

CALENDAR 2020





EQUINET

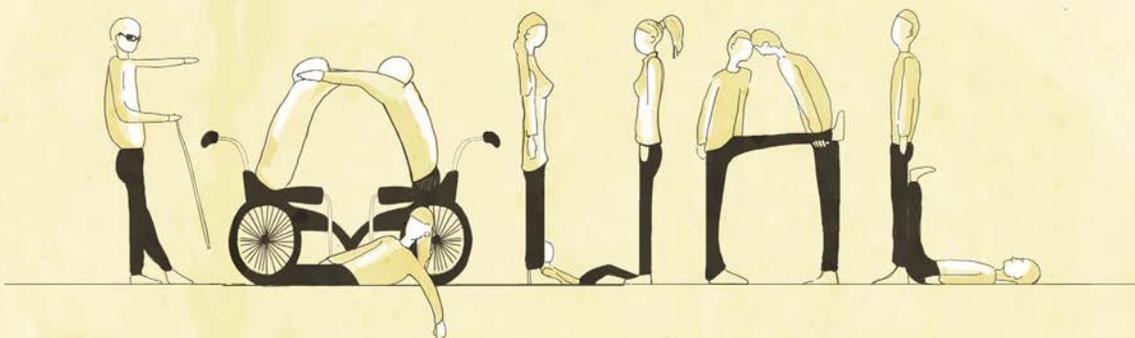
European Network of Equality Bodies

Equinet, European Network of Equality Bodies works to strengthen and support national equality bodies and conveys their voice, knowledge and experience to advance equality and non-discrimination in Europe.

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

Equinet promotes equality in Europe by supporting equality bodies to be independent and effective catalysts for more equal societies. Our vision of an equal society is one where equality is a reality for everyone, diversity is valued, and all forms of discrimination have been eliminated.





January

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27 Holocaust Remembrance Day

IRISH HUMAN RIGHTS AND EQUALITY COMMISSION IRELAND

“Because we’re all human. Means we’re all equal.”

This was the simple but challenging message of the Irish Human Rights and Equality Commission’s awareness campaign on disability rights, which set out to challenge perspectives and attitudes that can limit people with disabilities’ full participation in everyday life.

Participation was the core focus for the campaign as it was led by people with disabilities. In frank and sometimes funny video and radio pieces, thirteen people from across Ireland shared their experiences of living with autism, an intellectual disability or complex needs; being visually-impaired or blind, hard of hearing or Deaf; and having a physical disability or being affected by mental ill-health. The campaign was run across Irish radio stations, in cinemas, online and across social media and saw significant engagement and hugely positive feedback.

EQUAL TREATMENT AUTHORITY HUNGARY

György, a prisoner living with reduced mobility, was in a prison with no bench or a stable seat in the patio area of the yard. Because of this, he wasn’t able to exercise his right to go outside and enjoy fresh air every day, which is a given right to all prisoners. The Equal Treatment Authority ordered the discrimination to stop and the jail was obliged to establish a stable seat in the prison’s patio area. Since then, the jail has installed a wooden bench in the prison’s yard.



February

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- 1 World Hijab Day
- 5 Safer Internet Day
- 6 International Day of Zero Tolerance for Female Genital Mutilation
- 11 International Day of Women and Girls in Science
- 20 International Day for Social Justice
- 22 European Day for Victims of Crime

COMMISSIONER FOR PROTECTION FROM DISCRIMINATION ALBANIA

In October 2017, Eduard became a dad for the second time and applied for 12 months of paternity leave. The company approved only 4 months of unpaid leave, while female employees obtain 12 months. After returning from the leave, Eduard was fired. The The Commissioner for Protection from Discrimination (CPD) examined the complaint of Eduard against his former employer and found that he had been treated unfavourably and unequally compared to female employees. In its decision, the CPD found discrimination on the ground of gender by the private company. The Court upheld the CPD decision and Eduard was entitled to compensation.

COMMISSION FOR EQUALITY IN LABOUR AND EMPLOYMENT PORTUGAL

Maria's employer wanted to dismiss her as a result of the dissolution of her job post. As requested by the law, Maria's employer presented her case to the Commission for Equality in Labour and Employment (CITE). The employer argued that Maria was being dismissed because her position would disappear, and she had the worst performance evaluation for 2016-2017. CITE found that there were there other jobs in the company with the same functional content as Maria's and she was being adversely affected in her performance evaluation due to having been on maternity leave in 2016 and breastfeeding in 2017. The reasons for the dismissal demonstrate discriminatory evidence, since a worker cannot be hindered in his/her performance evaluation due to the enjoyment of parental rights. CITE issued a legal opinion, opposing Maria's dismissal, as there was evidence of discriminatory practice on grounds of maternity. Maria was not dismissed.



March

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1 Zero Discrimination Day

8 International Women's Day

21 International Day for the Elimination of Racial Discrimination

ADVOCATE OF THE PRINCIPLE OF EQUALITY SLOVENIA

While visiting Slovenia, Alex was stopped at the exit of a shop by a security guard to check his receipt and perform a search, thinking he had been shop-lifting. They found nothing stolen, but the company demanded to see his ID. Because he did not have it with him, they detained him until the arrival of the police. Alex lodged a complaint with the Advocate of the Principle of Equality, alleging that the company had no justified reason to hold him and that he had been discriminated against based on his race. The Advocate obtained and analysed the evidence, and concluded the measures used by the security company constituted direct race discrimination. This infringed upon Alex's human rights and fundamental freedoms, specifically upon the complainant's privacy (Article 35 of the Constitution of the Republic of Slovenia) and freedom of movement (Article 32 of the Constitution). Thereafter, the security company filed a lawsuit to the administrative court challenging the decision of the equality body. The equality body is now focusing on defending its decision before the court. Generally, the equality body does not have the power to issue sanctions.



April

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8 International Day for Roma

26 Lesbian Visibility Day

29 European Day of Solidarity between Generations

INSTITUTE FOR THE EQUALITY OF WOMEN AND MEN

BELGIUM

Olivia was offered a hospitalization insurance through her employer in 2013. In the medical questionnaire she had to fill in for the insurance company, she mentioned that in 1997 she had followed gender reassignment surgery. As a result of this, the insurance company only wanted to offer her an insurance contract with an explicit exclusion for all costs related to gender dysphoria.

Olivia contacted the Belgian Institute for the Equality of Women and Men to ask for assistance. As the insurance company stood by their opinion that gender dysphoria was a chronic illness and therefore could be legally excluded from the insurance contract, the Institute and Olivia took legal action. Both the Labour Court and the Appeal Labour Court held that she did not suffer from any chronic illness. As such, Olivia was treated unfavorably by the insurance company, solely based on the fact that she had once followed gender reassignment treatment.



May

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5 European Independent Living Day

17 International Day against Homophobia, Transphobia and Biphobia

COMMISSIONER FOR HUMAN RIGHTS POLAND

Between October 2018 and July 2019 the Commissioner intervened in four cases of violation of the freedom of assembly by Mayors, who prohibited Equality (Pride) Parades. Legislation allows a Mayor to ban a public assembly if there is a risk to public safety. The reasons behind the prohibition must meet specific requirements, namely, the risk must be brought by the participants of the assembly themselves.

However, in the towns of Lublin, Gniezno, Rzeszów and Kielce the Mayors banned Equality Parades due to the risk to public safety caused by opponents of the parades. The Mayors' decisions to ban the parades were appealed in Courts and the Commissioner for Human Rights joined all the proceedings, defending the freedom of assembly and acting in favour of the parades' organizers.

The complaints were all successful, the Mayors' decisions were revoked, and the Equality Parades were organized in the mentioned towns. The Courts acknowledged that the Pride Parades, organized to promote equality and human rights, cannot be banned due to the risk of violence and riots brought by the opponents of these values, fundamental in a democratic society.



June

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1 Global Day of Parents

20 World Refugee Day

29 20th anniversary of adoption of the Race Directive

GREEK OMBUDSMAN GREECE

Omar, an asylum seeker, tried to open a bank account but his request was denied because he did not have a valid travel document and/or a permanent residence. Thus, Omar could legally work but he could not get paid, since in order to be paid he needed a bank account in his name. Omar filed a complaint to the Greek Ombudsman, who contacted the Bank of Greece, making specific reference to the anti-discrimination legislation. The Bank of Greece answered that the residence permit Omar had obtained as an Asylum Seeker was enough to open a bank account. The Greek Ombudsman stated that discrimination against asylum seekers prevented their smooth social integration and asked the Bank of Greece to take necessary steps to ensure that this situation never occurs again. The Bank of Greece sent a circular to all the bank branches in Greece, with specific guidelines aimed at facilitating the access of asylum seekers to bank services.

NATIONAL COMMISSION FOR THE PROMOTION OF EQUALITY MALTA

After transferring her residence to Malta, with the aim of eventually securing a job, Sade received a revocation of residence because she was still working in the UK. She reached out to the National Commission for the Promotion of Equality and explained that she met both the financial and insurance requirements of her host country. Her position could also be described as a cross border worker, as she was working in the UK and regularly returning to her residence in Malta. The NCPE issued an opinion stating that her right to free movement was restricted without justification. The opinion was mentioned in the decision of the Immigration Appeals Board granting her residence status.



July

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15 World Youth Skills Day

NON-DISCRIMINATION OMBUDSMAN FINLAND

In autumn 2018, there was a vivid public debate in Finland about out-of-pocket fees collected for participating in the World Para Athletics European Championships. Those para athletes who did not succeed in the games were to pay a part of the journey costs from their own pocket. This was not the case for athletes in the European Championships.

The Non-Discrimination Ombudsman investigated the matter and discussed the financing of disabled sports with several actors such as Government representatives, the Finnish Athletics Federation and the Association of Finnish Local and Regional Authorities. As a result, out-of-pocket fees would not be collected for the next World Para Athletics Championships (2019). The Ombudsman also recommended that the Ministry of Education and Culture should investigate the availability of the athlete subsidy packages for covering the assistant costs of elite disabled athletes and that the Ministry of Education and Culture should develop a financing structure for athletes and sport associations in line with the obligations of the CRPD. The Ministry of Social Affairs and Health will take the matter into account in the coming legislation renewal. The municipalities should also take a look at how they grant assistants for athletes' trips to fulfil the legislative requirements.



August

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12 International Youth Day

22 International day Commemorating Victims of Acts of Violence Based on Religion or Belief

FEDERAL ANTI-DISCRIMINATION AGENCY GERMANY

Nazia, a Muslim woman who wears a headscarf, and some friends and family members tried to board a bus with a pram. Just when Nazia was trying to enter, the bus driver closed the door, leaving her outside and nearly trapping and injuring her child. When she complained about the incident at the service center of the bus company, she was told that this was “her own fault”: If she would take off her headscarf, she would be “respected in Germany”.

Nazia contacted the Federal Anti-Discrimination Agency (FADA) on the grounds of ethnic and religious discrimination. Shutting her out of public transport, combined with the service center employee’s statement, can indeed be a strong indicator for discrimination under the German Equal Treatment Act. FADA mediated in this case and organized a meeting between Nazia and the bus company. The management apologized and promised to implement awareness-raising measures in the company.



September

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21 International Day of Peace

NATIONAL CENTER FOR HUMAN RIGHTS SLOVAKIA

Peter worked as a serviceman of technical facilities. On a business trip, the owner of the company took advantage of him while he was drunk and they got intimate. After that, she forced him to maintain the intimate relationship under threat of dismissal. Peter's professional and personal life with his partner and newborn baby gradually collapsed and he decided to stand up to his boss. Consequently, the boss refused to approve his leave and eventually terminated his employment.

The Slovak National Centre for Human Rights currently represents Peter in court proceedings. The first instance court has ruled that Peter was directly discriminated on the ground of "other status" and obliged the former employer to give him a written apology and financial compensation for discrimination.



October

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1 International Day of Older Persons

17 International Day for the Eradication of Poverty

25 European Day of Justice

COMMISSIONER FOR THE PROTECTION OF EQUALITY

SERBIA

The Commissioner for the Protection of Equality launched proceedings before the Constitutional Court to review the constitutionality of a legislative provision. In the event of the death of a pension beneficiary, there was an additional condition for the right of the spouse to a family pension if they got married when the pension beneficiary was 65 years of age or older. The Commissioner pointed out that there is no objective and reasonable justification for such a condition on the age of the pension beneficiary and that these conditions unjustly place them at a disadvantage.

The Constitutional Court found that the Commissioner had rightly detected the violation of the constitutional principle of non-discrimination and issued a decision declaring this provision unconstitutional.



November

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4 European Equal Pay Day

9 International Day against Fascism and Antisemitism

16 International Day for Tolerance

20 Transgender Day of Remembrance

OMBUD FOR EQUAL TREATMENT AUSTRIA

Susanne is director of operations in a facility maintenance company and earns EUR 1.200 monthly. When she learned that the company advertised a position with less responsibilities, but with a higher salary than hers, she complained about it to the manager. Subsequently, her salary was raised to EUR 1.500. However, her male predecessor got a higher salary than her and the new male recruit's salary was as high as her new salary. The manager explained the salary gap stating that he was not sure whether a woman could handle the job".

The Ombud supported Susanne's case before the Commission for Equal Treatment, which decided in her favour. After Susanne filed a lawsuit, the employer was willing to pay her a compensation. In the end, Susanne received a fair compensation for the discrimination.

20 International Children's Day

25 International Day to End Violence against Women

27 20th anniversary of adoption of the Employment Directive



December

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3 International Day of Persons with Disabilities

10 Human Rights Day

18 International Migrants Day

EQUALITY AND HUMAN RIGHTS COMMISSION GREAT BRITAIN

Stacey has Ehlers-Danlos syndrome, a condition that limits her mobility. She needed to make changes to her home but a term in the lease banned alterations. Her landlord refused to make an exception and Stacey and her husband had to move out. The Equality and Human Rights Commission funded and supported Stacey's discrimination case against her landlord to make sure the law is clear and supports other people with disabilities like Stacey to live independently.

In January 2019, Cardiff County Court ruled that the landlord should have let Stacey make alterations, which were reasonable in light of her disability. The judgment means that landlords must allow disabled leaseholders to make changes that are reasonable and necessary.

COMMISSIONER FOR ADMINISTRATION AND THE PROTECTION OF HUMAN RIGHTS CYPRUS

The Commissioner for Administration and the Protection of Human Rights examined the accessibility of persons with disabilities to beaches and used the findings to produce an extensive report and request legislative changes that will improve accessibility for everyone. All recommendations of the Report were implemented. In particular, the relevant legislation was amended, access ramps have been built at beaches where there had not been any or improved existing ones, while electric ramps and floating wheelchairs were placed on other beaches that were not accessible for Persons with Disabilities.



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* This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence.

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