalities faced by individuals protected under equality legislation and stresses the need for urgent action to address poverty and social exclusion experienced by a range of equality groups.

The **Ombudsman of the Republic of Latvia** investigated a case on the compliance with human rights principles of the social insurance system in 2013. The Ombudsman emphasised that one of the principles characterising social rights is the principle of progressive development. The Ombudsman pointed out that the desire of the government to reduce poverty and social exclusion has to be realistic, not just declarative. During the economic recession, the State introduced austerity measures. The Ombudsman considers that these measures should not have been applied to vulnerable groups and may not affect such areas as health care, education and social security.

PART TWO: CONTRIBUTING A DIVERSITY PERSPECTIVE

2.1 MEASUREMENT: BUILDING THE PICTURE

Equality bodies have developed initiatives that make visible the economic and social situation of different groups in society. These initiatives provide an important visibility for economic and social rights, makes them real for the general public, and stimulates and informs responses where these can be seen to be violated. They can bring a focus on diversity to the pursuit of these rights. They include general data gathering and analysis initiatives and specific pieces of research.



The Equality Act 2006 gave the **Equality and Human Rights Commission** (EHRC) the duty to report regularly on the extent to which equality and human rights are improving in Great Britain. They have published "How fair is Britain?" as a review of equality in 2010, the "Human Rights Review" in 2012 and, most recently "Is Britain Fairer?" (2015) on both equality and human rights.

The purpose of these initiatives is to report findings, set out the challenges for the future, and invite those who have the statutory responsibilities or an interest in these areas to address the issues by identifying and implementing the necessary solutions. The reports do not speculate on the impact of proposed future legislative or policy changes, nor do they try to explain the causes of differences, or set policy solutions.

The EHRC gathered data and evidence based on 10 domains for this report: education; standard of living; productive and valued activities; health; life; physical security; legal security; individual, family and social life; identity, expression and self-respect; and participation, influence and voice. Within each of these domains, there is a set of indicators and measures that have been used to evaluate progress. The report is produced in parallel with detailed evidence papers, one for each domain. The report is based on 1840 pages of evidence, 75 data spreadsheets, and thousands of sources.

The EHRC identified eight key equality and human rights challenges:

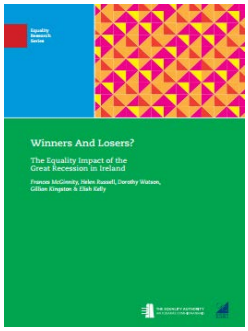
- Improve the evidence and the ability to assess how fair society is;
- Raise standards and close attainment gaps in education;
- Encourage fair recruitment, development and reward in employment;
- Support improved living conditions in cohesive communities;
- Encourage democratic participation and ensure access to justice;

- Improve access to mental health services and support for those experiencing (or at risk of experiencing) poor mental health;
- Prevent abuse, neglect and ill-treatment in care and detention;
- Tackle targeted harassment and abuse of people who share particular protected characteristics.

The Diversity Barometer is published every two years by the **Interfederal Centre for Equal Opportunities** in Belgium. It analyses three sectors: employment, housing and education. Each are the subject of a separate publication. The Diversity Barometer project aims to elaborate a long-term, structural measurement tool to scientifically draw up an inventory of the behaviour (level of discrimination) and attitudes (level of tolerance) towards the different target groups protected by antidiscrimination laws, as well as the actual participation (level of participation) of these target groups in society.

The Diversity Barometer aims to overcome the lack of statistical and qualitative data relating to discrimination and its mechanisms. It provides civil society actors with a tool comprising objective data. This data is useful and necessary for an analysis of their sector of activity. The Diversity Barometer equips political leaders with a tool to assess and manage the policies being implemented.

The **Irish Human Rights and Equality Commission** undertook a national survey on equality, diversity, non-discrimination and human rights to inform its work in March 2015. The survey addressed levels of awareness and understanding of human rights and equality, attitudes towards human rights and equality, and individuals' knowledge of their rights and of the principal avenues available to them for the protection of their rights. The former Equality Authority published research on the equality impact of the recession in Ireland[7].



In 2012 the **Ombudsman of the Republic of Latvia** highlighted that applications received in the field of the social and economic rights included an increase in the number of submissions received from workers, principally about the low level of the minimum wage. At the end of 2012 the Ombudsman issued a report on the risk of poverty in Latvia. The report stated that the minimum wage in Latvia since January 1, 2011 is, after tax, less than the estimated poverty threshold in 2011. The Ombudsman considers that the current

[7] F. McGinnity, H. Russell, D. Watson, G Kingston & E. Kelly (2014) "Winners and Losers? The Equality Impact of the Great Recession in Ireland", Dublin: Equality Authority & Economic and Social Research Institute.

amount of minimum wage does not guarantee a commensurable income and socially equitable remuneration, because such income is not sufficient to satisfy the basic needs of the employee and his family members

The **Slovak National Centre for Human Rights**, in cooperation with the Forum for Help to the Elderly, conducted research on poverty and social exclusion of older people in 2008. The Centre sought answers to questions focusing on social and economic rights in this research, particularly their exercise and enjoyment by older people. 42% of older people claimed that there was zero chance for them to participate in social life. 61% of older people said that they did not participate in cultural activities due to financial reasons together with a lack of interest in such activities.

Older people were also asked whether they think they are discriminated against or not. The results showed that the less financial resource an older person receives, the more he/she feels discriminated against. The research also focused on employment opportunities for older people. More than 45% of the older people asked said that there was no possibility for them to get a job. Additionally, older women have lower opportunities to access employment than men. The Centre is repeating this research to find out if the situation has changed and will complete this in 2016.

2.2 MONITORING: HUMAN RIGHTS WITH A DIVERSITY PERSPECTIVE

Some equality bodies are involved in monitoring international human rights instruments and the implementation of these in their jurisdiction. This allows them to bring a focus on taking diversity into account in protecting and fulfilling economic and social rights.

The **Equality and Human Rights Commission** (EHRC) in Great Britain made a submission to the UN Committee on Economic, Social and Cultural Rights in 2015. This set out the key changes in the implementation of economic, social and cultural rights since 2009 and highlighted areas where more progress could be made and where regression may have occurred. At the pre-sessional working group meeting in October, the EHRC highlighted five of its high priority concerns:

- Fair financial decision-making in compliance with the public sector equality duty and the impact that this can have on the implementation of economic, social and cultural rights;
- The impact of social security reform on disabled people;

- Access to mental health services, including increasing suicide rates, police detention, and non-natural deaths in detention;
- Just and favourable conditions of work, including low pay, migrant workers, and the gender pay gap; and
- The impact of restrictions in the scope of legal aid in England and Wales on people's access to justice when breaches of rights have occurred.

These concerns were highlighted by the UN Committee on Economic, Social and Cultural Rights in its list of issues. The Government is due to respond to these issues in March 2016 and the EHRC will be working with stakeholders in Government and Parliament, other regulators and civil society to drive implementation of the concluding observations that come out of this process.

The **Equality Commission for Northern Ireland** uses international human rights mechanisms to highlight inequalities in the fulfilment of economic and social rights and as policy levers for reducing and eradicating these. In recent years, it has made formal submissions to:

- The UN Committee on the Elimination of Discrimination Against Women (CEDAW) (2013)
- The UN Committee on the Rights of Persons with Disabilities (2011)
- The UN Committee on the Elimination of All Forms of Racism (2011)
- The Advisory Committee to the Framework Convention on the Protection of National Minorities (2011)
- The European Commission Against Racism and Intolerance (2015)

These included a focus on economic and social rights. For example, the submission under CEDAW focused on women's economic independence and participation in decision making; and the submission to the UN Committee on the Convention on the Rights of Persons with Disabitilities (CRPD) raised issues concerning independent living, education, health, adequate standard of living and social protection, and participation in public and political life.

The **Irish Human Rights and Equality Commission** (Commission) submitted a Report to the UN Committee on Economic, Social and Cultural Rights in May 2015 to inform the Committee's examination of Ireland's progress in upholding these rights in advance of the Irish State's third periodic review under the International Covenant on Economic, Social and Cultural Rights (ICESCR). The Commission made a presentation in June 2015 to the UN Committee on Economic, Social and Cultural Rights and published the Report. The report provided an opportunity to raise and highlight a range of issues related to equality,

diversity and non-discrimination.

The Commission highlighted:

- The effects of the recession, particularly for vulnerable groups of people (families, young people, women, people on lower incomes, people with disabilities, Travellers) resulting in, for example, a rise in homelessness and difficulties accessing health services, employment and education.
- The importance of making correct choices in taxation policy as well as investment and accountability in the delivery of public services, such as social housing and appropriate health services.
- Issues for specific groups of people across a range of economic, social and cultural rights, including issues for women, lone parents, victims of domestic violence, lesbian, gay and bisexual people, people with physical and intellectual disabilities, migrants and Travellers.
- The need for the state to invest in, develop and promote wider use of Social Impact Assessments as a monitoring tool for the impact of budgetary decision-making on the socio-economic status of people living in poverty in a range of policy areas.
- The importance of maintaining adequate access to redress against discrimination under equal treatment legislation.

The UN Committee on Economic, Social and Cultural Rights issued Concluding Observations and Recommendations that included issues raised by the Commission.

2.3 RECOMMENDATIONS ON LEGISLATION AND POLICY

The work of equality bodies reviewing and commenting on legislation and making policy recommendations in policy areas concerned with the issues covered by economic and social rights provides another route to bring a diversity perspective to bear on the protection and fulfilment of these rights.

Equinet has previously published on good practice by equality bodies in making policy recommendations.[8] The concern with diversity and equality has been brought into work to ensure funding programmes such as the EU Structural Funds or economic policy strategies such as the National Reform Programmes contribute to improving the economic and social situation of groups experiencing inequality. Policy recommendations have also been made on economic and social policy areas, based on evidence of the adverse impact of policies proposed or implemented on groups covered by equal

[8] Advancing Equality by Making Policy Recommendations, An Equinet Good Practice Guide, Equinet, Brussels, 2014.

treatment legislation. Research and surveys have been conducted to build a knowledge base on equality, diversity and non-discrimination in fields covered by economic, social and cultural rights.

Difficulties in access to public or private housing has become a major topic in recent years in Belgium, especially for social assistance recipients and people of foreign origin. Several recommendations were made by the **Interfederal Centre for Equal Opportunities** using the results of the Diversity Barometer. One priority pointed to is the need to increase the share of public housing and provide better information on the different forms of public housing. In relation to private housing, the Centre has recommended the creation of a central fund for each Region that would help households to gather the money requested by the landlord for the rental guarantee. This rental guarantee is often a barrier for low income households to access housing. A recommendation has also been made to set up a "joint rental commission" of tenant representatives and landlords to intervene in case of conflicts and prevent the deterioration of the relationship.


Advance Version

The **Commissioner for Fundamental Rights** and Deputy Commissioner in Hungary recently published a report on the control activities of the authorities of Miskolc and the right to housing of Roma people (Report of AJB-2050/2013). The report concluded that official control activities conducted by various authorities (local government authorities, public utility providers and other institutions with different profiles, competences and investigation rights) were organised without legal authorisation. This is incompatible with the principle of the rule of law and the requirement of legal certainty. The individuals affected by the official controls were unable to properly interpret and follow the legal background and legal basis of the numerous simultaneously conducted activities.

This has led to impediments regarding the right to fair procedures and the right to legal remedy. The mass official controls conducted often with a preventive intention, with police support and without explicit reasons have had an intimidating effect and have, according to the view of the Commissioner and the Deputy Commissioner, restricted the right to privacy of the concerned individuals.

The **Commissioner for the Protection of Equality** (CPE) in Serbia, together with the Protector of the Citizens (PC), submitted the Proposal for Assessment of Constitutionality of Article 20 of the Law on the 'Method of determining the maximum number of employees in the public sector'. The article constituted indirect discrimination of women employed in the public sector since the provision, interpreted together with provisions from the Law on pension and disability insurance, resulted in compulsory retirement of women aged 60

employed in public sector, while men employed in public sector are subject to compulsory retirement at the age of 65.

Labour Law states that labour relations shall be terminated when the employee turns 65 and has the minimum of 15 years of retirement insurance, unless otherwise agreed between employer and employee. The provisions of the Law on Pension and Disability Insurance (general law) prescribes that women meet requirements for retirement earlier the men and that women have the right but not the obligation to retire at a certain age (specific method of calculation determined by the Law). In 2015 women have the right to retire at the age of 60. However, women have a choice to exercise or not to exercise this right, because they are only obliged to retire at the age of 65.

The Law on the 'Method of determining the maximum number of employees in the public sector' prescribes that every employee has the obligation to retire as soon as he or she meets the requirements for retirement. This means that choice allowed under the Law on pension and disability insurance has been abolished. Since women can retire earlier, this provision resulted in mandatory retirement for women only. Women employees in the public sector are also in an unequal position compared to the women in the private sector, given that this Law doesn't apply to women in the private sector. The Constitutional Court suspended the Law on the Method of determining the maximum number of employees in the public sector until a final decision is made. The matter is still pending before the Constitutional Court.

Public Defender of Rights
OMBUDSMAN

The **Czech Public Defender of Rights** (Ombudsman) conducted research to determine the ethnic composition of pupils in former "special schools" in 2012. The results showed a disproportionate percentage of Roma pupils in these schools. This was analysed as the result of insufficient legal regulation of inclusive education of pupils with special educational needs. The Ombudsman recommended that the Chamber of Deputies request the Government to submit a draft amendment to the Education Act which would, among other things, stipulate the priority of individual integration of pupils with special educational needs into mainstream schools. The Government followed the Ombudsman's recommendation and the amendment of the Education Act was passed in 2014.

The Ombudsman noted that many foreign nationals from non-EU countries, who remain lawfully in the Czech Republic for the long term, lack access to public health insurance during the initial five years of their stay. The Ombudsman has repeatedly recommended, since 2012, that the Chamber of Deputies request the Government to submit an amendment to the Public Health Insurance Act which would incorporate a range of categories of foreign nationals, with rights to remain long-term, in the system of health insurance after a set period of stay.

Although this policy recommendation has been followed by two former Governments, none of the Bills has been adopted by the Parliament.

The Ombudsman has, since 2005, pointed to the absence of legal regulation of social housing. This is an increasingly serious issue, which contributes to further poverty for socially disadvantaged people and increases social tensions within society. The economic recession has exacerbated the problem. After a long campaign by the Ombudsman, the Government has adopted the project of a new law on social housing. The Ombudsman expects the Act to be completed and submitted to Government in 2016.

The **Equality Commission for Northern Ireland** has responded to a range of policy consultations by Government Departments and public authorities. These include the Programme for Government and the Budget, as well as matters relating to health, education, housing, welfare reform, and employment. They have highlighted equality issues and urged that equality considerations, including the need to identify and mitigate any adverse impacts of policy on equality groups are taken into account. The Commission has drawn attention to the obligations to prevent retrogression of rights and to promote "progressive realisation" of the relevant rights to the maximum of available resources. For example, assurance was sought that any current disadvantages experienced by equality groups in the delivery of health and social care would not be compounded or new disadvantages created, resulting in an undermining of the right to health and social care, as a consequence of the reconfiguration of services and delivery arrangements.

The **Irish Human Rights and Equality Commission** prepared and presented observations on the Education (Admissions to School) Bill 2015 at draft stage. Issues identified included the need to ensure that the regulatory framework guiding school admissions criteria and policies take account of difficulties experienced by particular groups of people in accessing education including Traveller children and children with disabilities or special educational needs.

A Report submitted by the **Office of the Commissioner for Administration and Human Rights** (Ombudsman) in Cyprus looked at education issues of Roma students, including enrolment, school attendance and curriculum. This highlighted the need to take into account Roma identity, history and culture. It aimed at encouraging and facilitating enrolment and active participation, reducing dropout rates and providing incentives to Roma parents to involve themselves actively in school society. Many measures have since been introduced by the Ministry of Education in line with the suggestions made.

PART THREE: DRAWING IN PARTNERS

3.1 COOPERATION WITH PARTNERS

Equality bodies have pursued formal partnership arrangements with key stakeholders to seek progress on issues related to economic and social rights. These structured arrangements allow for a focused dialogue on the steps necessary to address more systemic and institutional barriers to equality. This has included working directly with individual employers and service providers to implement good equality, diversity and non-discrimination practice. It has included supporting practice by duty bearers to comply with outcomes and recommendations from casework and inquiries.

The **Greek Ombudsman** has repeatedly investigated instances of exclusion from social, economic and political life of Roma people. The main conclusions were that the, mainly indirect, discriminatory treatment of members of the Roma population is often linked to structural characteristics of society, such as the non-transparent organisation of the labour market, the anarchic residential structure of the country and the self-serving nature of political life, particularly at a local level, and to institutionalised practices that go beyond the individual based investigations.

This prompted the Ombudsman to intensify its involvement by developing projects of broader scope and in seeking solutions on two fronts: at the level of the coordination of activities between state agencies, local government and of civil society; and at the level of seeking legislative or administrative regulatory change or improvement. The Ombudsman established, in 2007, an open communication network for the Roma that is actually an unofficial partnership of co-operation between various stakeholders. The network currently numbers more than 30 partners. The main aim is to establish regular contact with the Roma population, to share information, knowledge and collectively work for the promotion of Roma equality and the challenge of existing misconceptions and stereotypes against them.

The Ombudsman has also had systemic interventions in cases where immigrants or asylum seekers are excluded from specific economic, social or cultural rights, without justified legal cause. The Ombudsman also established a network for immigrants and refugees in 2007 with similar objectives.

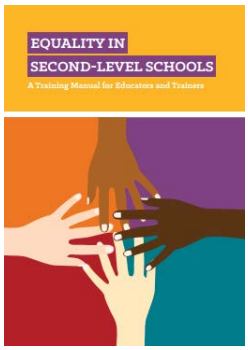
3.2 TRAINING STAKEHOLDERS

Equality bodies have been concerned with the capacity of stakeholders to devise and implement good equality, diversity and non-discrimination practice. This is important if public and private sector bodies are to advance economic and social

rights and to do so in a manner that prevents discrimination, accommodates diversity and achieves equality.

The **Irish Human Rights and Equality Commission** (Commission) and the Institute of Public Administration, the public service development agency, developed a one-year part-time Professional Diploma in Human Rights and Equality. The Diploma was accredited by University College Dublin in 2015. The first intake of students will begin their studies in September 2016. The course is targeted at those working in civil and public administration, in government departments and state authorities. The course will also have relevance for a wider audience including NGOs, trade unions and educators.

In 2014–2015 the Commission delivered an equality and human rights education and training programme for second-level teachers. This built on an initiative by



the former Equality Authority which focused on the development of teaching resources targeted at specific second-level curricula and the development of a training programme for second-level teachers. A pilot Professional Development Course for Teacher Educators on equality and human rights was also developed, with the aim of providing teacher educators with the skills and methodologies to introduce and explore contemporary issues related to equality and human rights in their teaching and to use an equality and human rights framework with student teachers to support their teaching practice. The training was developed from an equality, diversity and non-discrimination perspective and included a focus on human rights, including economic, social and cultural rights.

The Commission provided an e-learning course 'Delivering Equality in Public Services: An Introduction for Front Line Staff'. The course has a particular focus on equality, diversity and non-discrimination in the context of public service delivery. It has been taken up by a range of organisations, including An Garda Síochána, Dublin Bus, University College Dublin, the Health Service Executive, and the Revenue Commissioners. Just over 900 individuals accessed a copy of the course on their own initiative via the Commission's website between May 2015 and October 2015.

PART FOUR: INFUSING WITH AN AMBITION FOR EQUALITY

4.1 MAINSTREAMING EQUALITY

Action focused by equality bodies on mainstreaming equality in public policy, especially economic policy and social policy, brings an explicit equality focus to bear in seeking better social and economic outcomes from policy for groups experiencing inequality. The tools for equality work and the tools for human rights work are often different. This is particularly true in the area of mainstreaming or impact assessment where gender equality and then the wider equality field has led the way. Human rights mainstreaming has been progressed at EU level on foot of the incorporation of the Charter of Fundamental Rights into the EU Treaties. However, this remains under developed. Integrated equality and human rights impact assessment tools could usefully be developed to reflect a further evolution of this approach.

The **Equality Commission for Northern Ireland** (Commission) has a role in implementing the statutory duty on public bodies to have due regard to promoting equality of opportunity and good relations in carrying out its functions under the Northern Ireland Act 1998.

The Commission raised concern about how the equality impact assessment of welfare reform proposals had been carried out by the relevant Government Department in 2011. This involved limited citation of data and minimal analysis of the potential impact of the proposals. The potential severe impact of the reforms on some of the most vulnerable groups was highlighted and the Commission considered undertaking an investigation of the Department in pursuance of its statutory responsibilities. In response, the Department agreed to update the Equality Impact Assessment, undertook further analysis of the potential impact and introduced additional measures to mitigate the adverse impact of the reforms.

The Commission found that a public authority had failed to comply with the statutory duty in relation to two major housing policy proposals in 2015. In regard to the 'Facing the Future: Housing Strategy for Northern Ireland 2012 – 2017', the Commission found that the public authority had failed to meet its screening and equality impact assessment commitments in a timely manner. The Commission also concluded that the authority had failed to meet its Equality Scheme commitments in respect of screening and equality impact assessment when 'Building Successful Communities' was launched. The Commission recommended that the authority should use

screening and equality impact assessments as part of its development process rather than identifying impacts later when the policy had been established.

The **Irish Human Rights and Equality Commission** (Commission) has continued the work programme of the Equality Authority through its equality mainstreaming programme, supporting six specific projects in the last year under the heading of an inclusive workplace. A second strand involved supporting eight further education and training providers through access to equality experts and technical assistance to implement equality standards and the rolling out of equality training and equality action planning.

The Commission is currently gearing up to develop its role in relation to the public sector duty to have regard to the elimination of discrimination, the promotion of equality of opportunity, and the protection of human rights in fulfilling their functions. This unique duty was introduced in the Irish Human Rights and Equality Commission Act 2014.

The **National Commission for the Promotion of Equality** (NCPE) in Malta reviews proposed policies and legislation, and provides its feedback to the issuing bodies from an equality and non-discrimination perspective. NCPE participates in national consultative processes including the national pre-budget document that is reviewed annually. Whenever relevant, NCPE recommends the equality mainstreaming process to integrate and address the concerns, experiences and aspirations of different groups. This ensures that planned actions and their implementation affect all in a positive manner. Thus NCPE's feedback to policy-makers and legislators has the potential to contribute to the enjoyment of economic and social rights.

4.2 POSITIVE ACTION TO ACHIEVE EQUALITY

European equal treatment legislation allows Member States to maintain or adopt measures that permit action by employers and service providers to achieve full equality in practice. The promotion and deployment of positive action by equality bodies has an important contribution to make to infusing economic and social rights with an ambition for equality.

Equinet has recently published a report on positive action measures. This showed that many positive action measures are being taken across Europe to improve the position of certain disadvantaged groups.[9] Most positive action measures are being taken for women, people with disabilities and minority ethnic groups. These measures typically relate to the field of

[9] Positive Action Measures: The Experience of Equality Bodies, Equinet, Brussels, 2014.

employment, thus having a particular relevance for the fulfilment of economic and social rights.

The **Slovak National Centre for Human Rights** conducted research about the adoption of positive actions by self-governing regions, cities and municipalities. Positive actions are defined in the Slovak Anti-Discrimination Act as measures that are, among others, aimed at the elimination of social or economic disadvantages, by which members of disadvantaged groups are disproportionately affected. Social or economic disadvantages represent a limitation of opportunities to have an equal share of life as everybody else. The research aims to collect information on the positive actions adopted by self-governing regions, cities and municipalities in terms of:

- the protected grounds under equal treatment legislation that are addressed by these actions;
- the areas these actions were implemented in;
- and on the awareness, interest, and opinion of these stakeholders on these measures.

The research should be finished in 2016.

FUTURE PERSPECTIVES

Equality bodies have a particular, additional and unique contribution to make to the protection and fulfilment of economic and social rights. Equality bodies make this contribution by offering a non-discrimination foundation, bringing a diversity perspective to bear, drawing in partners, and infusing with an ambition for equality to the pursuit of economic and social rights. A number of suggestions are made to enhance this contribution.

Equality bodies could make explicit their specific contribution to the protection of economic and social rights. Particular actions could be identified and goals could be set in this regard. Equality bodies could develop and deepen their economic expertise and their capacity for economic analysis to enhance their contribution in this field.

Equinet could build a debate on the specific contribution to be made by equality bodies to the protection of economic and social rights and on the differentiation between equality and human rights. This could be developed through the joint platform with the Council of Europe, the European Union Agency for Fundamental Rights, and the European Network of National Human Rights Institutions. Equinet could develop exchanges, training, and peer learning on equality bodies contributing to the protection and fulfilment of economic and social rights.

The authorities at European and Member State level could ensure a broad mandate for equality bodies to ensure they can make their contribution to the protection and fulfilment of economic and social rights. In particular:

- The mandate of equality bodies could be expanded to include the ground of socio-economic status.
- The powers of equality bodies could be expanded to include mandatory consultation on new legislation with equality bodies.
- Steps could be taken to ensure that equality bodies are allocated sufficient resources and powers to fulfil their roles and potential.
- Steps could be taken to ensure a parity between work on equality and work on human rights in bodies that are established to pursue both of these mandates in order to maximise their contribution to the protection and fulfilment of economic and social rights.

EQUINET MEMBER EQUALITY BODIES

ALBANIA
Commissioner for the Protection from Discrimination
www.kmd.al

AUSTRIA
Austrian Disability Ombudsman
www.behindertenanwalt.gv.at

AUSTRIA
Ombud for Equal Treatment
www.gleichbehandlungsanwaltschaft.at

BELGIUM
Institute for the Equality of Women and Men
www.igvm-iefh.belgium.be

BELGIUM
Interfederal Centre for Equal Opportunities
www.diversite.be and www.diversiteit.be

BULGARIA
Commission for Protection against Discrimination
www.kzd-nondiscrimination.com

CROATIA
Office of the Ombudsman
www.ombudsman.hr

CROATIA
Ombudsperson for Gender Equality
www.prs.hr

CROATIA
Ombudswoman for Persons with Disabilities
www.posi.hr

CYPRUS
Office of the Commissioner for Administration (Ombudsman)
www.ombudsman.gov.cy

CZECH REPUBLIC
Public Defender of Rights
www.ochrance.cz

DENMARK
Board of Equal Treatment
www.ast.dk

DENMARK
Danish Institute for Human Rights
www.humanrights.dk

ESTONIA
Gender Equality and Equal Treatment Commissioner
www.svv.ee

FINLAND
Non-Discrimination Ombudsman
www.syrjinta.fi

FINLAND
Ombudsman for Equality
www.tasa-arvo.fi

FRANCE
Defender of Rights
www.defenseurdesdroits.fr

GERMANY
Federal Anti-Discrimination Agency
www.antidiskriminierungsstelle.de

GREECE
Greek Ombudsman
www.synigoros.gr

HUNGARY
Equal Treatment Authority
www.egyenlobanasmod.hu

HUNGARY
Office of the Commissioner for Fundamental Rights
www.ajbh.hu

IRELAND
Irish Human Rights and Equality Commission
www.ihrec.ie

ITALY
National Equality Councillor
www.lavoro.gov.it/ConsiglieraNazionale

ITALY
National Office against Racial Discrimination - UNAR
www.unar.it

LATVIA
Office of the Ombudsman
www.tiesibsargs.lv

LITHUANIA
Office of the Equal Opportunities Ombudsperson
www.lygybe.lt

LUXEMBURG
Centre for Equal Treatment
www.cet.lu

(FYRO) MACEDONIA
Commission for the Protection against Discrimination
www.kzd.mk

MALTA
National Commission for Persons with Disability
www.knpd.org

MALTA
National Commission for the Promotion of Equality
www.equality.gov.mt

MONTENEGRO
Protector of Human Rights and Freedoms (Ombudsman)
www.ombudsman.co.me

NETHERLANDS
Netherlands Institute for Human Rights
www.mensenrechten.nl

NORWAY
Equality and Anti-Discrimination Ombud
www.ldo.no

POLAND
Commissioner for Human Rights
www.rpo.gov.pl

PORTUGAL
Commission for Citizenship and Gender Equality
www.cig.gov.pt

PORTUGAL
Commission for Equality in Labour and Employment
www.cite.gov.pt

PORTUGAL
High Commission for Migration
www.acm.gov.pt

ROMANIA
National Council for Combating Discrimination
www.cncd.org.ro

SERBIA
Commissioner for Protection of Equality
www.ravnopravnost.gov.rs

SLOVAKIA
National Centre for Human Rights
www.snslp.sk

SLOVENIA
Advocate of the Principle of Equality
www.zagovornik.net

SPAIN
Council for the Elimination of Ethnic or Racial Discrimination
www.igualdadynodiscriminacion.msssi.es

SWEDEN
Equality Ombudsman
www.do.se

UNITED KINGDOM - GREAT BRITAIN
Equality and Human Rights Commission
www.equalityhumanrights.com

UNITED KINGDOM - NORTHERN IRELAND
Equality Commission for Northern Ireland
www.equalityni.org

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