

EQUINET CONFERENCE

Diverse, Inclusive and Equal: Innovating at the intersections of gender equality

Wednesday 7th December 2016 (09:30 – 17:00)

LOCATION: Institute for the Equality of Women and Men
Rue Ernest Blerot 1 - 1070 Brussels, Belgium

BACKGROUND AND CONTEXT

Tackling intersectional discrimination and ensuring an approach to **promoting equality that takes account of multiple identities** is a pervasive challenge both for European non-discrimination law,¹ and for equality bodies seeking to protect the groups in the most vulnerable positions. In order to strengthen equality bodies' strategic approach to addressing intersectional discrimination and to promoting equality on an intersectional basis, as well as to continue raising awareness on intersectional discrimination in the European agenda, Equinet's working groups on Policy Formation and Gender Equality have cooperated to draft a Perspective on *Innovating at the Intersections - Equality Bodies Tackling Intersectional Discrimination* (to be published in November 2016).

The findings of the Perspective, which places the experiences of equality bodies working with intersectionality centre stage, form the basis of this conference. **Equality bodies are on the front line in the work of promoting equality and combating discrimination.** They have practical experience, learning and expertise both in handling complaints from victims of discrimination, as well as in promoting equality in their national contexts.

Intersectional discrimination, as first described by Kimberlé Crenshaw (1989), addressed the particular experience of disadvantage lived by African-American women in the United States.² The experiences of women informed the origins of the academic concept, and women continue to stand at the intersections of multiple relationships of disadvantage today.³

In seeking to ensure that equality and non-discrimination is a reality for all in Europe today, the present conference aims to put the focus on **groups often rendered invisible⁴ in existing legal frameworks and jurisprudence.** By tracing the historical roots of the concept and addressing the challenges in rendering an intersectional approach to equality a reality, it aims to share lessons learned and potential ways forward in ensuring that equal treatment legislation is meaningful for all, and show how equality bodies can contribute to it.

¹ See Fredman, S. 'Intersectional Discrimination in EU Gender Equality and Non-Discrimination Law.' (2016). European Commission.

² Crenshaw, Kimberlé (1989). "Demarginalizing the intersection of race and sex: a black feminist critique of antidiscrimination doctrine, feminist theory and antiracist politics". University of Chicago Legal Forum (PhilPapers) 140: 139–167.

³ For a recent example, see the European Parliament study (2013) on 'Discrimination Generated by the Intersection of Gender and Disability'

⁴ Fredman, S. 'Intersectional Discrimination in EU Gender Equality and Non-Discrimination Law.' (2016). European Commission.

OBJECTIVES

The conference sets out to **share the challenges in addressing intersectional discrimination**, as well as **good practice examples** and **possible avenues** for working pragmatically toward combating intersectional discrimination and reaching persons at the intersections.

In particular, the conference aims to:

- Provide a platform to discuss the challenges in promoting an intersectional approach to equality and in litigating intersectional discrimination
- Present the conclusions of the 2016 Equinet Perspective “Innovating at the Intersections - Equality Bodies Tackling Intersectional Discrimination”
- Set out a vision for future work to promote an intersectional approach to equality and to combat intersectional discrimination

TARGET AUDIENCE

This Equinet conference is aimed at senior experts from National Equality Bodies, as well as from EU and international institutions and agencies, representatives from NGOs, national ministries, NHRIs and Ombudsman institutions, policy and legal experts, social partners and other organisations active in the field of equality.

DRAFT AGENDA

09:00 – 09:30 Welcome & Registration

OPENING SESSION

OPENING ADDRESS

09:30 – 09:50 **Evelyn Collins**, Chair of the Equinet Executive Board and Chief Executive of the Equality Commission for Northern Ireland
Liesbet Stevens, Deputy Director, Institute for the Equality of Women and Men

KEYNOTE ADDRESS

09:50 – 10:30	Intersectionality’s persistent challenge to anti-discrimination law: the problem of the comparator	Professor Suzanne B. Goldberg , Columbia Law School
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10:30 – 10:50 **Questions & Answers**

10:50– 11:15 **Coffee Break**

SESSION 1

Setting the Scene – Challenges in applying intersectionality in discrimination cases

Chair: Evelyn Collins, Chair of the Equinet Executive Board & Chief Executive of the Equality Commission for Northern Ireland

A low number of EU member states have provisions for multiple discrimination in their legislation, yet all equality bodies effectively work on these cases. In spite of prevailing challenges in tackling intersectional discrimination directly, equality bodies and courts have found ways to incorporate considerations of intersectionality in their legal practices.

11:15 – 11:30	Overview of current EU legislation: state of play and challenges	Professor Dagmar Schiek , Queen's University of Belfast
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11:30 – 11:45	Intersectionality in national legislations: The U.S. Perspective	Peggy R. Mastroianni , U.S. Equal Employment Opportunity Commission (EEOC)
11:45 – 12:00	On the ground: legal challenges in the work of equality bodies	Kosana Beker , Assistant to the Commissioner for Protection of Equality, Commissioner for Protection of Equality, Serbia and Equinet Board Member
12:00 – 12:20	Questions & Answers	
12:20 – 13:20	Lunch break	
SESSION 2		
Overcoming legislative gaps and understanding intersectionality and multiple discrimination		
Chair: Sandra Konstatzky, Equinet Board Member & Deputy Director, Ombud for Equal Treatment, Austria		
Despite the challenges in addressing intersectional discrimination in litigation, this area is nevertheless more developed than other avenues for addressing intersectional discrimination. Research, positive duties and promotional outreach programs have been identified by Equinet members as effective ways to address intersectional discrimination.		
13:20 – 13:35	Presentation of the Equinet Perspective	Niall Crowley , Independent Expert and author of the Equinet Perspective
13:35 – 13:50	Looking for evidence: presentation of the findings of the project “Forgotten Women: the impact of Islamophobia on Muslim women”	Julie Pascoët , Senior Advocacy Officer, ENAR – European Network against Racism
13:50 – 14:05	Informing policy makers: the work of the German equality body	Nathalie Schlenzka , Deputy Head, Research Unit, Federal Anti-Discrimination Agency (FADA), Germany
14:05 – 14:30	Questions & Answers	
14:30 – 15:00	Coffee Break	
SESSION 3 – Panel Discussion		
Looking Forward - Avenues for addressing intersectional discrimination		
Moderator: Petr Polák, Equinet Board Member & Head of the Division of Equal Treatment, Public Defender of Rights, Czech Republic		
What are possible avenues for better addressing intersectional discrimination in the future? What can equality bodies, non-governmental organisations, decision makers and practitioners do?		
15:00 – 16:30	Participants: <ul style="list-style-type: none"> • MEP Malin Björk, GUE/NGL, Sweden (TBC) • Marre Karu, European Institute for Gender Equality (EIGE) • Theresa Hammer, Legal Advisor, Ombud for Equal Treatment, Austria & Moderator of Equinet Working Group on Gender Equality • Joanna Maycock, Secretary General, European Women’s Lobby • Alexandra Timmer, Acting specialist coordinator gender equality –European network of legal experts in gender equality and non-discrimination 	
CONCLUDING SESSION		
16:30 – 17:00	Anne Gaspard , Equinet Executive Director	



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