

Equinet Roundtable

REBUILDING A FAIRER EUROPE AFTER COVID-19 BY EXTENDING PROTECTION AGAINST DISCRIMINATION TO NEW GROUNDS

30 March - 10:00 to 12:30 CET



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The lack of comprehensive protection in EU law against discrimination on all grounds has long been raised as an issue. Fixing the number of grounds to only six, as is the case at the EU level, potentially means excluding and undermining the significance of whole categories and manifestations of unjust exclusion and subordination, such as those based on criteria and identity markers other than gender, race and ethnic origin, disability, religion or belief, age, or sexual orientation. For instance, inequalities based on health status (such as conditions not covered by the UNCRPD definition of disability) and socio-economic status deserve further attention. Equally, discrimination based on gender identity, expression and sex characteristics, also requires further understanding and safeguards, as pointed out in the 2020 Discussion paper [Equality Bodies Working on the Rights and Discriminations Faced by Trans and Intersex Persons](#) and the seminar “Building Bridges Between Equality Bodies and Trans and Intersex Activists” in December 2020. Furthermore, the COVID-19 pandemic has powerfully exposed the limitations of the current list of discrimination grounds in equality and non-discrimination law of the European Union. Since the onset of the pandemic, Equinet has published two Perspectives and one Recommendation:

- [Equality in the Time of Covid-19: Learning from Equality Body Initiatives](#)
- [Equality, Diversity and Non-Discrimination in Healthcare: Learning from the work of Equality Bodies](#)
- [Recommendation for a fair and equal Europe: Rebuilding our societies after COVID-19](#)

Based on these findings, in 2021 Equinet commissioned a research project to address the following question: *How could the expansion of the list of protected grounds, in particular through the inclusion of health status and socio-economic status, as well as gender identity, expression and sex characteristics enhance the effectiveness of the European anti-discrimination legal framework and its implementation?*

The resulting Equinet Report, authored by Juan Carlos Benitez Sanchez and Sarah Ganty, analyses how this could be done and underlines the advantages and disadvantages of having the list of protected grounds expanded. To this end, the report maps and examines the uses of ‘other grounds’ in national, European and international legal fora, with an emphasis on health status, socio-economic status and gender identity, expression and sex characteristics. Crucially, the report highlights the existing experiences and potential roles of equality bodies with these ‘other grounds’ as a unique contribution to the debate.

This roundtable will therefore serve as a discussion forum to give visibility to and mobilize action around the key findings and recommendations of the report. The objective of the roundtable is to bring together equality body staff, relevant legislators and policy makers at both the European and national level to identify ways forward to strengthen equality legislation in a way that confirms equality as a central value and demonstrates an ambition to achieve full, substantive equality in practice.

To join the workshop, please use the following log-in credentials:

Join Zoom Meeting:

<https://us02web.zoom.us/j/86493195634?pwd=dUhUTVJQM3JtcVIMWXZscIBGSnc4UT09>

Meeting ID: 864 9319 5634

Passcode: 085888

Agenda

10.00 – Welcome

Tamás Kádár, Equinet Co-Director

10.10 – Session 1: Equinet’s New Report “Expanding the List of Protected Grounds within Anti-Discrimination Law in the EU” Main Findings

Report authors:

Sarah Ganty, FWO Postdoctoral Fellow at the Human Rights Center of Ghent University and JSD candidate at Yale Law School

Juan Carlos Benito Sanchez, Human Rights Researcher and Consultant

10.30 – Session 2: Sharing the experience of equality bodies

Ireland: Laurence Bond, Chair of Equinet Executive Board and Director of Irish Human Rights and Equality Commission (IHREC)

Belgium: Patrick Charlier, Co- Director, UNIA (Interfederal Centre for Equal Opportunities)

Georgia: Mariam Moseshvili, Chief Specialist, Equality Department, Public Defender (Ombudsman) of Georgia

11.05 – Q&A

11:20 – Break

11.30 – Session 3: Legal and Policymakers perspectives

Olivier De Schutter, UN Special Rapporteur on extreme poverty and human rights

Katarina Ivanković-Knežević, Director, Directorate-General for Employment, Social Affairs and Inclusion, European Commission

MEP Marc Angel, Progressive Alliance of Socialists and Democrats, Co-President of the European Parliament LGBTQ intergroup

12.00 – Q&A

12.15 – Closing remarks

Sarah Ganty, FWO Postdoctoral Fellow at the Human Rights Center of Ghent University and JSD candidate at Yale Law School

Juan Carlos Benito Sanchez, Human Rights Researcher and Consultant

Tamás Kádár, Equinet Co-Director

Our speakers:

Sarah Ganty

FWO Postdoctoral Fellow at the Human Rights Center of Ghent University and J.S.D. candidate at Yale Law School



Dr. Sarah Ganty is a FWO Postdoctoral Fellow at the Human Rights Center of Ghent University, theorizing the concept of Merizenship, which she has introduced. She is also a J.S.D. candidate at Yale Law School where she is the Co-president of the YLS European Law Association. She teaches at the Central European University in Vienna and the Facultés Universitaires Saint-Louis in Brussels. Sarah is mostly interested in migrants' law most broadly conceived (including, inter alia, refugee law, immigration law, and integration law), as well as social justice, anti-discrimination law, socioeconomic inequalities, citizenship law and empirical research. With a strong background in EU law, she is also active in the study of the EU legal system.

Juan Carlos Benito Sanchez

Human Rights Researcher and Consultant



Dr. Juan Carlos Benito Sanchez is a human rights law professional with 6+ years of research, policy and advocacy experience in inequality and non-discrimination and economic, social and cultural rights. He obtained his PhD in Law in 2020 at UCLouvain in Belgium with a thesis focused on the application of European anti-discrimination law to the housing field, which received the René Cassin 2021 PhD Thesis Prize awarded by the Fondation René Cassin – International Institute of Human Rights. He has since been working as an independent human rights researcher and consultant for European NGOs and networks as well as for the European Commission and the Council of Europe. He is Policy and Advocacy Officer at a Belgian NGO active in the defense of the rights to energy and water and the fight against poverty at national level.

Laurence Bond

Chair of Equinet Executive Board and Director of Irish Human Rights and Equality Commission (IHREC)



Laurence Bond has been the Director of the Irish Human Rights and Equality Commission since May 2017. Before this, Laurence had served as the Acting Director and Head of Research for the Commission, and as Head of Research in the then Equality Authority from 2002. Prior to working in the Equality Authority, Laurence worked for many years in research, policy analysis and campaigning on equality and social justice in the public and voluntary sectors. In 2021, Laurence Bond was elected to the Board of Equinet and currently serves as the Chair of the Executive Board.

Patrick Charlier

Co-director of UNIA (Interfederal Centre for Equal Opportunities), Belgium



Patrick Charlier is a lawyer by training. He worked at the Human Rights League, first as legal advisor (1992 to 1996), then as director (1996 to 2001). Since his arrival to Unia in 2001, he has held various positions in the racism department at the Migration Observatory before becoming coordinator of the Discrimination department and finally director. He is also a former member of the management board of FRA, and is currently Deputy member of ECRI, and an alternate member of the Central Prison Supervisory Board.

Mariam Moseshvili

Chief Specialist, Equality Department, Office of the Public Defender (Ombudsman),
Georgia



Mariam Moseshvili graduated from the School of Law of the Free University of Tbilisi. Shortly after, she started working at the Office of the Public Defender (Ombudsman) of Georgia. For 4 years she had been working at the Department of Protection of Civil, Political, Economic, Social and Cultural Rights. Subsequently, she shifted to the field of Equality and continues to deal with cases of alleged discrimination, drafts reports and undertakes awareness-raising activities as Chief Specialist of the Equality Department, which carries out the functions of the national Anti-Discrimination Mechanism.

Olivier De Schutter

UN Special Rapporteur on extreme poverty and human rights



Professor Olivier De Schutter (Belgium) was appointed the UN Special Rapporteur on extreme poverty and human rights by the Human Rights Council at its 43rd session, in March 2020. A Professor of Law at UCLouvain and at SciencesPo (Paris), Mr. De Schutter was the Special Rapporteur on the right to food from 2008 to 2014, and a member of the Committee on Economic, Social and Cultural Rights between 2015 and 2020. Prior to those appointments, he was Secretary-General of the International Federation for Human Rights (FIDH).

Katarina Ivanković-Knežević

Director, Directorate-General for Employment, Social Affairs and Inclusion, European Commission



Since September 2018, Katarina Ivanković Knežević is the Director for Social Rights and Inclusion in the Directorate General for Employment, Social Affairs and Inclusion. Her area of activity is modernization of social protection systems and wider social policies fostering social and labor market inclusion, through the implementation of the European Pillar of Social Rights and other relevant social policies of the European Union. Prior to the European Commission, she was a State Secretary in the Ministry of Labour and the Pension System of the Republic of Croatia, in which she was responsible for the management and implementation of the European Social Fund and other EU instruments aiming at human resources development. For the last 20 years her professional interests are human rights and gender equality, social policy and employment with particular accent on labour market policies.

Marc Angel

MEP Progressive Alliance of Socialists and Democrats, Co-President of the European Parliament LGBTQ intergroup



Marc Angel is a Luxembourgish politician of the Luxembourg Socialist Workers' Party who has been serving as a Member of the European Parliament since 2019. Angel earned a degree (Mag. Phil.) as a translator for German, French and English. He started his political career in the Luxembourg City Council as its Member between 1994 and 2020. He became Member of the Luxembourgish Parliament in 2004 and as of 2013 he was acting as Chairman of the Committee for Foreign and European Affairs, International Development, Immigration and Asylum. Angel became Member of the European Parliament on the 10th of December 2019. Besides acting as Head of the Luxembourgish Delegation in the S&D group, he has served on the Committee on Employment and Social Affairs since 2019, and the Committee on Petitions since 2020. He is a substitute member of the Committee

on the Internal Market and Consumer Protection and the Committee on Economic and Monetary Affairs. In addition to his committee assignments, Angel is part of the parliament's delegation to the EU-Chile Joint Parliamentary Committee, to the Euro-Latin American Parliamentary Assembly and for relations with China. He also co-chairs the European Parliament Intergroup on LGBT Rights.

Tamás Kádár

Co-Director and Head of the Legal and Policy Team, Equinet



Tamás Kádár is Co-Director and Head of Legal and Policy at Equinet. Tamás worked previously at the Hungarian Equal Treatment Authority as a legal officer, investigating discrimination cases on all grounds and drafting decisions of the Authority. He graduated from the Faculty of Law of Eötvös Loránd University in Budapest as a Doctor in Law. Tamás also holds a Master of Economic Science degree from the University College Dublin in Ireland. Tamás has published articles on equality and non-discrimination, spoken at numerous international conferences and acted as a trainer and expert in various EU, Council of Europe, OSCE and USAID-funded projects.

Further reading

Equinet publications

- Equinet Report (2022) [“Expanding the List of Protected Grounds within Anti-Discrimination Law in the EU”](#)
- Equinet Perspective (2021) [“Equality, Diversity, and Non-Discrimination in Healthcare: Learning from the Work of Equality Bodies”](#)
- Equinet Discussion paper (2020), [“Equality Bodies Working on the Rights and Discriminations Faced by Trans and Intersex Persons”](#)
- Equinet Recommendation (2020) [“Recommendation for a fair and equal Europe: Rebuilding our societies after COVID-19”](#)
- Equinet Discussion Paper (2020), [“Women in Poverty: Breaking the Cycle”](#)
- Equinet Perspective (2015) [“Equality Bodies contributing to the protection, respect and fulfilment of Economic and Social Rights”](#)
- Equinet Opinion (2010), [“Addressing Discrimination and Poverty: Two Sides of the Same Coin”](#)

External publications

- Benito Sanchez J.C. and Drechsler L., [“The Price Is \(Not\) Right: Data Protection and Discrimination in the Age of Pricing Algorithms”](#), *European Journal of Law and Technology*, vol. 9(3), 2018.
- Benito Sanchez J.C., [“Los pronunciamientos del Comité DESC sobre derecho a la vivienda relativos a España. Respuestas jurisprudenciales y legislativas”](#), *Lex Social, Revista de Derechos Sociales*, vol. 9(2), 2019:
- Benito Sanchez J.C., [“Right to Affordable, Clean Energy for All Europeans”](#), *EPSU & EAPN*, 2022.
- Benito Sanchez J.C., “Securing Housing for All in Diverse European Societies: Applying International and European Antidiscrimination Law to the Housing Context”, Editions Pedone/Hart (forthcoming in 2022)
- Benito Sanchez J.C., [“Towering Grenfell: Reflections around Socioeconomic Disadvantage in Antidiscrimination Law”](#), *Queen Mary Human Rights Law Review*, vol. 5(2), 2019.
- European Commission, [“Union of Equality: LGBTIQ Equality Strategy 2020-2025”](#), COM(2020) 698 final (12 November 2020)
- [European Pillar of Social Rights](#) (2017)
- [European Pillar of Social Rights Action Plan](#) (2021)
- European Union Agency for Fundamental Rights, [“Coronavirus Pandemic in the EU — Fundamental Rights Implications”](#) (2020).
- European Union Agency for Fundamental Rights, [“EU-LGBTI II: A long way to go for LGBTI equality \(2020\)”](#)
- Ganty S., [“L’intégration des citoyens européens et des ressortissants de pays tiers en droit de l’Union européenne. Critique d’une intégration choisie”](#), Larcier, Collect. Droit de l’Union européenne, 2021 .:
- Ganty S., [“Poverty as Misrecognition: What Role for Anti-discrimination Law in Europe?”](#), *Human Rights Law Review*, vol. 21(4), 2021, pp. 962–1007.
- Ganty S., [“Socioeconomic Precariousness in times of COVID-19: A Human Rights Quandary”](#), *Polish Yearbook of International Law*, n° 40, 2021, pp. 151-177.

- Ganty S., [“The Double-Edged ECtHR Lăcătuș Judgment on Criminalisation of Begging. Da Mihi Elimo Sinam Propter Amorem Dei”](#), *European Convention on Human Rights Law Review*, 2021, pp. 1–28.
- Ganty S., [“The Veil of COVID-19 Certificates: Ignorance of Poverty, Injustice towards the Poor”](#), *European Journal of Risk Regulation*, vol. 12, 2021, pp. 343 – 354.
- Human Rights Council, [“Discrimination and violence against individuals based on their sexual orientation and gender identity.”](#) Report of the Office of the United Nations High Commissioner for Human Rights”, A/HRC/29/23 (4 May 2015).
- Ireland, [Government Consultation on the Review of the Equality Acts](#).
- IHREC [Equality ACTION Guide to the Review Process & Introduction to the Equality Acts](#) (2021).
- IHREC [Submission on the Review of the Equality Acts](#) (2022):
- ILGA - Europe, [“Briefing note: LGBTI-inclusive Gender Equality work”](#) (2020)
- International Commission of Jurists, [The Yogyakarta Principles Plus 10 - Additional Principles and State Obligations on the Application of International Human Rights Law in Relation to Sexual Orientation, Gender Expression and Sex Characteristics to Complement the Yogyakarta Principles](#) (2017)
- [Statement by Mr. Olivier de Schutter Special Rapporteur on extreme poverty and human rights](#) to the 76th session of the UN General Assembly (20 October 2021).
- Transgender Europe (TGEU), [“Trans & Poverty: Poverty and Economic Insecurity in Trans Communities in the EU”](#) (2022).
- UN Special Rapporteur on extreme poverty and human rights, Olivier De Schutter, [“The persistence of poverty: how real equality can break the vicious cycles”](#) (19 July 2021).
- World Health Organization, [“Social determinants of health”](#) (2021).



Equinet, European Network of Equality Bodies

Equinet is a membership organisation bringing together 47 equality bodies from across Europe. Equinet promotes equality in Europe by supporting and enabling the work of national equality bodies. It supports equality bodies to be independent and effective as valuable catalysts for more equal societies.

Equality bodies are champions for the core EU value of equality and defenders of the right to non-discrimination. They are public organisations assisting victims of discrimination, monitoring and reporting on discrimination issues, and contributing to an awareness of rights and a societal valuing of 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. By engaging closely with policy makers and partners at EU and international level, Equinet promotes the work of equality bodies through relevant publications, as well as participation at conferences and other meetings.

For more information, please see our website: www.equineteurope.org

Check the directory of Equality Bodies for a list of Equinet members: <https://equineteurope.org/what-are-equality-bodies/european-directory-of-equality-bodies/>