

National Equality Bodies : Champions of Equality and Non-Discrimination



WHAT ARE NATIONAL EQUALITY BODIES?

Equality Bodies are national, publicly funded institutions set up across Europe to promote equality and tackle discrimination. They facilitate effective access to justice and play a fundamental role in the non-discrimination architecture of Europe.

In all EU Member States and many countries in wider Europe, Equality Bodies are set up based on an obligation in **EU equal treatment legislation** (*Race Equality Directive** and the Gender Equality Directives in *employment*, *self-employment* and access to *goods and services***). Many Member States have gone beyond these requirements to work on race and gender, and Equality Bodies in most countries also work on other grounds for discrimination, 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.

WHAT DO EQUALITY BODIES DO?

Equality Bodies have the expertise and powers that serve to promote more equal societies and fight discrimination. Among others, Equality Bodies may:

- **Take complaints** from anyone who experiences discrimination;
- **Provide legal assistance** to those who experience 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;
- **Engage** with employers, service providers, other public bodies, and civil society organisations to help them put in place good equality plans and practices.

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, Bosnia and Herzegovina, Georgia, Kosovo***, Moldova, Montenegro, North Macedonia, Norway, Serbia and the United Kingdom – non-EU countries that have accepted to harmonise their legislation with EU equality laws. Equality Bodies that aren't members of Equinet may also exist in other European countries.

The majority of countries have only one National Equality Body, but in some there are two or three, usually to protect different discriminated groups (e.g. persons with disabilities or persons discriminated due to their gender). Additional Equality Bodies may exist at the sub-national level, for example in a 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.

For a complete list of Equinet members, see the inside of this brochure, or find more information on the online European Directory of Equality Bodies: www.equineteurope.org/european-directory-of-equality-bodies/

* Directive 2000/43/EC

** Directives 2010/41, 2006/54, 2004/113

*** 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.

Frequently asked questions about National Equality Bodies

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. They are not governmental offices, ministries for equality or NGOs. However, Equality Bodies often cooperate closely with these organisations.

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 Ombudswoman and the Danish Institute for Human Rights are both 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.

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 practice, most Equality Bodies take into account the special needs of persons who suffered multiple discrimination.

WHEN ASKING FOR ADVICE OR SUBMITTING A COMPLAINT TO AN EQUALITY BODY, DO I 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 European countries.

WHAT CHALLENGES DO EQUALITY BODIES FACE?

SOCIETAL CHALLENGES

Equality Bodies and other equality stakeholders have been working in an increasingly **challenging environment where social consensus on the value of equality is being defied**. Discriminatory statements, policies and actions that are illegal and frankly unacceptable are being normalised.

Equality Bodies are **unique state institutions** that have already proven their **potential to promote equality and fight discrimination**, despite working in a difficult environment. Equality Bodies have a crucial role and responsibility to remind Member States, institutions, and all Europeans that equality and non-discrimination are fundamental European values and, ultimately, hold to account violators of equality legislation.

LEGISLATIVE CHALLENGES

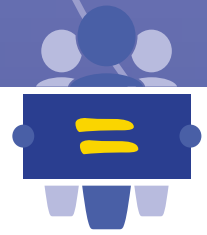
There are currently **very diverse levels of protection against discrimination across Europe**.

- Until now, EU Directives were limited to providing for the establishment of Equality Bodies and vesting them with a minimum set of functions. The Directives said very little about what guarantees, resources, and powers these institutions should have and how they should operate.
- There are gaps in the protection for some grounds and/or some fields of life (e.g. employment or education) in around a third of Member States.
- A significant number of Equality Bodies are not fully independent from the government and they lack resources, preventing them from fulfilling their missions.
- Some of them are also hard to access, due to their small size, lack of local offices, and/or lack of real visibility.

To fulfill their potential and maximise their impact, **legislation for binding standards on the independence, effectiveness, functions, and powers of Equality Bodies** was proposed by the European Commission in December 2022. The adoption, effective implementation, and monitoring of these standards at European and Member State level will be one of our common challenges for the coming years.

Implementing Strong European Standards for Equality Bodies*

Binding legislation on standards for Equality Bodies would be a major step **towards better implementation and enforcement of the EU's equal treatment legislation, helping to fulfill its ultimate goal of creating equal societies and eradicating discrimination.**



WHY ARE BINDING STANDARDS IMPORTANT?

Standards will lead to Equality Bodies that have:

- Stronger guarantees for their **independence**
- More adequate **resources** to promote equality and fight discrimination, including assisting victims
- More adequate **powers** to achieve their objectives of full equality
- Wider **mandates** to cover all manifestations of discrimination
- Higher standards and resources to ensure full **accessibility** to all

This will, in turn, also contribute to:

- Uniform application of EU equal treatment law
- Equality being more effectively safeguarded, with better access to justice for all
- Across the EU, every person benefitting from better institutional protection against discrimination, no matter in which country they live

WHAT STANDARDS ARE WE TALKING ABOUT?

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

- **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 that Equality Bodies are tasked to deal with (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). ***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 and use 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 free to make decisions, and allowed to operate without external influence, including

from the government. ***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.***

* For up to date information on the standards for Equality Bodies, see the Equinet website - <https://equineteurope.org/what-are-equality-bodies/standards-for-equality-bodies/>

How can I **work with and support** the work of Equality Bodies?

AS AN INDIVIDUAL, YOU CAN:

- Submit complaints to your National Equality Body, follow its work, and engage with it as a resource on non-discrimination issues.
- Spread the word about the Equality Body in your personal network to raise awareness about these institutions.

AS A NON-GOVERNMENTAL ORGANISATION, YOU CAN:

- Direct your members, partners, and clients to the Equality Body if they experience discrimination.
- Raise awareness about the Equality Body among your members, partners, and clients.
- Develop cooperation with the Equality Body on individual projects (e.g. a research project) or more generally.
- Advocate for binding standards covering the independence, effectiveness, functions, and powers of National Equality Bodies in EU directives and policymaking.

AS AN EMPLOYER, SERVICE PROVIDER, OR PUBLIC INSTITUTION, YOU CAN:

- Ask the Equality Body for advice and guidance (for example, through the provision of training).
- 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 consider recommendations from the Equality Body.
- Support the proposal for binding standards covering the independence, effectiveness, functions, and powers of National Equality Bodies.
- Work to ensure the effective implementation of EU equal treatment Directives and enhanced protection on all grounds of discrimination under EU legislation.



EQUINET, EUROPEAN NETWORK OF EQUALITY BODIES

With a membership of 47 National Equality Bodies from across Europe, Equinet, the **European Network of Equality Bodies provides a first point of contact for information relating to Equality Bodies at the European level.** We facilitate engagement with Equality Bodies across Europe and provide relevant information about their experience with various equality and non-discrimination topics.

Connect to Equinet: Read, use and disseminate our publications, attend our events and follow our work via our newsletters, website or social media channels.

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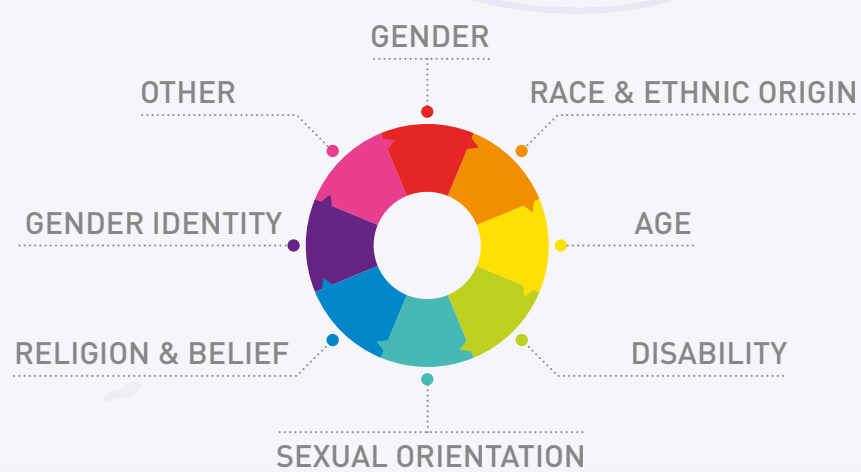


Equinet Members and Grounds they cover*



EQUINET
European Network
of Equality Bodies

* This list illustrates only the grounds covered by the mandates of Equinet's member Equality Bodies, in employment and beyond employment. In some cases, it is possible that grounds differ from those covered by the country's legislation.



	Employment	Beyond Employment					
ALBANIA			Commissioner for the Protection from Discrimination www.kmd.al	LATVIA			Office of the Ombudsman www.tiesibsargs.lv
AUSTRIA			Ombud for Equal Treatment www.gleichbehandlungsanwaltschaft.gv.at Austrian Disability Ombudsman www.behindertenanwalt.gv.at	LITHUANIA			Office of the Equal Opportunities Ombudsman www.lygybe.lt
BELGIUM			Institute for the Equality of Women and Men www.igvm-iefh.belgium.be Unia (Interfederal Centre for Equal Opportunities) www.unia.be	LUXEMBOURG			Centre for Equal Treatment www.cet.lu
BOSNIA AND HERZEGOVINA			Institution of Human Rights Ombudsman www.ombudsmen.gov.ba	MALTA			National Commission for the Protection of Equality www.ncpe.gov.mt Commission for the Rights of Persons with Disability www.crpdp.org.mt
BULGARIA			Commission for Protection against Discrimination www.kzd-nondiscrimination.com	MOLDOVA			Council on Preventing and Eliminating Discrimination and Ensuring Equality www.egalitate.md
CROATIA			Ombudswoman of the Republic of Croatia - www.ombudsman.hr Ombudsperson for Gender Equality - www.prs.hr Ombudswoman for Persons with Disabilities - www.posi.hr	MONTENEGRO			Protector of Human Rights and Freedoms (Ombudsman) www.ombudsman.co.me
CYPRUS			Office of the Commissioner for Administration and the Protection of Human Rights (Ombudsman) www.ombudsman.gov.cy	NETHERLANDS			Netherlands Institute for Human Rights www.mensenrechten.nl
CZECH REPUBLIC			Office of the Public Defender of Rights www.ochrance.cz	NORTH MACEDONIA			Commission for Prevention and Protection against Discrimination www.kszd.mk
DENMARK			Danish Institute for Human Rights www.humanrights.dk	NORWAY			Equality and Anti-Discrimination Ombud www.ldo.no
ESTONIA			Gender Equality and Equal Treatment Commissioner www.volnik.ee	POLAND			Commissioner for Human Rights www.rpo.gov.pl
FINLAND			Ombudsman for Equality www.tasa-arvo.fi Non-Discrimination Ombudsman www.syrjinta.fi	PORTUGAL			Commission for Citizenship and Gender Equality www.cig.gov.pt Commission for Equality in Labour and Employment www.cite.gov.pt High Commission for Migration - www.acm.gov.pt
FRANCE			Defender of Rights www.defenseurdesdroits.fr	ROMANIA			National Council for Combating Discrimination www.cncd.ro
GEORGIA			Public Defender (Ombudsman) www.ombudsman.ge	SERBIA			Commission for Protection of Equality www.ravnopravnost.gov.rs
GERMANY			Federal Anti-Discrimination Agency www.antidiskriminierungsstelle.de	SLOVAKIA			Slovak National Centre for Human Rights www.snslp.sk
GREECE			Greek Ombudsman www.synigoros.gr	SLOVENIA			Advocate of the Principle of Equality www.zagovornik.si
HUNGARY			Office of the Commissioner for Fundamental Rights www.ajbh.hu	SPAIN			Council for the Elimination of Ethnic or Racial Discrimination https://igualdadynodiscriminacion.igualdad.gob.es Institute of Women www.inmujeres.gob.es
IRELAND			Irish Human Rights and Equality Commission www.ihrec.ie	SWEDEN			Equality Ombudsman www.do.se
				UNITED KINGDOM			Equality and Human Rights Commission www.equalityhumanrights.com Equality Commission for Northern Ireland www.equalityni.org

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