**  
Dear Equinet Members,**This Members’ Bulletin gathers **the latest European Union (EU) and international developments**. It aims to give you an **overview of relevant policy and legal developments**, as well as latest calls for interest, funding opportunities and upcoming events. We very much hope this members’ bulletin will be useful in your day-to-day work and we would be grateful if you could **disseminate it among your colleagues**. Your feedback is also greatly appreciated.

Previous Members’ Bulletin are available on the [Equinet Members’ Area](http://www.equineteurope.org/-Members-Bulletins-).

Should you have any comments or further questions, **please do not hesitate to contact Jessica Machacova, Equinet Membership and Policy Officer** ([Jessica.machacova@equineteurope.org](mailto:Jessica.machacova@equineteurope.org) / 0032 2 212 31 80)

# Highlight: European Pillar of Social Rights Responses to the European Commission’s public consultation

**What is the European Pillar of Social Rights?**

The European Pillar of Social Rights is a European Commission’s initiative, aiming to put into practice its objective of a “**deeper and fairer Economic and Monetary Union**”. It targets Eurozone countries. The Pillar will be made up of various initiatives in the following policy domains:

* Equal opportunities and access to the labour market
* Fair working conditions
* Adequate and sustainable social protection

The Pillar will have important implications concerning Equinet and equality bodies’ work on discrimination, equality and gender equality. In particular, the Pillar will be based on [20 principles](https://circabc.europa.eu/faces/jsp/extension/wai/navigation/container.jsp?FormPrincipal:_idcl=FormPrincipal:_id1&FormPrincipal_SUBMIT=1&id=2223f393-3e21-49fa-b74e-f92c22577655&javax.faces.ViewState=3sBIQo%2FzzgDGsbRdViRaNK4gHdYZGUy0wgL9qukGrP%2F47lL5UonuInRPXBoXRTBdWWdq9Tux3Znd88d6%2BPJj%2B%2FaE0ZzpHXKAip1FK3axBc7DsmJvpKpO3aunfLwkR%2F7sBd5xKwjMydvvtbAAFZnRVpupJnc%3D). Among them, we can mention **“05. Gender Equality & Work-Life Balance”** and **“06. Equal Opportunities”**.

The [first preliminary outline](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM:2016:127:FIN#document2) of the Pillar was launched in **March 2016.** At the same time, the European Commission initiated a dialogue with other EU institutions and EU social partners. It also opened a public consultation, which ran until **31st December 2016**.

More information about the European Pillar of Social Rights is available [here](http://ec.europa.eu/social/main.jsp?catId=1226&langId=en).

**Contributions to the public consultation**

Many organisations and EU citizens contributed to the public consultation.

*Equinet and equality bodies*

**Equinet** built its contribution on the conclusions of the 2015 Perspective [“Equality Bodies Contributing to the Protection, Respect and Fulfilment of Economic and Social Rights”](http://www.equineteurope.org/Equality-Bodies-contributing-to). Our main messages include:

* Outline of a European Pillar of Social Rights could **be strengthened to fully respect and be in compliance with the social and economic rights the European Union** and its member states have agreed to be bound by.
* In line with the concerns of its members, Equinet highlights the need for attention to be paid to **equality and non-discrimination concerns** **in all proposed policy domains**, and to consider throughout the policy design the need for progressive, and not retrogressive, realization of social and economic rights.
* National equality bodies **continue to support monitoring of social and economic rights** at member state level, and could fruitfully be strengthened to fulfil this role where that is not yet the case.
* National equality bodies could be involved in developing suitable and human rights compliant indicators for measuring and monitoring social and economic rights within the framework of the European Semester.

At the outset, Equinet offers the opinions of three of its members for general consideration when designing the next iteration of the proposed Pillar of Social Rights:

* The [Irish Human Rights and Equality Commission](http://www.equineteurope.org/IHREC) submitted a report (2015) to the UN Committee on Economic, Social and Cultural Rights in which the Commission inter alia raised “[t]he need for a 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 [Equality Commission for Northern Ireland](http://www.equineteurope.org/Northern-Ireland-Equality-Commission-for-Northern-Irelandµ), in its communication with national government departments, has inter alia 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 realization’ of the relevant rights to the maximum of available resources.”
* In its investigation of a case where the complainant was adversely impacted by austerity measures in 2013, the [Ombudsman of the Republic of Latvia](http://www.equineteurope.org/Office-of-the-Ombudsman,52) opined that the austerity measures in question “should not have been applied to vulnerable groups and may not affect such areas as health care, education and social security.”

The full Equinet contribution is available [here](http://www.equineteurope.org/Equinet-Response-to-the-European-Commission-s-public-consultation-on-the-First).

*Civil society organisations*

* [**COFACE-Families Europe**](http://www.coface-eu.org/en/Policies/EUROPE/Pillar-of-Social-Rights) mainly recommends the Social Pillar to focus on social inclusion of all families, with strong prioritization of education, skils, lifelong learning, gender equality and non-discrimination.
* The [**European Youth Forum**](http://www.youthforum.org/assets/2016/12/European-Pillar-of-Social-Rights_YFJ_External.pdf) also highlights the need to take into account all young people in the Pillar through a holistic approach of social inclusion.
* The [**European Disability Forum**](http://www.edf-feph.org/sites/default/files/edfs_initial_response_of_the_european_pillar_of_social_rights_-_final_1.pdf) recommends to mainstream the rights of persons with disabilities in the Social Pillar, as well as to enlarge its scope to all EU Member States.

# GENERAL INFORMATION

## Thematic developments

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**Malta takes over the Presidency of the European Union**

From **1st January to 30th June 2017,** Malta takes over the Presidency of the Council of the European Union. One of its [6 priorities](https://www.eu2017.mt/Documents/Maltese%20Priorities/EU2017MT%20-%20Presidency%20Priorities%20(EN).pdf) is social inclusion, which includes advancing “advance gender equality and [the] rights of minorities and vulnerable groups”.

The website of the Maltese EU Presidency is available [here](https://www.eu2017.mt/en/Pages/home.aspx).

**Key dates**

* **1-2 February 2017:** High Level Group Meeting on **Gender Mainstreaming**
* **3 February 2017:** European Event on **Violence against Women**
* **23 February 2017:** Ministerial Conference on **LGBTIQ** will take place on 23 Feb 2017

**Next EU Presidencies**

* **Estonia:** July-December 2017
* **Bulgaria:** January-June 2018
* **Austria:** July-December 2018
* **Romania:** January-June 2019
* **Finland:** July-December 2019
* **Croatia:** January-June 2020
* **Germany:** July-December 2020

**EU Agency for Fundamental Rights (FRA) – Calendar of 2017 activities**

This year, FRA will celebrate its 10th anniversary.   
More information about their projects for 2017 as well as a calendar of their activities is available [here](http://fra.europa.eu/en/news/2016/looking-forward-2017).

**EU Agency for Fundamental Rights (FRA) – Cooperation agreement with the EEA and Norway Grants**

On 15th December, the FRA and EEA and Norway Grants signed a cooperation agreement to better promote fundamental rights in the EU together. In particular, the agreement will allow the FRA to provide fundamental rights assistance and expertise to EU Member States when designing projects funded by the Grants.

**More information about the agreement is available** [**here.**](http://fra.europa.eu/en/news/2016/uniting-better-promote-and-protect-fundamental-rights)

**Rule of Law: European Commission issues complementary recommendations to Poland**

On 21st December 2017, the European Commission issued **complementary Rule of Law Recommendation** to Poland, taking into account the last developments since the first recommendations issued in June 2016. The European Commission highlights that some issues of concerns remain and invite the Polish government within 2 months. The recommendations mostly deal with the appointment of the new President of the Constitutional Tribunal.

More information is available [here](http://europa.eu/rapid/press-release_IP-16-4476_en.htm).

## Publications, funding opportunities and events

**EVENT** **ERA – Academy of European Law – Seminars on EU Anti-Discrimination Law**

The seminars deal with EU Anti-Discrimination 2000/78 and 2000/43. They will take place in Trier, Germany on the following dates:

* [**13th & 14th March 2017**](https://www.era.int/cgi-bin/cms?_SID=9d8bfe09eaa09b989d744025b8a5baaed6388c5600520783067151&_sprache=en&_bereich=artikel&_aktion=detail&idartikel=126552) (English/French) – Deadline for registering: 18th January 2017
* [**18th & 19th September 2017**](https://www.era.int/cgi-bin/cms?_SID=9d8bfe09eaa09b989d744025b8a5baaed6388c5600520783067151&_sprache=en&_bereich=artikel&_aktion=detail&idartikel=126493) (English/German) - Deadline for registering: 19th July 2017

**FUNDING OPPORTUNITIES European Commission** - [Action grants to support national or transnational projects on non-discrimination and Roma integration](http://ec.europa.eu/research/participants/portal/desktop/en/opportunities/rec/topics/rec-rdis-disc-ag-2016.html) – *To be published on 17th January 2017* (Deadline: 21st March 2017)  
**Note: If you are planning to apply for this call and are looking for partners among other national equality bodies, please contact Jessica Machacova** – [Jessica.machacova@equineteurope.org](mailto:Jessica.machacova@equineteurope.org)

**PUBLICATION European Equality Law Network –** [**Non-Discrimination Country Reports**](http://www.migpolgroup.com/portfolio/non-discrimination-country-reports-2016/)

# GENDER EQUALITY

## Thematic developments

**Step Up! Campaign: Help Improve Access to Services for Undocumented Women Survivors of Violence**

PICUM and WAVE are launching a campaign to improve access to services for undocumented women and women who have precarious immigration status.

The campaign is based on the 4 following core principles:

**1. Women’s rights are human rights.**   
**2. Protection and safety come first.**   
**3. Give them a way out, a way forward.**   
**4. Solidarity against discrimination.**

More information about the campaign is available [here](http://www.wave-stepup.org/).

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## Publications, funding opportunities and events

**PUBLICATION** Study - **European Parliament – Women’s Rights and Gender Equality Committee** - [Demography and family policies from a gender perspective](http://www.europarl.europa.eu/RegData/etudes/STUD/2016/571394/IPOL_STU(2016)571394_EN.pdf)

**PUBLICATION** Study - **European Parliament – Women’s Rights and Gender Equality Committee** – [Gender Equality in Trade Agreements](http://www.europarl.europa.eu/RegData/etudes/STUD/2016/571388/IPOL_STU(2016)571388_EN.pdf)

**PUBLICATION** Summary - **European Women’s Lobby** – Brexit & Women’s Rights

# RACE & ETHNIC ORIGIN

## Thematic developments

**European Parliament: new Rules of Procedure will strengthen hate speech sanctions**

In December 2016, the European Parliament adopted new Rules of Procedures which will strengthen the sanctions against Members of the European Parliament using defamatory, racist or xenophobic language or undertaking actions to disrupt parliamentary activity.

More information about the new Rules of Procedure is available [here](http://www.ardi-ep.eu/2016/12/13/european-parliament-adopts-new-rules-of-procedure-strengthening-hate-speech-sanctions/).

## Publications, funding opportunities and events

**PUBLICATION ENAR – European Network against Racism** - [Managing religious diversity in the workplace: a good practice guide](http://www.enar-eu.org/Managing-religious-diversity-in-the-workplace-a-good-practice-guide)

# RELIGION AND BELIEF

## Publications, funding opportunities and events

**PUBLICATION EU Agency for Fundamental Rights (FRA)** - [Antisemitism: Summary overview of data available in the European Union 2005–2015](http://www.equineteurope.org/Data-collection-lack-of-progress-impedes-antisemitism-fight)

# SEXUAL ORIENTATION AND GENDER IDENTITY

## Publications, funding opportunities and events

**PUBLICATION** **Council of Europe** - [Equal opportunities for all children: Non-discrimination of lesbian, gay, bisexual, transgender and intersex (LGBTI) children and young people](https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=09000016806a8d8f)

# DISABILITY

## Thematic developments



**Council of Europe: new Strategy on the Rights of Persons with Disabilities**

The Council of Europe adopted its new **Strategy on the Rights of Persons with Disabilities 2017-2023. It focuses on 5 priority areas**, linked to the European Convention on Human Rights and other Council of Europe standards promoting and protecting human rights:   
  
- Equality and non-discrimination  
- Awareness raising  
- Accessibility  
- Equal Recognition before the law  
- Freedom from exploitation, violence and abuse

The area of equality and non-discrimination promotes **“the setting up of strong, independent and well-resourced National Human Rights Institutions, Equality Bodies and Ombudsman Institutions ensuring equality and non-discrimination at the national and local levels”.**

It also identifies **5 cross-cutting issues**:

- Participation, cooperation and coordination  
- Universal Design and reasonable accommodation  
- Gender equality perspective  
- Multiple discrimination  
- Education and training

The full strategy is available [here](http://www.coe.int/en/web/disability).

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## Publications, funding opportunities and events

**PUBLICATION European Equality Law Network** - [Supporting persons with psychosocial disabilities at the workplace](http://www.equalitylaw.eu/downloads/3966-the-employment-equality-directive-and-supporting-people-with-psychosocial-disabilities-in-the-workplace-a-legal-analysis-of-the-situation-in-the-eu-member-states)

# ASYLUM AND MIGRATION

## Publications, funding opportunities and events

**FUNDING OPPORTUNITIES European Commission** - [Fast track integration into the labour market for third country nationals targeting exclusively asylum seekers, refugees and their family members](http://ec.europa.eu/social/main.jsp?catId=629&langId=en&callId=502&furtherCalls=yes) (Deadline: 30th March 2017)

**PUBLICATION EU Fundamental Rights Agency (FRA)** - [Focus on migrant children: Insufficient attention paid to separated migrant children](http://fra.europa.eu/en/publication/2016/december-monthly-migration-focus-separated-children?_cldee=amVzc2ljYS5tYWNoYWNvdmFAZXF1aW5ldGV1cm9wZS5vcmc%3d&recipientid=contact-7035426c53c2e4119de700155d040d18-c7d4bc43a9ba449c8f96a6a5b5361391&esid=84ef16ad-b7c6-e611-80ce-00155d040a3b&urlid=0)

**PUBLICATION European Trade Union Confederation (ETUC)** - [Defending undocumented workers - Means defending all workers](https://www.etuc.org/publications/defending-undocumented-workers-means-defending-all-workers#.WG0jelMrLct)

# RECENT CASE-LAW

## Court of Justice of the EU (CJEU)

**Case C‑539/15 -** [**Daniel Bowman v. Pensionsversicherungsanstalt**](http://curia.europa.eu/juris/document/document.jsf?text=&docid=186490&pageIndex=0&doclang=EN&mode=lst&dir=&occ=first&part=1&cid=96397) **– 21st December 2016**

*Age discrimination*

A change in the national collective labour agreement rules allowed for periods of school education under the age of 18 to be taken into account when calculating the advancement to the next salary level. With that change however, also the period for moving to the next salary level has been extended, which Mr. Bowman argued constitutes age discrimination. The Court held that national collective labour agreements allowing for periods of school education to be taken into account for classifying salary steps and prolonging the period before advancing to the next salary level does not constitute discrimination on the ground of age as long as the extension to move up a salary level is retroactively applied to all employees, also those that did already advance to the next salary level under the application of the new rules.

## European Court of Human Rights (ECHR)

**Case 005(2017) -** [**Osmanoǧlu and Kocabaş v. Switzerland**](http://hudoc.echr.coe.int/app/conversion/pdf?library=ECHR&id=003-5592122-7062572&filename=Judgment%20Osmanoglu%20and%20Kocabas%20v.%20Switzerland%20-%20compulsory%20mixed%20swimming%20lessons%20and%20religious%20convictions.pdf) **– 10th January 2017**

*No violation of Article 9 (right to freedom of thought, conscience and religion)*

The case concerned the refusal of Muslim parents to send their daughters, who had not reached the age of puberty, to compulsory mixed swimming lessons as part of their schooling and the authorities’ refusal to grant them an exemption.

By refusing to exempt two Muslim pupils from compulsory mixed swimming lessons, the Swiss authorities had given precedence to the children’s obligation to follow the full school curriculum and had not infringed the right to freedom of religion

**Case 007(2017) -** [**Kacper Nowakowski v. Poland**](http://hudoc.echr.coe.int/app/conversion/pdf?library=ECHR&id=003-5592124-7062574&filename=Judgment%20Kacper%20Nowakowski%20v.%20Poland%20-%20contact%20rights%20of%20deaf%20and%20mute%20father%20with%20his%20son.pdf) **– 10th January 2017**

*Violation of Article 8 (right to respect for private and family life) - Polish authorities failed to facilitate contact between deaf and mute father and his son*

The case concerned the contact rights of a deaf and mute father with his son, who also has a hearing impairment. Mr Nowakowski, the applicant, complained in particular about the dismissal of his request to extend contact with his son.