

Equinet, European Network of Equality Bodies brings together 47 organisations from across Europe which are empowered to counteract discrimination as national equality bodies across the range of grounds including age, disability, gender, race or ethnic origin, religion or belief, and sexual orientation.

@equineteurope   

STANDARDS FOR NATIONAL EQUALITY BODIES ADVANCE EQUALITY FOR ALL

PUBLISHED IN FEBRUARY 2022

Frequently Asked Questions

1. WHAT ARE NATIONAL EQUALITY BODIES?

National equality bodies in all EU Member States and many countries in wider Europe are set up based on an obligation in EU Equality Directives ([Race Equality Directive](#) and the Gender Equality Directives in [employment](#), [self-employment](#) and access to [goods and services](#)). Equality bodies are national publicly funded institutions which operate independently from government. Their role is to promote equality and fight discrimination as dedicated, expert public bodies.

2.

DOES MY COUNTRY HAVE AN EQUALITY BODY?

All 27 EU Member States have at least one equality body (most of which are members of Equinet). In addition, Equinet has member equality bodies in Albania, Montenegro, North Macedonia and Serbia as EU candidate countries, Bosnia and Herzegovina and Kosovo* as potential candidates, as well as in Georgia, Moldova, Norway and the United Kingdom. Equality bodies that aren't members of Equinet may also exist in other European countries.

3. ARE THERE MANY EQUALITY BODIES IN MY COUNTRY?

The majority of countries have only one national equality body, but in some countries there are two or three, usually to protect different discriminated groups (e.g. persons with disabilities or persons discriminated due to their gender).

For an overview of equality bodies across Europe: [European Directory of Equality Bodies](#)

Additional equality bodies may exist at the sub-national level, for example in a "Land", province or region. Such sub-national equality bodies are not members of Equinet, but in many countries co-operate with their national bodies in some form.

4.

DOES THE WORK OF EQUALITY BODIES COVER ALL DISCRIMINATED GROUPS?

EU Equality Directives require Member States to set up equality bodies working on the grounds of race or ethnic origin and sex or gender. However, equality bodies in most countries also work on other grounds, such as age, disability, gender identity, health status, religion or belief, sexual orientation, socio-economic status, and many more. In some countries there is no fixed or closed list of discrimination grounds for equality bodies to work on.

3.

5. CAN EQUALITY BODIES HELP IF SOMEONE FEELS DISCRIMINATED ON MORE THAN ONE GROUND?

Such 'multiple discrimination' happens rather often, for instance when someone is discriminated due to being a woman of Roma origin or an older person with a disability. While national legislation in many countries does not specifically deal with multiple discrimination, in their practice, most equality bodies take into account the special needs of persons who suffered multiple discrimination.

* 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.

ISBN 978-92-95112-56-8

© Equinet 2022



Co-funded by
the European Union

6.
**IS
A GOVERNMENT
EQUALITY OFFICE OR
A NON-GOVERNMENTAL
ORGANISATION (NGO) AN
EQUALITY BODY?**

Equality bodies are independent public institutions, specialised in equality and non-discrimination work. Therefore, they are not to be confused with governmental offices and ministries for equality or with NGOs. However, equality bodies often cooperate closely with these organisations.

7.

**IS A
NATIONAL HUMAN
RIGHTS INSTITUTION OR AN
OMBUDSMAN AN EQUALITY BODY?**

In some countries equality bodies also hold other mandates and may fulfill the role of National Human Rights Institution or Ombud institution (for instance the Croatian and the Greek Ombudsman Offices and the Danish and the Netherlands Institutes for Human Rights are also equality bodies). They may also be responsible for the protection of 'whistleblowers', children or people in detention. However, in such cases, equality bodies tend to have a distinct, specialized role and powers within the institution.

8.
**WHAT
CAN EQUALITY BODIES
DO?**

Equality bodies possess a special set of skills and powers, all serving to promote more equal societies and fight discrimination. Among others, equality bodies may:

- take complaints from victims of discrimination;
- provide legal assistance to victims of discrimination, in many cases including taking cases to court or deciding the case in their administrative procedure;
- collect data on equality;
- conduct research on equality in society;
- make recommendations to policy makers and legislators;
- raise awareness and communicate about equality and rights;
- work with employers, service providers, other public bodies and civil society organisations to help them put in place good equality plans and practices.

9.

**DO
PERSONS
ASKING FOR ADVICE
OR SUBMITTING A
COMPLAINT TO AN EQUALITY
BODY HAVE TO PAY A FEE?**

No, the advice by, and complaint procedure in front of, an equality body is free of charge for everyone, in all countries.

10.
**HOW
CAN I WORK WITH AND
SUPPORT THE WORK OF THE
EQUALITY BODY?**

As an individual, you can submit complaints to the equality body and of course you can spread the word about the equality body in your personal network, to raise awareness about these institutions.

As an NGO, you can direct your members, partners and clients to the equality body if they experience discrimination. You can also raise awareness about the equality body among your members, partners, and clients and support the call for strong and effective equality bodies. Last, but not least, you can develop cooperation with the equality body on individual projects (e.g. a research project) or more generally.

As an employer, service provider or public institution you can ask the equality body for advice and guidance (through for example the provision of training) or develop a project with the help of the equality body to put in place good equality practices in your organisation.

As a policy-maker, you can request and take into account recommendations from the equality body and you can support the call for strong and effective equality bodies.

Implementing Strong European Standards for Equality Bodies

EU Directives remain limited to providing for the establishment of equality bodies and vesting them with a minimum set of functions. Binding legislation on **standards, covering the independence, effectiveness, functions and powers of national equality bodies, would give the same level of protection against discrimination to everyone across Europe.**



1. WHY DO WE NEED BETTER STANDARDS FOR EQUALITY BODIES?

While the EU Directives require all EU Member States and candidate countries to designate equality bodies, they say very little about what guarantees, resources, and powers these institutions should have and how they should operate. Equinet has been continuously pointing to this as an obstacle to equality bodies living up to their full potential and the European Commission has also noted it in their non-binding **Recommendation on standards for equality bodies** in 2018 and their **report** on how the Equality Directives are implemented in 2021. The Council of Europe's European Commission against Racism and Intolerance (ECRI) also published **a recommendation on standards** for equality bodies. However, none of these documents are currently legally binding on Member States.

2. WHAT STANDARDS ARE WE TALKING ABOUT?

Standards should set solid and enforceable requirements in the following areas:

- **Mandate** – this includes the fields of life (e.g. employment or education), forms of discrimination (e.g. direct and indirect, but also harassment and hate speech), and grounds of discrimination (at the very least age, disability, gender, racial or ethnic origin, religion or belief, sexual orientation but possibly also others, such as socio-economic status, gender identity, or health status) that equality bodies are tasked to deal with. **In many countries not all combinations of grounds, fields, and forms of discrimination are currently covered by the equality body's mandate, leaving many discriminated persons without effective protection in practice.**
- **Powers** – this includes legal powers to go to court and/or to decide cases with an administrative decision or recommendation, but also powers to conduct research, collect equality data, run communication campaigns, publish guidelines or manuals, support employers and service providers in putting in place good equality practices and make recommendations to policy-makers and legislators. **A mix of all these powers is most likely to achieve change and yet, in many countries equality bodies do not possess all necessary powers, especially when it comes to legal powers.**
- **Independence** – this means that equality bodies should be allowed to operate independently from government influence. One of the main strengths of equality bodies is their independence, allowing them to gain the trust of discriminated groups and their representative organisations as they aren't seen as part of the government, which these groups often do not trust. **However, in many countries the independence of equality bodies is challenged by inappropriate political attacks on the equality body or its leadership, the lack of guarantees concerning appointments to leadership or in some cases even by being formally situated in a Ministry.**
- **Resources** – this means that equality bodies should have the necessary human, financial, and technical resources to ensure their smooth and sustainable operation and that they can effectively use all their powers across their entire mandate. **However, in many countries, equality bodies operate with an inadequately low budget and staff, they do not have proper premises and in some cases, they have suffered disproportionate budget cuts compared with other publicly funded institutions.**
- **Accessibility** – this means that equality bodies ought to be visible and easily accessible to all potential complainants and partners. **However, in many countries the awareness about equality bodies is too low (often due to inadequate resources), their premises and services are not accessible to all, and they do not have regional and local offices.**
- **Coordination and cooperation with other bodies** – this means, on one hand, that where there are multiple equality bodies in one country, they should develop close coordination and cooperation. On the other hand, it also requires equality bodies to develop good cooperation with other public bodies working in the field of equality and rights. **However, in many countries such coordination and cooperation has not been properly developed yet and standards would help to set clear requirements for this.**

HOW CAN YOU SUPPORT THE LEGISLATIVE PROCESS OF STANDARDS FOR EQUALITY BODIES?

Equality bodies need your support to achieve these higher standards, so that they can help you and others better in the future. You can help by spreading the word about your national equality body and its work in your personal and professional network, by contacting your politicians at national and European level, by feeding into the [consultation launched by the European Commission](#), and by openly supporting the call for strong and effective equality bodies. **Contact your national equality body for further information on how you can best feed into this process.**

Key steps to developing binding legislation on standards for equality bodies

