

Equinet Workshop Summary

Equality Bodies tackling racism and discrimination against people of African descent

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About

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 policymakers and partners at the EU and international levels, 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/>

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Equinet workshop on Equality Bodies tackling racism and discrimination against people of African descent

21 and 22 November 2022

Context

Equality Bodies have built up considerable experience and expertise in combatting structural and institutional racism. Therefore, in 2021, Equinet organized [a conference on structural and institutional racism](#) to shed light on the invasive dimension of racism and to identify what is required to enable Equality Bodies to make their full contribution to addressing this issue.

Racism and discrimination against people of African descent has been shown by the Covid-19 pandemic proven disproportionate effect which has illustrated the structural and intersectional dimension of racism. Indeed, the structural side means that it touches upon different areas of life such as the housing, employment, education and health sectors, and the intersectional side means that there are several and different layers that need to be taken into account when apprehending racism and discrimination.

In 2022, Equinet organized a workshop on Equality Bodies tackling racism against people of African descent bringing together a wide array of stakeholders, from public institutions, national Equality Bodies, the European Union, and international institutions as well as civil society organizations from across Europe. This workshop aimed to explore what the expressions of racism can be, how they can be tackled by policy tools and mechanisms, and by Equality Bodies with cooperation of civil society organizations. This Equinet workshop took place online and was organized in coordination with the EU Anti-Racism Coordinator, Michaela Moua.

Objectives

- Discussing the expressions of racism experienced by people of African descent in European societies, the existing obstacles and the solutions and good practices of Equality Bodies to address them, in cooperation with relevant civil society organizations.
- Enhanced trust between Equality Bodies and civil society organizations working to combat discrimination and intolerance against people of African descent.
- Increased attention to and more effective work by Equality Bodies on racism against people of African descent.

DAY 1 – Expressions of racism and policy tools

Main takeaways of day 1

Our speakers highlighted:

- The need for more representation.
- Need for more efficient policies and mechanisms.
- Need to deconstruct the structural and systemic dimension of racism, by acknowledging history and the colonial legacy.
- Need for Equality Bodies to have a strengthening role to help victims in legal cases.

Setting the scene

Expressions of racism experienced by people of African descent in European societies – Intersectionality.

Momodou Malcom Jallow, Member of the Swedish Parliament

Momodou Malcolm Jallow set the scene for Equinet workshop and overviewed the expressions of racism experienced by people of African descent in European societies, while shedding light on the importance of intersectionality. He highlighted that **the nature of racism is structural**, and therefore present in all categories of life: employment, mental health, housing, and education. For example, the life expectancy of black men is lower than any other in European society. Mr. Jallow highlighted that **structural racism takes root in racial colourblindness ideology and colonial history**. The racial colourblindness theory inhibits talking about race and collecting data, which prevent us from deconstructing the structural dimension of racism. Furthermore, he argued that there is **a need for comparable and disaggregated equality data**, in rendering structural racism visible to address the structures, systems, and institutions in society that are enduring racism. Finally, he highlighted the role of Equality Bodies in tackling Afrophobia and racism, while underlining **the importance of taking an intersectional approach** to eliminate all forms of racial discrimination. An intersectional approach allows us to take into account all the different layers that can be added to racism, and hence create even higher barriers, when addressing structural racism (e.g., Women of African descent, Muslim people of African descent, etc.).

SESSION I: International and European framework

The first session aimed to reflect on the expressions of racism and the policy and legal tools available to tackle these challenges on a European and international level.

European framework

Michaela Moua, EU Anti-Racism Coordinator

As September 2022 marked the second anniversary of the EU Anti-Racism Action Plan (ARAP), coming in the aftershock of the murder of George Floyd, Michaela Moua reminded that the EU ARAP is rooted in the fight against racism against people of African descent and aims to review EU policies against racism. People of African descent face a wide array of discrimination: **25%** faced discrimination in employment, especially young people, and only **15%** of people of African descent owned housing, compared to **70%** of the whole EU population. Ms. Moua argued that **structural racism operates, often inadvertently, through key mechanisms, hidden in laws, institutions, and systems**. Equality data has the potential to uncover such hidden practices and shed light on the cumulative effects faced by racialized people due to structural racism. There is a **need to increase trust in authorities** in order to fight under-reporting. There is a strong link between enhancing trust towards the institutions and producing equality data. **Without disaggregated equality data it is hard to see the true extent and impact of structural racism**, and to monitor the progress of the EU member states. Indeed, the EU recommended closer monitoring, especially of sanctions (making sure they are effective, proportionate, and dissuasive) and victimization. Beyond the Member States' role, civil society organizations and Equality Bodies hold a crucial position in the fight against racism. On the one hand, Michaela Moua highlighted the **role of Equality Bodies in raising awareness, writing recommendations, helping victims, and overcoming under-reporting**. For Equality Bodies to have this power they need legislation that gives them more resources. The European Commission is finalizing a legislative proposal for [Standards for Equality Bodies](#) to ensure independence, resources, powers, accessibility. On the other hand, civil society organizations also have an important role as they are consulted through a permanent mechanism (Permanent Anti-Racism Civil Society Forum) with meetings four times a year to inform the implementation of the EU ARAP and discuss future goals, and good practices.

UN framework

Sara Hamood, United Nations' Office of the High Commissioner for Human Rights (OHCHR)

Sara Hamood walked us through the different takeaways of the work done by the OHCHR to fight racism against people of African descent. The OHCHR apprehends racism with a systemic nature and the need for the interconnectedness of different manifestations of racism in all areas of life. [The High Commissioner published a call](#) on States to implement the [four-point agenda toward transformative change against racism](#). Sara Hamood highlighted the **importance of equality data** (e.g., International Decade calling for more equality data collection, disaggregated data on law enforcement, deconstructing historical legacy). The main takeaway of their activities focuses on **confronting the legacy of slavery and racism through various forms of reparation**, and with a comprehensive and sufficient response. According to the OHCHR, **Equality Bodies can play a role with an agenda focused on transformative change** by raising awareness, enlarging their mandate, amplifying the voices of the community, and increasing the effectiveness of steps against racism.

SESSION II: Discrimination against people of African descent in Europe

Rossalina Latcheva, European Union Agency for Fundamental Rights

The purpose of FRA's data is to provide reliable data to uncover the extent of racism and discrimination in the European Society, to provide evidence-based research in order to allow for better understanding of the situation and therefore develop more effective policies/legislation. The Fundamental Rights Agency issued surveys on [Minorities and discrimination](#), as well as on people of African descent "[Being Black in the EU](#)" which highlighted evidence of racial discrimination. Indeed, the latest survey shows that **39%** of the respondents felt racially discriminated against in the 12 months before the survey, yet only **16%** made a complaint about the most recent incident. **The survey shows that discrimination against people of African descent in Europe is present in all areas of life:** in terms of education and employment, twice as many respondents with higher education are employed in elementary occupations compared to the general population. The living conditions of African descent are not as good as the rest of the population, **45%** live in overcrowded housing, compared to **17%** of the general population. **Disaggregated data as such enable to assess the effectiveness of EU and national legal and policy framework**, to monitor trends in equality across different areas of life, provide reliable evidence in administrative or judicial cases regarding discrimination. Going further, Rossalina Latcheva stressed the **need for Equality Bodies to be given a sufficiently broad mandate and resources to fulfill their role**. She highlighted that Equality Bodies could hold a role in receiving and handling complaints, assisting victims of discrimination, reporting on the current state of racism and discrimination across Europe. **Equality Bodies could foster interinstitutional cooperation in the collection and use of equality data.**

Annelies Decat, UNIA, Belgium

Annelies Decat introduced previous UNIA reports ([2011](#), [2017](#)) and activities around racism and people of African descent. In 2020, Belgium created a special parliamentary committee focusing on colonial history and the contemporary legacy of colonialism. Following the UN Working Group of Experts on People of African Descent, in 2022, UNIA issued a [report on discrimination against people of African descent in Belgium](#). The report focuses on the labour market, education and housing. UNIA used case files from 2010 to 2022, which led to key findings showing that **employment is the area with more cases related to racism against black people**. Indeed, people of African descent have the lowest employment rate (Socioeconomic Monitoring 2019). It also allowed them to highlight that there is a lack of data research on this specific group, there should be a difference made between specific origin VS data on racism in general. This report not only provided results and data showing racism against people of African descent in Belgium, but it also allowed to follow-up the report with concrete actions. For instance, **the data was used to start the designing of the National Action Plan Against Racism (NAPAR)**. Additionally, it **allowed UNIA to issue policy recommendations** that are based on tangible arguments, and **to create a toolkit which provides help to people of African descent facing racism** and discrimination in Belgium. UNIA highlighted the need for a specific focus on people of African descent, education, and the process of decolonization. Finally, they are currently working on a new toolkit on how to tackle discrimination and racism against people of African descent.

Ojeaku Nwabuzo, European Network Against Racism

Ojeaku Nwabuzo introduced the work of ENAR, the European Network Against Racism, and gave an overview of the work done particularly on racism against people of African descent. ENAR has been monitoring and contributing to the UN Anti-Racism Coalition which aims to create accountability for systemic racism. This work is also being deployed on a smaller scale. For instance, at the European level, engaging with the Swedish presidency to raise interest in racial justice. The work done by ENAR allows for providing visibility for the issues faced by people of African descent advocating for better rights and gathering different stakeholders around the same goals. Furthermore, Ojeaku highlighted that movements like **Black Lives Matter allow change to happen while underlining the structural dimension of racism**. Indeed, ENAR has emphasized that **policing and law enforcement remains an important issue across black communities**: the problem is more than individual, it is a product of structural racial injustice. Ojeaku Nwabuzo argued that **training and exchanging good practices is key** to fighting racism and discrimination against people of African descent, while **also creating spaces for black communities to express their creativity and foster liberation**. She also explained the relevance of intersectionality, where black communities are facing racism, poverty, and classism, problems which have been exacerbated by the COVID-19 pandemic and the Ukrainian war.

Tamas Kadar, Co-Director, Equinet

Tamas Kadar emphasized the **need to acknowledge the systemic, structural, and institutional nature of racism** and discrimination against people of African descent, to tackle color-blind policies and argumentation. He welcomed the growing recognition of the systemic character of racism by the political stakeholders. **The effects of discrimination are cumulative**: segregated housing and education, discrimination in seeking employment and in the workplace, in interactions with police, and healthcare. In addressing such discrimination, there is a need to take into account the intersectional forms of racism as well as collecting equality data and hearing the voices of people of African descent. **Building links with grassroots organizations** would help strengthen trust and fight under-reporting. It is also important to face the past of colonialism, slavery, and its legacy. **Equality bodies fulfill a very useful role** in collecting equality data, issuing recommendations, raising awareness, and assisting victims in their quest for access to justice or even using situation testing to prove cases and/or to generate scientific data. For this, **they need high standards for their mandate, independence, resources, powers, and accessibility**.

DAY 2 - Strengthening cooperation between civil society organizations and Equality Bodies

Main takeaways of day 2

Our speakers highlighted:

- The need for more comprehensive cooperation between civil society organizations and Equality Bodies.
- Methods used to foster change in different areas and on different scales.
- The importance of discussion and creating spaces for people of African descent to share a better understanding of the experiences of racism and discrimination.

SESSION I: Panel on addressing discrimination against people of African descent at the national and local level

Evein Obulor, European Coalition of Cities Against Racism

Evein Obulor highlighted the **importance of shared spaces between civil society organizations and Equality Bodies**. ECCAR is a European coalition of cities and advocates for action at the local level: cities can provide services on all layers of society and therefore an anti-racism approach should be present and mainstreamed across city policies. Evein Obulor believed that **institutional change starts with cities** that connect local work to national work, where cities can share their local experiences. However, she also highlighted the need for visibility, and ECCAR's work focuses on people of African descent. Here, addressing discrimination with cooperation with Equality Bodies is crucial: Equality Bodies can cover the national level while civil society organizations can link up with the local level to have more representation.

Nicolás Marugán, Equal treatment and ethnic diversity, Ministry of Equality, Spain

Nicolas Marugan introduced the different ways the Spanish Ministry of Equality is fighting discrimination and racism against people of African descent. He overviewed the current law 15/2022 on equal treatment and non-discrimination appointing an independent authority following the Race Directive (2000/43/CE), and the development of the upcoming law against racism, racial discrimination and intolerance in collaboration with civil society organizations and people of African descent's organizations. The upcoming law aims to **recognize structural racism in Spanish society**, the need for data to adopt positive actions and **measures to facilitate equal access to housing, education, employment, or healthcare**, while also ensuring black communities are given the opportunity to report the discrimination, hate crimes and racial profiling (e.g., free legal advice, assistance). In order to raise awareness, the Ministry of Equality organized a debate on the **need for disaggregated data** for statistics, surveys, and studies. Furthermore, they organized an antiracist week to shed light on the work done by the ministry while also creating a space for discussion around the topic of fighting racism. Such events are also completed with studies and research such

as “[Potential victims’ perception of discrimination based on racial or ethnic origin](#)” to understand the experiences and the pervasive side of discrimination.

SESSION II: Cooperation between civil society organizations and Equality Bodies

Summary of the small group discussion:

Different actors from Equality Bodies and civil society organizations discussed the challenges, opportunities, and examples of cooperation. Even if they are different in nature and have different mandates, they can complete each other with good practices and ideas. They fulfill different roles and have different points of view. Enhancing cooperation between civil society organizations and Equality Bodies is crucial. Indeed, they could cooperate with joint awareness raising, assisting victims, and overall addressing racism. Equality Bodies could share their expertise with civil society organizations, while civil society organizations could share their grassroots experience with Equality Bodies. Both civil society organizations should be consulted during policy-making processes, where they could establish advisory groups, write recommendations, and share expertise. This cooperation would allow for a stronger link between different levels- local, national, and European- as institutional changes should be made on all these levels.

Conclusion and main takeaways of the workshop

The main learnings and takeaways from the Conference can be grouped under the following headings:

What is needed for durable change?

Proper equality data collection

There is a need for harmonization and widespread adoption of equality data collection to allow Member States to build effective anti-racist policymaking. Equality data allows national institutions, Equality Bodies and European institutions to render racism visible and formulating effective strategies and policies to address it. Having reliable and disaggregated equality data collected in a standardized way is also crucial to uncover hidden practices of structural racism.

Powerful policy and legal tools at European and National levels

There is a need for effective and tailored resources for relevant bodies to change national and European legal and policy frameworks, as well as a need for closer monitoring of sanctions to make sure they are effective, proportionate, and dissuasive, while also providing closer monitoring of victimization.

Importance of acknowledging structural discrimination with also facing the past

Indeed, racism is systemic across all areas and ages. Facing and analyzing the past allows us to comprehend why racism is systemic, reflecting on the historical processes that gave rise to it, such as slavery and colonialism. There is a need to shift from a colorblind approach to a systematic approach, which takes into account not only the institutional and societal elements of structural discrimination but also the historical aspect. For instance, actions noted addressing the historical element of structural discrimination encompass the process of reparations through reconciliation committees, the transformation of public spaces, or investigative projects regarding the memory of slavery and colonialism.

What role can Equality Bodies play?

Because of their mandates and their functions, **Equality Bodies advance social change, and can address structural discrimination.** They have a particular contribution to make to the institutional dimension, in assisting individuals who are victims of racist discrimination, promoting models for institutional policies and practices that advance equality, in research that exposes and casts light on institutional racism, and bringing forward an agenda for policy change to eliminate this phenomenon. Equality Bodies need binding standards with strong independence, mandates, powers and resources to address racism and discrimination effectively. In the case of racism and discrimination against people of African descent and following Equinet's workshop, Equality Bodies' role can be divided into four points.

Examples of ways through which Equality Bodies could and do fulfil a useful role:

- Collecting equality data and performing research.
- Making policy recommendations.
- Provide victims' support through litigation or legal advice.
- Raising awareness and promoting good practices.

How can Equality Bodies and civil society organizations come together to tackle racism?

Civil society organizations enable the perspectives of those experiencing racism at the local and national levels. Following the second day of the workshop, Equality Bodies and civil society organizations agreed that strengthening relations between civil society organizations and Equality Bodies could generate institutional change. Shared spaces between Equality Bodies and civil society organizations are important to break down fragmentation: civil society organizations should be included throughout different stages, promoting discussion and action on common issues surrounding racism and discrimination against people of African descent. By meeting regularly or having a shared platform (e.g., advisory groups), Equality Bodies and civil society organizations can complement each other and create opportunities that are necessary for its effective and comprehensive elimination.

Equinet Member Equality Bodies

ALBANIA

Commissioner for the Protection from Discrimination
www.kmd.al

AUSTRIA

Austrian Disability Ombudsman
www.behindertenanwalt.gov.at

AUSTRIA

Ombud for Equal Treatment
www.gleichbehandlungsanwaltschaft.gov.at

BELGIUM

Institute for the Equality of Women and Men
www.igvm-iefh.belgium.be

BELGIUM

Unia (Interfederal Centre for Equal Opportunities)
www.unia.be

BOSNIA AND HERZEGOVINA

Institution of Human Rights Ombudsman of Bosnia and Herzegovina
www.ombudsmen.gov.ba

BULGARIA

Commission for Protection against Discrimination
www.kzd-nondiscrimination.com

CROATIA

Ombudswoman of the Republic of Croatia
www.ombudsman.hr

CROATIA

Ombudsperson for Gender Equality
www.prs.hr

CROATIA

Ombudswoman for Persons with Disabilities
www.posi.hr

CYPRUS

Commissioner for Administration and Human Rights (Ombudsman)
www.ombudsman.gov.cy

CZECH REPUBLIC

Public Defender of Rights
www.ochrance.cz

DENMARK

Danish Institute for Human Rights
www.humanrights.dk

ESTONIA

Gender Equality and Equal Treatment Commissioner
www.volinik.ee

FINLAND

Non-Discrimination Ombudsman
www.syrjinta.fi

FINLAND

Ombudsman for Equality
www.tasa-arvo.fi

FRANCE

Defender of Rights
www.defenseurdesdroits.fr

GEORGIA

Public Defender of Georgia (Ombudsman)
www.ombudsman.ge

GERMANY

Federal Anti-Discrimination Agency
www.antidiskriminierungsstelle.de

GREECE

Greek Ombudsman
www.synigoros.gr

HUNGARY

Office of the Commissioner for Fundamental Rights
www.ajbh.hu

IRELAND

Irish Human Rights and Equality Commission
www.ihrec.ie

ITALY

National Office against Racial Discrimination - UNAR
www.unar.it

KOSOVO*

Ombudsperson Institution
www.oik-rks.org

LATVIA

Office of the Ombudsman
www.tiesibsargs.lv

LITHUANIA

Office of the Equal Opportunities Ombudsperson
www.lygybe.lt

LUXEMBURG

Centre for Equal Treatment
www.cet.lu

MALTA

Commission for the Rights of Persons with Disability
www.crpdp.org.mt

MALTA

National Commission for the Promotion of Equality
www.ncpe.gov.mt

MOLDOVA

Council on Preventing and Eliminating Discrimination and Ensuring Equality
www.egalitate.md

MONTENEGRO

Protector of Human Rights and Freedoms (Ombudsman)
www.ombudsman.co.me

NETHERLANDS

Netherlands Institute for Human Rights
www.mensenrechten.nl

NORTH MACEDONIA

Commission for Prevention and Protection against Discrimination
www.kszd.mk

NORWAY

Equality and Anti-Discrimination Ombud
www.ldo.no

POLAND

Commissioner for Human Rights
www.rpo.gov.pl

PORTUGAL

Commission for Citizenship and Gender Equality
www.cig.gov.pt

PORTUGAL

Commission for Equality in Labour and Employment
www.cite.gov.pt

PORTUGAL

High Commission for Migration
www.acm.gov.pt

ROMANIA

National Council for Combating Discrimination
www.cncd.ro

SERBIA

Commissioner for Protection of Equality
www.ravnopravnost.gov.rs

SLOVAKIA

Slovak National Centre for Human Rights
www.snslp.sk

SLOVENIA

Advocate of the Principle of Equality
www.zagovornik.si

SPAIN

Council for the Elimination of Ethnic or Racial Discrimination
www.igualdadynodiscriminacion.igualdad.gob.es

SPAIN

Institute of Women
www.inmujer.es

SWEDEN

Equality Ombudsman
www.do.se

UNITED KINGDOM - GREAT BRITAIN

Equality and Human Rights Commission
www.equalityhumanrights.com

UNITED KINGDOM - NORTHERN IRELAND

Equality Commission for Northern Ireland
www.equalityni.org

** 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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