

# *Equinet – European Network of Equality Bodies*

## **Helping citizens finding redress in cases of fundamental rights violations**

*Brussels, 6 October 2011*

*Seminar on the application of the Charter of Fundamental Rights*



- **What is Equinet?**
- **National equality bodies and their mandate**
- **Some central issues in the area of fundamental rights**
- **Equinet's role and activities**

- Started as a cooperation project of equality bodies (2003-2007)
- Equinet established as a European Network of specialised equality bodies (2007)
- Brussels-based Equinet secretariat (2008)
- Funded through EU PROGRESS Funding and Members contributions

# Equinet mission

*‘Equinet works to enable equality bodies to achieve and exercise their full potential at Member State level by sustaining and developing a networking between and a platform for equality bodies at European level.’*

# Equinet Members

- Network of national equality bodies (33 members from 28 countries)
- Equality bodies are part of the public administration, but independent both from governments and civil society – ‘*guardians of equality*’ within their countries
- Specialised equality bodies on the basis of EC Equal Treatment Directives (2000/43/EC; 2004/113/EC; 2006/54/EC)

# Equinet Members II

The EU Directives currently only require the setting up of equality bodies for **gender and ethnicity** and do not regulate in detail the powers and mandate they need to have

- Clear and legally binding **standards** (independence, functions, budget) for equality bodies taking into account UN and CoE recommendations could usefully strengthen fundamental rights protection

# Functions of equality bodies

- Functions laid down in EU directives (requirements):
  - ***Independent assistance to victims of discrimination (complaint-handling)***
  - Independent surveys and reports on discrimination issues (monitoring)
  - Recommendations on discrimination issues
  - ***Exchange of information with European bodies (explicit in the Gender Recast Directive)***
- Wider functions taken on by Equality Bodies: awareness raising, promotion of good practices, advice to governments

# Types of equality bodies

- Diversity of equality bodies in their mandate, experience, powers, organisation, budget, etc.
- Some equality bodies also hold a mandate as an NHRI
- A decisive difference in terms of complaint handling is that observed between:

**Tribunal-type** and **promotional-type** equality bodies

- Ideally both of these functions are required in all Member States but not necessarily within one organisation

# Some issues in the area of fundamental rights

- Under-reporting:
  - Low rights-awareness
  - Low awareness about redress mechanisms
  - Lack of a culture of rights and reporting
  - Difficulty in reaching certain vulnerable groups
  - Limited trust in available redress mechanisms
- Insufficient resources allocated to fundamental rights issues

# Equinet's contribution

- 1. Training and capacity building for the staff of equality bodies** – *1 legal training, 1 legal seminar and 1 non-legal training per year*
- 2. Identifying and communicating the learning from the work of equality bodies to the European level** – *Perspective on the links between equality work and work on human rights*
  - *Also a reflection on the (possible) links between equality bodies and NHRIs, their similarities and differences based on the experience of Equinet members*

## Equinet's contribution II

- 3. Cooperation with all European stakeholders in the field of fundamental rights: *EU institutions and bodies; Council of Europe; European Group of NHRIs; civil society; social partners***
- 4. Working group on Strategy Development: *Preparing a report and collecting good practices on what equality bodies need to do to provide independent assistance to victims of discrimination – exploring fields such as general information; counseling; legal assistance; decisions; etc.***

## Equinet's contribution III

5. **Working group and activities on communication:** *Discussing equality bodies' role, experiences and good practices in the field of communication – developing strategic communication; tackling under-reporting; reaching closed communities; etc.*
6. **Direct assistance to victims:** *informing and redirecting complainants to the competent national and international bodies*
7. **Providing a gateway to all national equality bodies**

Thank you for your attention!

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