



AN EQUINET
COMPENDIUM

Good Practice Compendium on the Use of Equality Data by Equality Bodies

Good Practice Compendium on the Use of Equality Data by Equality Bodies is published by Equinet, European Network of Equality Bodies. Equinet brings together 48 organisations from across Europe which are empowered to counteract discrimination as National Equality Bodies across a range of grounds, including age, disability, gender, race or ethnic origin, religion or belief, and sexual orientation.

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**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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Executive Summary

Background and Objectives

This Good Practice Compendium of Equality Data Uses in Discrimination Cases has been developed by the members of the Equinet Working Group on Research and Data Collection based on the results of a survey conducted in 2022 and additional submissions from 2023. There exists no dedicated mapping of equality data uses by Equality Bodies (EBs), and the present Compendium is envisioned to fill this gap.

The objective of the Compendium is to provide an overview of the various ways in which Equality Bodies use equality data in the different functions of their mandates. In this way, the Compendium also provides wider context for Equinet’s more topical work on different types or uses of equality data by EBs. Notably, this work includes Equinet’s Report on Complaints Data, Minimal Guidelines on Improving Complaints Data Collection by Equality Bodies, which aim to improve cross-country comparability of complaints data gathered by EBs, and a forthcoming Handbook on Equality Data Uses in the Legal Casework by Equality Bodies.

Following the approach suggested in the [European Handbook on Equality Data](#), the Compendium adopts a deliberately expansive definition of equality data, referring to such data as “any piece of information that is useful for the purposes of describing and analyzing the state of equality.” Equality data could be produced by the Equality Body itself through its own surveys and reports, or it could be any equality data that has been produced externally and which the Equality Bodies leverages to further its different strands of work, be it in awareness arising and prevention or litigation.

Key challenges

Equality bodies rely on equality data for all of their functions, whether it be assistance to victims, surveys, reports or issuing recommendations in their advisory capacity on policy and laws.

Considering how indispensable equality data is for the effective delivery of Equality Bodies’ different functions, there is an urgent need to identify challenges that might compromise equality bodies’ capacity to collect and use such data.

Members of the Equinet Working Group on Research and Data Collection suggested the following **key challenges**:

- Limited availability of data – on specific grounds such as race, ethnicity, and sexual orientation (disaggregation by ground), on certain forms of discrimination such as multiple and intersectional discrimination, and as regards population coverage from across the whole territory of a state.

- Inadequate quality of equality data – no or limited disaggregation, lack of comparability and reliability due to different collection methods, categories and classifications used by the different stakeholders involved in equality data collection.
- Difficulties linking statistical data to a particular case or explaining how equality can serve as evidence in individual cases.
- Obstacles to using equality data as evidence of discrimination in legal casework due to limited powers of some equality bodies – no mandate for work on complaints and no ability to decide on cases with binding or non-binding decisions translates into impeded ability to provide legal assistance to victims of discrimination using equality data as evidence.
- Lack of information on compliance with or implementation of equality bodies’ decisions or recommendations – this information on enforcement constitutes a vital component of equality data as it could point to ways to improve impact of available redress mechanisms for victims of discrimination.
- Lack of feedback information on the use of equality data produced by the equality body by other stakeholders.

Ways forward


To improve protection against discrimination through the effective use of equality data, Equality Bodies contributing to this Compendium recommended the following **measures and actions to be undertaken by government, relevant public authorities or the Equality Bodies** themselves:


- 📄 Streamlining disaggregation requirements for all providers of equality data – current “hierarchy” of equality data, with gender and age having greater visibility and benefitting more greatly from an evidence - based approach than other protected grounds.
- 📄 Clarification and expansion of court decisions registers and all sources of administrative data to enable easy identification of equality cases. This could be ensured, for example, through the incusing of mandatory entries in the technical systems of entities handling discrimination cases.
- 📄 Equality data collection duties for all providers of public administrative data (e.g., ethnic data in the healthcare sector) and of justice system data (court decisions register).
- 📄 Increasing the awareness of discrimination and available legal remedies among duty holders and the public as way to encourage equality data collection.

- 📄 Good practice exchange between different European equality bodies through initiatives such as the present compendium.
- 📄 Develop mapping of such equality data collection practices by equality bodies, organized at a minimum into common categories and themes, so that it can be readily referred to and used by Equinet members.
- 📄 Adequate resourcing of equality bodies to build and further strengthen internal capacity on equality data collection and use.
- 📄 Increased and dedicated resources to equality bodies to carry out research more effectively and produce data.
- 📄 Increasing awareness on the importance of equality data in the context of the investigation of discrimination cases.
- 📄 Strengthen knowledge on how to use equality data in legal cases.
- 📄 Ensure legal standing for equality bodies before the courts to enable them to introduce equality data in legal proceedings.
- 📄 Lowering legal barriers for use of equality data as evidence in discrimination. This could be done, for example, through legal provisions stipulating that statistical proof may be sufficient for shifting of the burden of proof.
- 📄 Development of accessible and reliable databases and statistical tools for readily obtaining and analysing equality data.
- 📄 Enabling equality bodies to fund the bringing of cases to the courts by rights-holders, thus improving the reliability and representativity of complaints data as one crucial source of equality data.
- 📄 Continuous education of judges, lawyers, inspectors, officials, teachers, social workers, police officers, medical staff, and other groups on how to recognize and identify discriminatory practices and on how to take advantage of the available legal remedies.
- 📄 Targeted information campaigns aimed at raising the awareness of disadvantaged groups at heightened risk of discrimination.
- 📄 Establishing a national comprehensive framework for equality data collection, alongside with accompanying indicator frameworks and databases on discrimination cases before courts. As well, ensuring the publishing of regular reports and systematic comparison of the collected data by public entities charged with overseeing and contributing to the above framework.
- 📄 Advocate for more systematic and transparent collection of equality data and promote the importance of collecting and making equality data available consistently at regular

time intervals across a wide variety of grounds, areas of life, and thematic issues.

Emphasize the centrality of equality data collection focused on marginalized groups.

 Initiate and stimulate public discussions on the development of statistics, studies and reports that can gather data disaggregated by racial or ethnic origin.

 Creating a provision in the technical system of public entities collecting information to create dedicate entry categories for information related to cases of discrimination. Further processing, analysis and categorization of the data collected, as well as their use for publication or dissemination of information, should be done by a team, or a section of the organization (e.g., communication office).



Good practices in the use of equality data

Independent assistance to victims

Use of equality data in own decision-making: legally non-binding decisions

Advocate of the Principle of Equality of Slovenia

The Advocate of the Principle of Equality decided on a case concerning the evaluation of annual performance of a civil servant, who was assessed negatively based on justified absence from work. The advocate found that the employee was treated less favourably due to the personal grounds of parenthood and gender. The Advocate collected historical data on the evaluation results of civil servants employed by the public body and used statistical tools to analyse it. Based on this, the Advocate identified an obvious causal link between absence/attendance at workplace and the performance review of most employees of that specific public institution. To avoid the possibility that the criterion of absence at work in the time of annual performance evaluation be applied in state authorities and other public institutions, the Advocate recommended that the Ministry of Public Administration address a circular letter to all state authorities and public institutions. The circular should state that poor performance review in connection to justified absence from work constitutes indirect discrimination, which is legally prohibited, and that persons responsible for assessing employee performance must consider this fact when preparing the annual performance reviews of employees. The recommendation was implemented by the ministry.

Ombudsman's Office of Latvia

The Ombudsman decided on a complaint submitted by a female physician, who was asked to take full certification exams—as opposed to re-certification—after having two subsequent pregnancies during which she continued to have medical training and wrote a medicine book in her specialization. The Ombudsman's Office found that rules regulating certification and re-certification in the medical profession led to systemic indirect gender discrimination as they obligate female physicians to take a certification exam (and thus pay more and pass two exams) upon returning to work after consecutive pregnancy-related leaves. The Ombudsman also concluded breach of good governance principle by the Ministry of Health and the Latvian Medical Association, as they both were informed about the situation, but did not act. Currently, the rules regulating certification and re-certification are in the process of amendment. To establish indirect discrimination, the Ombudsman's Office used statistical data on parental childcare benefits, which showed their uptake by more women than men, thereby indicating larger impact on women than men by any negative job-related consequences of parental leave. The Ombudsman's Office also used statistics on age and

gender for medical personnel in Latvia, which showed the prevalent gender and age in the medical profession to be respectively women and over 45 years old.

Use of equality data in own decision-making: non-legally binding recommendations

Lithuanian Office of the Equal Opportunities Ombudsperson

The Office of the Equal Opportunities Ombudsperson decided on a case brought by a male complainant alleging discrimination against men on the ground of gender by a private organization which offers leadership courses for women only. In its decision, which established no discrimination, the Lithuanian Ombudsperson used external data on women in leading positions in business, showing the significantly lower numbers of women in leading positions in business compared to men. The data included various national and international sources such as the Lithuanian official statistics (Statistics Lithuania), surveys made by media, EIGE, various Lithuanian (Versli Lietuva) and non-Lithuanian organizations, publications by media (Forbes, Verslo žinios), banks (SEB), Lithuanian ministry, and European Commission reports.

In another decision, the Lithuanian equality body found that a legal requirement regarding the qualification of paediatric allergologists introduced by the Ministry of Health Protection is indirectly discriminatory based on gender. The rule stated that to qualify for a license for medical practice as paediatric allergologists, Lithuanian doctors need to obtain a minimum of three years practice within the period of five years. To reach this decision, the Ombudsperson relied on external data from the official statistical database that showed that most parents going on maternity/paternity leave were women, thus this legal act affected disproportionately more women doctors than their male colleagues. The equality body recommended to the Ministry of Health Protection to prolong the term for doctors on maternity/paternity leave to obtain necessary work practice.

Serbian Commissioner for Protection against Discrimination

The Serbian Commissioner decided on a complaint against the owner of the beauty salon for discrimination based on nationality and ethnic origin (member of the Roma community). Since this was a case of indirect discrimination, the Commissioner used data from its own research “Perception of citizens toward discrimination” to establish evidence triggering a shift in the burden of proof. Specifically, the Commissioner used data on pandemic-related social distancing towards Roma population to show bias in applying distancing measures. Another case decided by the Commissioner resulted in a finding that a Serbian TV host’s comments in relation to sexual orientation amount to hate speech and harassment. To reach its decision (non-binding recommendation), the

Commissioner relied on data from UNDP research "Being LGBT in Eastern Europe - Report on Serbia."

French Defender of Rights (Défenseur des droits)

In 2013 the Defender of Rights received a complaint regarding sexual harassment experienced by five women in a cleaning company, and reprisals for reporting these facts. The Defender was approached in parallel by a union representative of the same company, who claimed to have been subjected to reprisals for having supported these women. A dozen people were interviewed and an on-site inspection was organized for two days. Following this investigation, a legal analysis was carried out by the Defender of Rights. It revealed a system of domination between women and men in the cleaning sector in general and on this site in particular. This domination was based on both a hierarchy of functions and tasks according to gender. Faced with these observations, a sociological expertise was requested from Natalie Benelli, a sociologist who has worked on gender issue and intersectionality. Her expert brief demonstrated gender domination in the cleaning industry, coupled with situations of precariousness and economic vulnerability, creating a context conducive to sexual harassment.

In 2017 the Labour Court's judgment recognized sexual harassment for the claimants and used this sociological analysis to establish sexual harassment. The company was ordered to compensate the claimants significantly. On appeal, the Court of Appeals recognized sexual harassment but did not retain the sociological context.

Office of the Greek Ombudsman

The Office of the Greek Ombudsman relied on both statistical and qualitative data from own as well as from external sources to intervene on a case of indirect gender discrimination. The Ombudsman's office received a number of complaints concerning possible discrimination against women entering the police force. The contested rule set an upper limit for the height women have to have to participate in the competitive exams for entry to the police force. This upper limit has now been changed allowing more women access to the police force.

Advocate of the Principle of Equality of Slovenia

The Advocate found discrimination in a form of victimization in a case of public servant who publicly spoke in front of a Bosnian news portal about discrimination against Bosnians in Slovenia. The civil servant was served a written warning by the public employer, stating that if she repeated any kind of violation in the course of one year, she would be fired. As a justification for the warning, the employer described the employee's statements as untrue and harmful to the Republic of Slovenia

and, therefore, claimed that she had violated her employment obligations as a civil servant. The Advocate used various sources of equality data to reach a finding that the public servant has been a subject of victimization. Specifically, the Advocate relied on the following sources: a research project conducted by the Institute for Ethnic Studies regarding the position and status of members of the nations of the former Yugoslavia in the Republic of Slovenia; research by the Institute for Ethnic and Regional Studies on discriminatory attitudes of Slovenians towards Bosnians; publication by Minority Rights Group International about Bosnians in Slovenia facing problems with economic and social exclusion, partly because of widespread prejudice and hidden discrimination.

Albanian Commissioner for Protection from Discrimination

The Commissioner decided in a case that the Ministry of Health and Social Protection and the University Hospital Centre “Mother Tereza” has discriminated against an infant on the grounds of “disability, age, health status and economic status.” Based on data that the Commissioner’ office themselves have collected during the years, the Commissioner established that there has been a persistent history of failure to address the problem of lack of relevant medications for the treatment of children with leukaemia, despite this problem being identified by the Commissioner already in 2016. The case in question is still pending before the courts.

Participating in court proceedings

Advocate of the Principle of Equality of Slovenia

Amicus curiae intervention before the European Court of Human Rights (ECtHR)

The Advocate of the Principle of Equality made an amicus curiae intervention before the European Court of Human Rights (ECtHR) in the case *Toplak and Mrak v Slovenia*, concerning access to polling stations for people with disabilities. In its intervention, in addition to factual and legislative information about the organization of elections and available legal remedies against breaches of the right to vote, the Advocate used statistics of the percentage of people who have a disability status in Slovenia formally recognized by the competent bodies. Aggregated data of different disability statuses as reported by the Statistical Office of Republic of Slovenia¹ was used to build upon argumentation. The purpose of giving this information was to provide the court with a comprehensive background of the election process and in its impact on persons with disabilities in the Republic of Slovenia.

¹ <https://www.stat.si/statweb/news/index/4916>

French Defender of Rights (Défenseur des droits)

In 2019 the Defender of Rights examined the situation of a group of undocumented construction workers who experienced discriminatory treatments based on origin and nationality by their employer. To deliver its *amicus curiae* intervention before the Labour Court, the Defender asked for the testimony of a sociologist, Nicolas Jounin, whose book focused on an investigation of construction sites. His investigative work, through interviews and participant observations, captures the overarching configuration of discriminatory practices. He describes a discriminatory system enabled through the interactions between the productive organization of building sites and racist discrimination. The group of undocumented workers was assigned and maintained to the most difficult and dangerous tasks, without any protective equipment. Moreover, the economic dependence of these workers due to their irregular immigrant situation allowed the employer to abuse their vulnerability and to make them work in conditions contrary to their dignity.

Based on the sociological studies, the Defender of Rights made the discriminatory treatments evident. Following these observations, the Paris Labour Court recognized the racial and systemic discrimination against these construction workers.

Czech Defender of Rights

The Czech Defender of Rights acted as *amicus curiae* before the Constitutional Court of the Czech Republic to annul a provision that does not allow the complainant to change gender information on national identity cards. To substantiate its position, the Defender used numerous studies, which show discrimination of the LGBT+ people in Czech Republic in a wide variety of fields such as education, healthcare, and employment. The Defender also used data showing discrimination of the transgender people—both enabled through the law itself or in various areas of life such as healthcare—in the Czech Republic.

Lithuanian Office of the Equal Opportunities Ombudsperson

Lithuanian Office of the Equal Opportunities Ombudsperson EB participated as an expert in a court case concerning physical accessibility of voting premises. External data showed that huge majority of those premises were not accessible for persons with physical disabilities.

Strategic litigation

Serbian Commissioner for Protection against Discrimination

The Commissioner initiated strategic litigation against a person for harassment and humiliating treatment on account of an article published in an internet magazine, advocating for social patterns based on subjugation of female sex and stereotypical gender roles.

As evidence and rationale, the Commissioner used the Annual report of the National Institute for Social Protection on the work of social protection centres, as well as the data from the study "Abuse of women and Gender based violence" issued by the civil society organization "Centre for research of public policy." In another case, the Commissioner chose to litigate strategically against an employer that demoted a female employee upon return from maternity leave. On this occasion, the Commissioner requested historical data from the employer on all female employees that used maternity leave in the last 3 years along with their current position. In specific, the Commissioner requested information on the positions these employees had before they went on leave and information on their positions 6 months upon return. Based on this information, the Commissioner was able to identify clear discriminatory patterns in the employer's behaviour, which was used as evidence in the subsequent strategic litigation.

Surveys and research—equality bodies as producers of equality data

Croatian Ombudswoman for Persons with Disabilities

Croatian Ombudswoman routinely collects data—which alongside with analysis of complaints—allow them to identify tailored measures to build a comprehensive system of protection and promotion of the rights and interests of persons with disabilities. In the field of education in 2021, Ombudswoman for Persons with Disabilities conducted two major surveys, targeting respectively all primary and secondary schools and all special schools, in relation to the organization of distance learning for students with disabilities during the Covid-19. The results of these surveys were used to send recommendations to the Ministry of Science and Education to ensure equal conditions for students with disabilities. The findings of the survey were complemented by qualitative data collected through the individual complaints. In 2017, the Ombudswoman surveyed a number of regional public health bodies regarding the provision of preventive breast examinations and the use of this service by women with disabilities, including question about the women' own evaluation of the service. The findings of the surveys were the basis of recommendations sent to the Ministry of Health and civil society organizations. In 2022, the Ombudswoman conducted a survey on the accessibility for persons with disabilities of six newly opened shelters for victims of violence, which built upon previous research conducted in 2015. The outcome of this survey were recommendations sent to the Ministry of Labour, Pension System, Family and Social Policy, as well as to civil society organizations that provide accommodation to victims of violence.

Slovak National Centre for Human Rights

(Own research feeding into national strategy)

The Slovak National Centre for Human Rights collected quantitative data as part of its 2019 representative research on work-life balance. The analysis of this data was used to support SNCHR's feedback for the National Report on the State of Gender Equality in 2020. The Centre's work on research and reports is used for its contributions in several working groups developing national strategies, action plans or reports on implementation of national strategies. Through this participation, SNCHR has an opportunity to present data showing systemic inequality.

Albanian Commissioner for Protection from Discrimination

The Albanian Commissioner has a competence conduct of surveys related to discrimination in relation to its function to monitor the implementation of the specialized national anti-discrimination law. For example, in 2020 the Commissioner issued a monitoring report on the inclusion of children

with disabilities and Roma and Egyptian children in education for the school year 2018 - 2019 and 2019 – 2020. The methodology for this survey was drafted by the Commissioner’s office using public guidelines no. 708, dated 26.08.2015 “On the types, periodicity and manner of reporting statistical data on disability by the responsible state structures, at central and local level”. In 2019, the CPD has conducted a survey, which collected responses from 58 municipalities, for a report on monitoring the accessibility of local public transport for people with disabilities.

French Defender of Rights (Défenseur des droits)

Faced with the extent and persistence of discrimination in housing, the Defender of Rights has developed practical tools that were widely distributed in 2018 to real estate professionals. In order to evaluate this awareness-raising action on the practices of real estate agencies, the Defender of Rights and the Ministry of Territorial Cohesion and Relations with Local Authorities commissioned research by the Universities of Paris-Est Marne-la-Vallée and Paris-Est Créteil. The research is based on a testing of 343 real estate agencies with discriminatory risks. Half of these agencies received a letter from the Defender of Rights, the handbook "Renting without discrimination" and a guide reminding them about the legal framework and sanctions to which they will be subject if they discriminate against housing applicants. Other test campaigns were then targeted at these agencies in order to evaluate the evolution of their practices. These agencies were retested three, nine and fifteen months after receiving the letter to determine whether their applicant selection practices had changed.

The results, published in 2019, revealed that in the short term the information and awareness-raising activities of the Defender of Rights significantly reduced discrimination in access to housing. However, the impact of the letter did not maintain in the long term.

Ombudsman’s Office of Latvia

The Ombudsman’s Office of Latvia conducted research on the Roma situation in Latvia (2021/2022). The methodology included both primary data collection—through interviews with municipalities and interviews with Roma moderators— and the use of statistics from different state institutions. The selection of municipalities to interview was made by the Central Statistical Bureau of Republic of Latvia in order to ensure representation of municipalities with statistically the most significant number of Roma minority. Ombudsman’s Office relied on statistics to show that from all minority groups in Latvia members of the Roma community have the shortest unemployment time, indicating that they find job the fastest. The research provided evidence for several recommendations to the government, including a recommendation about improving the education of Roma children, which is currently being fulfilled by the Ministry of Education.

Reports – Equality Bodies as users of equality data

Office of the Greek Ombudsman

(Use by international court and public bodies)

Office of the Greek Ombudsman used qualitative data to issue reports on detention conditions for asylum seekers in Greece, with special references to the extremely poor conditions in the now closed centre of Pagani. The case concerned the conditions in which a minor, a migrant from Afghanistan, who had entered Greece illegally, was held in the Pagani detention centre on the island of Lesbos and subsequently released with a view to his expulsion. The Ombudsman's reports were used by the European Court of Human Rights in the case of [Rahimi v. Greece](#) (application no. 8687/08) as part of the evidence to establish a violation of Article 3 (prohibition of inhuman or degrading treatment), Article 13 (right to an effective remedy) and Article 5 § § 1 and 4 (right to liberty and security) of the European Convention on Human Rights. In addition, findings of the Ombudsman's reports were used by national and international public bodies such as the Greek National Commission for Human Rights and the United States' State Department in its Country Reports on Human Rights Practices.

UK Equality and Human Rights Commission

Equality and Human Rights Commission of the United Kingdom issues a statutory report on the state of equality and human rights at least every five years. This was known as "[Is Britain Fairer?](#)" in the past and is being rebranded. The report contains an assessment of performance using our [Measurement Framework](#); a comprehensive set of indicators that illustrate the domains of life that are important to people in this country. This framework was designed using multiple theoretical frameworks (equality and equity, human rights, human development, capabilities, legal frameworks and so on) from which we developed a set of indicators, collaboratively with stakeholders, that could be measured consistently and accurately. The report gives a comprehensive review of how Britain is performing on equality and human rights, looking across all areas of life, including: education, work, living standards, health, justice and security, and participation in society.

Irish Human Rights and Equality Commission

The Irish Human Rights and Equality Commission (IHREC) commissioned the Economic and Social Research Institute to use publicly available disaggregated data from national surveys including Ireland's Equality Module to produce a set of research reports on equality and discrimination including: [Experiences of Discrimination](#), [Caring and Unpaid Work](#), [Disability](#), [Housing](#) and [Attitudes](#). For example, the report "Caring and Unpaid Work" examines Irish data collected over more than a

decade to investigate involvement in unpaid work in the areas of childcare, care of older adults or those with a disability, and housework. It also looks at how people's involvement has changed over time, and how Ireland compares to other EU Member States.

Slovak National Centre for Human Rights

The Slovak National Centre for Human Rights issued a 2020 report "The right to education. Evaluation of human rights indicators for 2020", which was used by Slovak civil society organization The Platform of Families of Children with Disabilities in their advocacy campaign for better access to primary education. The report presented quantitative analysis of available relevant administrative and statistical data in the context of human rights obligations to guarantee right to education to all children.

Swedish Equality Ombud

The Swedish Equality Ombud developed a report to improve knowledge and understanding of how employers in the construction industry with 100 or more employees are dealing with the legal requirement to have guidelines and procedures for preventing harassment, sexual harassment and reprisals. The report examined potential reasons why employers are not complying with the requirement as well as perceptions of employers' organisations and trade unions in the construction industry about the sector's compliance. The results of the reports were presented and discussed at webinars with target groups and were used by Swedish local anti-discrimination agencies (civil society organizations) in their efforts to combat discrimination.

German Federal Anti-discrimination Agency

Results of research reports commissioned by German Federal Anti-discrimination Agency (FADA) were used by the courts to reach findings of discrimination. In a decision on the risks of discrimination for persons with disabilities in access to intensive care resources (triage), the Federal Constitutional Court of Germany referenced the FADA-commissioned study "Risks of discrimination and protection against discrimination in the health care sector." In specific, the decision pointed to the study's overview of existing research, showing that persons with disabilities do not have equal opportunities to access health care services and that it is not ensured that they receive a discrimination-free diagnosis and treatment. Another example of a use of FADA study is in a decision by the Federal Labour Court on HIV infection as reason for job dismissal. The court relied on the study "Protection against Discrimination on Grounds of Chronic Diseases," which pointed to risks of stigmatization and discrimination of persons suffering from HIV/AIDS in different areas, such as the health care sector or the private insurance sector.

Recommendations (policy and legal advice)

Spanish Council for the Elimination of Racial and Ethnic Discrimination

The Spanish council for the elimination of racial and ethnic discrimination used equality data from its study [Potential victims' perception of discrimination based on racial or ethnic origin](#), reports developed by the Spanish Ministry of Equality as well as studies by the European Fundamental Rights Agency, Equinet and the European Commission to systematically engage with Spanish policy and law makers on solutions how to address ethnic and racial discrimination. The Council leveraged findings from these sources to issue several recommendations spanning a diverse range of issues such as hate crime, hate speech, underreporting, education, or discrimination in the field of housing and informal settlements.

Office of the Commissioner for Human Rights of the Republic of Poland

Polish Ombudsman serves as an independent monitoring body for the implementation of the UN Convention on the Rights of Persons with Disabilities. Drawing upon diverse equality data, the Commissioner made 84 recommendations to the Committee, necessary to ensure that people with disabilities can fully enjoy all their human rights. The [Committee's recommendations](#) to Poland coincide with those of the Commissioner.

Irish Human Rights and Equality Commission

The Irish Human Rights and Equality Commission (IHREC) provided an extensive commentary on equality data involving reference to EU equality data resources and policy in order to provide recommendations for strengthening the National Policy Framework on anti-racism. IHREC progressed the domestic implementation of the EU Anti-Racism Action plan through its [submission to the Independent Anti-Racism Committee on the development of the National Action Plan Against Racism](#). IHREC also uses equality data to present evidence on inequality and discrimination to call for legislative reforms, for example, through a submission to the [Independent Review of the Health \(Regulation of the Termination of Pregnancy\) Act](#).

Advocate of the Principle of Equality of Slovenia

The Advocate of the Principle of Equality issued a [recommendation](#) to the Ministry of Labour, Family, Social Affairs and Equal Opportunities regarding the improvement of the situation of homeless people. Homeless people are often discriminated against and subject to various forms of violence because of their social status. On the World Homeless Day, the Advocate recommended that the ministry should take measures, including the adoption of the Resolution on the National Social

Welfare Programme 2021–2030, to improve their situation and prevent homelessness. To back up the recommendations, equality data were used. For example, the Advocate used quantitative and qualitative data obtained through queries to competent ministries, local municipalities and civil society.

Czech Defender of Rights

The Czech Defender of Rights regularly and systematically relies on equality data for its recommendations to policy and law makers. For example, such data were central to recommendations with regard to unequal employment conditions based on ethnicity and nationality, refusal to get banking services based on age and unequal treatment of people with impairments and specifically, people with mental impairments and people with autism spectre disorder in healthcare.

Serbian Commissioner for Protection against Discrimination

The Commissioner for Protection of Equality issued a recommendation to the Serbian Academy of Sciences and Arts for the implementation of all necessary measures to achieve gender equality on the next election for new members. The recommendation was issued following a problematic election of new members of the Academy which resulted in no female candidates being accepted to the Academy. The recommendation used data from a survey by the National Statistics Office "Men and Women in the Republic of Serbia." Another recommendation in relation to lack of access to quality education for all children relied on data from the Commissioner's regular annual report and UNICEF's Report "COVID-19 response: Considerations for Children and Adults with Disabilities." The recommendation addressed the Ministry of education, science and technological development urging them consider, in cooperation with the National public health institute, the possibilities for holding in person school lectures to ensure quality education for children, who have limited access to internet and digital tools due to living in vulnerable situations, including children with disabilities, children from informal settlements, and children living in the state of poverty.

Lithuanian Office of the Equal Opportunities Ombudsperson

Lithuanian Office of the Equal Opportunities Ombudsperson produced legislative recommendations concerning gender-based violence and used external and own produced data to emphasize the need to include gender aspects into the law on protection of victims of domestic violence. Specifically, the office of the Ombudsperson used data from international organizations such as the World Health Organization to show that the majority of victims of domestic violence are women (one out of three women) who during their lifetime are subjected to physical and/or sexual violence by their partner. They also used Lithuanian Police data, accessible through national statistics database, that an

overwhelming majority (around 90 percent) of suspected or accused abusers are men, and the majority of victims (around 80 percent) are women.

German Federal Anti-discrimination Agency

The German Federal Anti-discrimination Agency regularly uses equality data as a basis for recommendations for legislative or policy measures, especially in its joint reports to the national parliament (Bundestag) that are submitted every four years. For instance, in its fourth report from 2021, FADA refers to the dramatic increase in the number of complaints that it has received in the previous years to argue for the necessity to strengthen the counselling structures and to set up anti-discrimination bodies in the regions (Laender). In its third report from 2017, FADA recommended to supplement the scope of the General Equal Treatment Act by a prohibition of discrimination regarding action by the state. This recommendation was based on the findings from a survey on discrimination experiences in Germany as well as complaints data that both show that many people experience discrimination by public authorities, the police or in the public education sector.

Commission for the Rights of Persons with Disabilities of Malta

The Maltese Commission for the Rights of Persons with Disabilities (NCPE), when relevant and available, refers to equality data when providing recommendations to public authorities. Recent references include: (1) employment rates of women and men (in the context of the NCPE's proposal to Malta's Annual Budget); (2) Digital gap between women and men (in the context of the NCPE's input to the National Strategy for Lifelong Learning); and (3) Research on the gendered impact of Covid-19 (in the context of the NCPE's proposals to Malta's Annual Budget, and the NCPE's input to Malta's Post Pandemic Strategy). For the development of these recommendations, the Commission relies on surveys or studies which it conducted or commissioned.

Prevention and promotion of equality

UK Equality and Human Rights Commission

The Equality and Human Rights Commission of the UK monitors and supervises the mandatory collection of equality data by public authorities to show compliance with the statutory [Public Sector Equality Duty](#) (PSED). This duty is an important tool for preventing discrimination as it places an obligation on public authorities to embed equality considerations into the design of policies and the delivery of services, including internal policies, and for these issues to be kept under review. Public organizations publish specific equality objectives and gather data covering age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation, and marriage or civil partnership status to prove compliance with the duty requirements. [Gender pay gap reporting](#) is another key preventive instrument, which the Commission supervises. It monitors the annual publication of gender pay gap data by certain categories of employers in the private or voluntary sectors, which in turn supports the development of effective gender pay gap (GPG) action plans by these employers.

Office of the Commissioner for Human Rights of the Republic of Poland

The Polish Commissioner for Human Rights raised awareness on the rights of the LGBTQ community by promoting an interactive and constantly updated map of Poland entitled "[The Atlas of Hate](#)", prepared by LGBTQ activists, which indicated which local authorities (municipalities, counties, and voivodeships) had adopted, were working to adopt or had already rejected the so-called "Anti-LGBT Declaration." The data collected by the Atlas of Hate was greatly helpful for the work of the Commissioner's Office to combat the adoption of discriminatory "anti-LGBT" resolutions by local authorities. Specifically, this data were used in statements by the Ombudsman to 36 local authorities which still have not changed their positions on this issue.

Advocate of the Principle of Equality of Slovenia

The Advocate of the Principle of Equality uses self-produced and externally sourced data in its posts on social media and occasionally in its press releases and web page articles. More concretely, the Advocate referenced the results of its "Survey on discrimination in Slovenia in 2020" in general awareness raising on Facebook in relation to perceptions and experiences of discrimination in Slovenian society. Other examples of using equality data to promote equality on social media involve using findings from the Fundamental Rights Agency's (FRA) report "A long way to go for LGBTI equality" to raise awareness on the international day against Homophobia, Biphobia, Intersexism, and Transphobia, as well as from EIGE's report "Gender inequalities in care and pay in the EU" to

establish that there is a direct link between the unequal division of unpaid care in households and gender inequalities in the labour market.

Commission for Rights of Persons with Disabilities of Malta (CRPD)

The Maltese Commission for Rights of Persons with Disabilities (CRPD) uses equality data at the core of several awareness raising campaigns throughout the year. Most often the findings and way forward of CRPD's studies are presented to stakeholders and the general public by means of a conference. Other ways to raise awareness about discrimination and how to curtail it include video clips and infographics which are shared via social media platforms.

Croatian Ombudswoman for Persons with Disabilities

The Croatian Ombudswoman for Persons with Disabilities presents data from their research and analysis in their annual reports which are available to the general public. In addition, in order to promote and raise awareness of the rights and equality of persons with disabilities, the office of the Ombudswoman also conducts campaigns through interactive films such "[Accessibility as a Human Right](#)" and "[Positive employment practices for people with disabilities](#)" (Croatian only).

Serbian Commissioner for Protection against Discrimination

The Commissioner used data from Research "Gender equality and work-life balance" to issue a public statement about the position of women on the labour market and society altogether. Another example involves presenting data from the Commissioner's Survey on the representation of women in decision making positions at the local level at a high-level conference organized on the occasion of International Women's Day.

Lithuanian Office of the Equal Opportunities Ombudsperson

The Lithuanian Office of the Equal Opportunities Ombudsperson regularly uses equality data from its own research or from external sources in its awareness raising campaigns. For example, in 2021, the Ombudsperson's Office carried out five campaigns in relation to hate speech, work-life balance, and gender-based violence. Specifically, for one of the hate speech campaigns, they used equality data from several focus groups, quantitative survey, and independent review.

Slovak National Centre for Human Rights

The SNCHR seeks to raise awareness through various kinds of activities such as engagement at educational institutions (lectures at elementary and secondary schools), social media campaigns, public events, and expert meetings. Equality data are selected based on the target audience, for example, the SNCHR focuses in their lectures on specific cases, such as publicly known cases

regarding extremism or sexual harassment, as well as on selected statistics such as gender equality data. In addition, the Slovak National Centre often uses findings from their research and monitoring activities, communicated in visually accessible formats such as factsheets and infographics, for sustained promotion on social media over a longer period. Raising awareness using equality data on social media could support the organization of a follow up in person event such as a round table or an online podcast or discussion. In 2021, the SNCHR applied this combined approach to promoting findings from their work on the monitoring of discrimination and abuse of older persons, as well as from qualitative research on access to housing. Similarly, in 2022, the Slovak National Centre raised awareness on social media using equality data from two reports based on media monitoring, namely „How do media report on sexual harassment” and „How do media report on domestic violence.“

German Federal Anti-discrimination Agency

FADA uses equality data in its awareness raising campaigns. For instance, between 2012 and 2017 FADA organized thematic years. Each year has been dedicated to one of the grounds protected in the General Equal Treatment Act. FADA has used research findings in its public relations work to make visible discrimination based on the different grounds and to identify protection gaps.

Malta National Commission for the Promotion of Equality

"The NCPE uses equality data to create social media posts, publish articles and press statements in local newspapers, publish newsletters; also, for presentations when organizing conferences, participating in third party conferences, meeting, etc., and when participation in audio and visual media programmes. Please refer to the following for examples in this regard:

1. Statistical data on the gender pay and pension gaps: In 2021, the NCPE organised an online conference to mark the Equal Pay Day.
2. Data on discrimination in sport such as gender and decision-making in sport (EIGE); and data on specific grounds of discrimination extracted from reports and studies. In January 2022, the NCPE published a newsletter on 'Equality in Sport', posted on the NCPE's social media platforms, uploaded on the NCPE's website, and disseminated to different stakeholders.
3. Data on women as scientific researchers, and data on women graduates in STEM in Malta. On the International Day of Women and Girls in Science 2022, the NCPE shared quotes and statistics on its social media platforms to raise awareness on gender imbalance in science. Moreover, the NCPE published an article in a local newspaper sharing the experiences of two female scientists, interviewed by the NCPE."

Equinet Member Equality Bodies

ALBANIA

Commissioner for the Protection from Discrimination
www.kmd.al

AUSTRIA

Austrian Disability Ombudsman
www.behindertenanwalt.gv.at

AUSTRIA

Ombud for Equal Treatment
www.gleichbehandlungsanwaltschaft.gv.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

Office of the Ombudswoman
www.ombudsman.hr

CROATIA

Ombudsperson for Gender Equality
www.prs.hr

CROATIA

Ombudsman 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
ncpe.gov.mt

MOLDOVA

Equality Council
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
bip.brpo.gov.pl

PORTUGAL

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

PORTUGAL

Commission for Equality in Labour and Employment
cite.gov.pt/web/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.snspl.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.inmujeres.gob.es

SWEDEN

Equality Ombudsman
www.do.se

UKRAINE

Ukrainian Parliament Commissioner for Human Rights
www.ombudsman.gov.ua

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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