



## Summary of key messages

### End of a fruitful Dialogue?

### Impact of Brexit on Equality & Anti-Discrimination in the EU & UK

Monday 9<sup>th</sup> October 2017, European Parliament, Brussels

Hosted by:



MEP Claude Moraes  
Chair of LIBE Committee  
S&D, UK



Group of the Progressive Alliance of Socialists  
& Democrats at the European Parliament



**European Parliament**  
Anti-Racism and Diversity Intergroup



Equinet –  
European Network of Equality Bodies



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## Opening Session

### Keynote Speech

## Session 1 The impact of Brexit on anti-discrimination and equality at EU and Member State levels

### SPEAKERS

#### Opening Session



**MEP Claude Moraes**  
Chair of LIBE Committee  
S&D, UK



**Evelyn Collins**  
Equinet Chair 2013-2017  
Chief Executive of the [Equality Commission for Northern Ireland](#)

#### Keynote Speaker



**Michael O'Flaherty**  
Director of the [EU Agency for Fundamental Rights \(FRA\)](#)



**Evelyn Collins**  
Equinet Chair 2013-2017  
Chief Executive of the Equality Commission for Northern Ireland

#### Session 1



**Michaël Privot**  
Director of [ENAR – European Network against Racism](#)



**[MEP Jean Lambert](#)**  
Greens/EFA, UK

## KEY MESSAGES

1. **Equality is a core EU value.** It should be guaranteed throughout the negotiation process
2. **The UK played a key role in shaping the EU equality and anti-discrimination framework...**

The UK has always been a global leader on equality and human rights. It was key in supporting a paradigm shift in the EU and it still acts as a model for other jurisdictions.

Concrete examples include a stronger EU focus on challenging islamophobia and on data collection.

3. **... but the UK also benefited from this framework.**

In particular, the Court of Justice of the EU (CJEU) case-law and the Charter of Fundamental Rights were and are instrumental in strengthening the UK equality and anti-discrimination framework.

4. **Brexit intervenes in a challenging context of numerous uncertainties.**

The EU equal treatment legislation has a strong transformative power. Its implementation at national level remains however uneven

In addition, the European Convention of Human Rights and the EU Charter of Fundamental Rights do not have the same scope, one cannot fully replace the other. It is also difficult to assess the impact Brexit will have on the Good Friday Agreement.

## WAYS FORWARD

- **Which future for the EU equality and non-discrimination framework?**

We should not forget about the importance of adopting a **comprehensive anti-discrimination legislation**, and in particular, the **Horizontal Directive**.

Countries with a historically proven dedication to fighting discrimination and inequalities could take the lead in addressing racism

Equality and non-discrimination policies should not be **disproportionately impacted by the future cuts in EU budget** and Multiannual Financial Framework. This is also a concern for both remaining EU Member States and civil society organisations in the UK.

The **equality groups and public bodies, such as equality bodies**, should be strengthened.

- **We should keep the space open for the dialogue on equality.** All voices should be taken into account in the Brexit negotiations.
- **Staying engaged with the UK will be key.** We still have a lot to learn from each other.



## Session 2

# The impact of Brexit on anti-discrimination and equality in the UK

### SPEAKERS



**Omar Khan**

Director of [Runnymede](#)



**Scott Crosby**

Legal Expert, Human Rights Officer of [European Criminal Bar Association](#); Editor in Chief of New Journal of European Criminal Law; Board Member [Journalismfund.eu](#)



**Rebecca Hilsenrath**

Chief Executive of the [Equality and Human Rights Commission](#) (Great Britain)

### KEY MESSAGES

#### 1. There are numerous risks for the UK and its residents in leaving the EU...

There is a risk of regression of the equality and human rights framework as the UK prepares to leave the EU. Current legislation would remove the EU Charter of Fundamental Rights from UK domestic law. Some Charter rights - for example, the free standing right to non-discrimination - have no equivalent protection in UK law.

Privileged residence status conditions for Irish nationals are being discussed. However, different conditions based on nationality between EU citizens are discriminatory. They would create two classes of non-UK citizens.

#### 2. ... however, Brexit can be a positive momentum for equality and human rights

It is important to take a more positive stance, as the UK should not become an isolationist country.

In the same way, EU and non-EU immigrants could be brought together in the Brexit negotiations, requesting levelling up instead of a levelling down.

### WAYS FORWARD

- **Ensuring equality and human rights: a key priority**

In order to safeguard protections, Brexit legislation should contain a principle of non-regression of human rights and equality standards. The EU (Withdrawal) Bill should only amend EU provisions on equality and human rights following rigorous scrutiny by Parliament. Similarly, a constitutional right to equality should be introduced. If there is doubt as to the construction or application of any law relating to equality or human rights, the courts and tribunals should have regard to any relevant EU case law. Future trade agreements need to contain human rights and equality guarantees. Immigration rules should be reviewed and based on



equality and human rights. New agreements will need to comply with the European Convention of Human Rights and the Geneva Convention.

- **Mobilising the people**

Many EU nationals living in the UK are neither white nor Christians. We need to build a strong anti-racist movement.

- **Keeping the transnational cooperation going**

Transnational learning and cooperation should be ensured in the future.



## For more information

- More information about the **event** is available [here](#).
- **Pictures** are available [here](#).
- [Storify](#) of the conference.
- Joint **MEP Claude Moraes – Evelyn Collins Press Release** (word document)
- **MEP Claude Moraes – [Opinion: “Brexit will be a betrayal of the UK’s fight for equality”](#)** (*The Guardian*, 11<sup>th</sup> October 2017)
- **Omar Khan, Runnymede** - [Race equality and Brexit: One year on](#)
- **Equality and Human Rights Commission (Great Britain): [Our Brexit Work](#)**
- **Equality Commission for Northern Ireland: [Equality Commission recommendations as UK exists the EU](#)**

**Pictures:** Thierry Maroit

**Summary:** Equinet – European Network of Equality Bodies

