

Addressing the need for Common Standards for Equality bodies

High-level Conference, Thursday 14th December 2023, JW Marriott Hotel Berlin

Advocacy learnings for and from Equality Bodies at the national level

Peer-to-peer workshop, Friday 15th December 2023, JW Marriott Hotel Berlin

Draft Concept Note & Agenda

Background

Equinet and Equality Bodies

Equinet is the only European Network of Equality Bodies that facilitates the representation, promotion and protection of its members' interests at European level. Currently, Equinet has 47 members in 37 countries including all the EU countries as well as some non-EU members. The main objective of this network is to strengthen the position and reputation of Equality Bodies to achieve equality for all and to create knowledge that tackles discrimination, particularly on the grounds of age, racial or ethnic origin, gender, sexual orientation, religion or belief, disability and the intersection of these social backgrounds.

National Equality Bodies are independent public institutions promoting equality and combating discrimination in their countries. Every Member State, and several other countries around Europe, have an obligation under existing EU Equal Treatment Directives to designate an Equality Body or Bodies to promote equality and combat discrimination. However, the current provisions on Equality Bodies leave a large discretion to the Member States as to the mandate, powers, independence, and resources of these bodies. Differences between the Member States in the structure and functioning of Equality Bodies result in unequal protection against discrimination across the EU and an inadequate implementation of the EU's equal treatment legislation. In 2018, the Commission published a Recommendation on standards for Equality Bodies. While it isn't a legally binding document, it was a strong signal for Member States to strengthen their Equality Bodies. It came shortly after a revised recommendation from the Council of Europe's European Commission against Racism and Intolerance, setting out clear and comprehensive standards for Equality Bodies.

Legislative proposals on standards for Equality Bodies

In 2021, the Commission published a report on the application of the Racial Equality Directive and the Employment Equality Directive. The report looked into the implementation of the Commission's 2018 Recommendation and was accompanied by a more detailed Staff Working Document on equality bodies. The report highlighted that Equality Bodies have emerged as necessary and valuable institutions for change at the level of individuals, institutions and society at large. However, most of the issues that the Recommendation aimed to address remained unresolved, hindering some Equality

Bodies in carrying out their role in an effective way. This showed that the Recommendation was not sufficient and in December 2022, led to the Commission proposing legislation to strengthen the role of Equality Bodies.

As the Commission put it, *'Equality bodies are essential in assisting victims of discrimination and making sure that EU law on non-discrimination is implemented on the ground. This new legislation will ensure that equality bodies can achieve their full potential. It will better protect victims of discrimination and contribute to the prevention of discrimination.'* Such legally binding standards have the potential to make Equality Bodies more independent, effective, respected and accessible. These standards will allow them to play their role as the cornerstones of national equality infrastructures even more effectively, in close cooperation with other important actors, such as NHRIs, Ombud institutions, civil society organisations, trade unions and other public bodies such as education and labor inspectorates.

The project

Against this backdrop, the European Network of Equality Bodies (EQUINET) is implementing a project in 2023-24, funded by the German Federal Anti-Discrimination Agency (FADA). This project aims to contribute to reaching an effective legislation on Standards for Equality Bodies in all EU countries, thanks to a strong involvement of Equality Bodies and the recognition among all stakeholders of the importance of common Standards for efficient Equality Bodies.

The project aims to increase Equinet Members' capacity to accompany and advise their national authorities on the Directives and their transposition and implementation at national level while raising the awareness among national and European authorities and stakeholders about the importance of safeguarding the full potential of these Directives both during the legislative review process and at national implementation phase.

Participation and objectives of the conference and workshop

The conference and workshop are organised in the frame of the EQUINET-FADA project. The objective of this joint event is two-fold. First, it aims at increasing awareness and understanding amongst decision makers about equality bodies. Second, it aims at increasing the capacity amongst Equinet Members to advocate for an optimal national transposition and implementation of the Standards directives.

Specifically, the objectives of the conference on Day 1 are to:

- Raise awareness and improve understanding of the new Directives on Standards for Equality Bodies and of Equality Bodies themselves and to reflect and exchange on how the implementation phase at national level should be managed in each country, presenting potential good practices.
- Allow participants to meet and network in view of creating links between European countries and foster international cooperation and common approaches to the national transposition phase.

And the objectives for the workshop on Day 2 are:

- To reinforce Equality Bodies' capacity to engage with national stakeholders and make the case for supporting the Standards directives
- To ensure Equality Bodies' sound understanding of Standards and their implications for their respective National Equality Body.
- Support exchanging good practices on what they need to put in place at their national level to follow and influence the national legislative transposition process.

The conference will gather Heads of Policy participants from Equality Bodies, Civil Society Organisations, government representatives, representatives from the European Commission, and other European, international and German institutions. The advocacy workshop on Day 2 will gather senior policy representatives from Equinet Members.

Agenda and Speakers

<p>14th of December 2023 – High-level Conference</p> <p>Common Standards for Equality bodies: the foundation for effective safeguarding of equality & non-discrimination in Europe</p> <p>9:00 – 17:00 in Salon 21, JW Marriott Hotel Berlin</p> <p>Interpretation: DE/ENG</p> <p>Host: Evelyn Collins, Chair of Equal Rights Trust, Honorary Professor at School of Law, former CE of the Equality Commission for NI</p>	
8:30 – 9:00	<i>Welcome coffee served in Foyer Salons (Ground Floor)</i>
9:00 – 9:20	<p>Opening remarks</p> <ul style="list-style-type: none"> • Patrick Charlier, Director of Unia, Belgium and Equinet Chair 2023-2025 • Ferda Ataman, Independent federal commissioner for anti-discrimination and head of Federal Anti-Discrimination Agency (FADA)
9:20 – 9:45	<p>Keynote speech</p> <ul style="list-style-type: none"> • Sandra Konstatzky, Director, Ombud for Equal Treatment (Austria)
9:45 – 10:30	

	<p>Presentation – Equality Bodies and the upcoming legislation at the European level</p> <ul style="list-style-type: none"> • Niall Crowley, independent expert
10:30 – 11:00	<i>Coffee break served in Foyer Salons (Ground Floor)</i>
11:00 – 12:30	<p>Panel I – Society’s perception and expectations for National Equality Bodies</p> <ul style="list-style-type: none"> • European Commission (tbc) • EU Agency for Fundamental Rights (FRA) (tbc) • European Institute for Gender Equality (EIGE) (tbc) • Tena Šimonovic Einwalter, Member of the European Commission against Racism and Intolerance (ECRI) • Romeo Franz (video), Member of the European Parliament (tbc) • Marie Coline Leroy, Government of Belgium (tbc) • Transgender Europe (tbc)
12:30 – 14:00	<i>Lunch provided in The Market restaurant (in the hotel)</i>
14:00 – 15:00	<p>Panel II – National Equality Bodies’ potential for achieving equal societies</p> <ul style="list-style-type: none"> • Tamás Kádár, Co-Director - Operations, Policy & Legal, Equinet • Federal Anti-Discrimination Agency (FADA) • Ukrainian Parliament Commissioner for Human Rights • Netherlands Institute for Human Rights
15:00 – 15:30	<i>Coffee break served in Foyer Salons (Ground Floor)</i>
15:30 – 16:30	<p>Panel III – Ways forward to stronger and more effective Equality Bodies</p> <p><u>Amendment of the General Equal Treatment law (Germany)</u></p> <ul style="list-style-type: none"> • State Secretary Margit Gottstein, Federal Ministry for Family Affairs, Senior Citizens, Women and Youth • Ferda Ataman, Independent federal commissioner for anti-discrimination and head of Federal Anti-Discrimination Agency (FADA) <p><u>Indicators to measure compliance with standards for equality bodies</u></p> <ul style="list-style-type: none"> • Patrick Charlier, Director of Unia, Belgium and Equinet Chair 2023-2025
16:30 – 17:00	Closing Remarks

	<ul style="list-style-type: none"> • Christian Veske, Board Member, EQUINET
17:00 – 19:00	<i>Networking cocktail</i>

<p>15th of December 2023 – Peer-to-peer workshop</p> <p>Advocacy learnings for and from Equality Bodies at the national level</p> <p>8:30 – 16:00 in Salon 21, JW Marriott Hotel Berlin</p> <p><i>Moderators: EQUINET Member & EQUINET Secretariat Member</i></p>	
8:30– 9:00	<p>Opening remarks</p> <ul style="list-style-type: none"> • Anne Gaspard, Co-Director - Network Strategic Engagement, EQUINET • Ferda Ataman, Independent federal commissioner for anti-discrimination and head of Federal Anti-Discrimination Agency (FADA)
9:00 – 10:15	<p>Session I – Successful awareness raising and advising strategies at national and EU level</p> <ul style="list-style-type: none"> • Tamás Kádár, Co-Director - Operations, Policy & Legal, EQUINET • Patrick Charlier, Director of Unia, Belgium and Equinet Chair 2023-2025 • Sinéad Gibney, Chief Commissioner, Irish Human Rights and Equality Commission (tbc) • Ian Feldman, President, Equality Council, Moldova
10:15 – 10:30	<i>Coffee break served in Foyer Salons (Ground Floor)</i>
10:30 – 11:45	<p>Session II – Common standards for equality bodies</p> <p>Participants will take part in group discussions on standards related issues that are of interest to their institution. A facilitator and a note-taker/rapporteur will be designated to support the group discussions (1 of each per group). Participants will walk from one group discussion to another and will be notified of the time left to switch to a different group.</p> <p>The common standards that will be discussed are:</p>

	<ul style="list-style-type: none"> • Mandate (covering all relevant grounds and fields) • Powers (legal, data collection, awareness raising) • Independence (free from interference) • Resources and accessibility for victims
11:45 – 12:45	<p>Session III – Lessons learned from the transposition of the GDPR and EU protection law</p> <ul style="list-style-type: none"> • The German Federal Commissioner for Data Protection and Freedom of Information (tbc) • Bjørn Erik Thon, Ombudsman of Gender Equality and Anti-Discrimination, Norway
12:45 – 13:45	<i>Lunch provided in The Market restaurant (in the hotel)</i>
13:45 – 15:00 <i>breakout rooms: salon 4 & salon 5</i>	<p>Session IV – Applying lessons learned</p> <p>This session is meant for participants to apply the knowledge gained during the day. Participants will need to prepare an advocacy strategy for the effective transposition of the directives, based on a case study that they will choose to work on in groups. The strategies will be presented and discussed in plenary.</p>
15:00 – 15:15	<i>Coffee break served in Foyer Salons (Ground Floor)</i>
15:15 – 16:00	<p>Session V – Closing</p> <p>In this informal session, members will have space to bring up anything related to the standards that they have not had a chance to discuss yet. The focus shall stay in the realm of advocacy and the common standards for equality bodies.</p> <p>Participants will also reflect together on potential next steps and follow-up actions to build on the momentum.</p> <p>Closing remarks</p> <ul style="list-style-type: none"> • Tamás Kádár, Co-Director - Operations, Policy & Legal, Equinet