

# OVERVIEW OF EQUINET PRIORITIES OF RELEVANCE TO THE WORK OF THE FUNDAMENTAL RIGHTS AGENCY

## SPEAKING NOTES – MANDANA ZARREHPARVAR

### INTRODUCTION

Equinet welcomes the cooperation and coordination that is being developed between Equinet and the Fundamental Rights Agency at European Union level and between the Fundamental Rights Agency and the equality bodies at Member State level. This cooperation and coordination should enhance the work of all involved through mutual support, mutual learning and shared commitment to a more equal and just European Union.

This cooperation and coordination does not happen by chance. It requires commitment, hard work and resources. At times it can appear a luxury when we are short of resources and our time is increasingly pressured. However it is vital that we persist to invest in this cooperation and coordination so that our work achieves maximum impact.

Equinet is encouraged by, and very supportive of, the commitment and work of the Fundamental Rights Agency in relation to issues of discrimination and equality and in relation to the development and implementation of equal treatment legislation. These areas form an important strand within the broad field of fundamental rights and it is important that the Fundamental Rights Agency should sustain its work and commitment in these fields into the long term. We hope that today's meeting will assist and enable this outcome.

The Fundamental Rights Agency has usefully identified 'Equality' as a thematic area for its work. The work done in this area has provided and is providing a valuable evidence base in relation to inequality and discrimination on the grounds of disability, racial and ethnic origin, and sexual orientation and gender identity. The work done has begun to open up the real challenges in making rights work for people who experience inequality and, in particular, in making the equal treatment legislation work for all groups experiencing inequality.

I would like to identify five policy themes that could usefully serve as a basis for cooperation and coordination between the Fundamental Rights Agency, Equinet and the equality bodies. These are:-

- Combating discrimination in a time of economic downturn.
- Addressing the intersection between poverty and discrimination.
- Responding to the under-reporting of discrimination.
- Making equal treatment legislation work for Roma and Traveller people.
- Making equal treatment legislation work for Trans people.

## DISCRIMINATION IN A TIME OF ECONOMIC DOWNTURN

We meet in a context of economic and financial downturn. This is a time when political commitment to equality is tested and can be found wanting. It is a time when backlash against the equality agenda can take hold. It is a time when scapegoating against minorities can prevail, when discrimination can increase and when inequalities can deepen.

It is important that our work is informed by this context and that it is relevant to this new and increasingly difficult situation. We are all, in our different roles and functions, challenged to address the backlash, to ensure that it is not those who experience inequality who bear the brunt of the downturn, and to contribute to an economic revival that is based on increased equality in our societies.

This is an area that has emerged as a significant focus for Equinet. Over the past year we have responded to a number of our member organizations who have found their effectiveness and independence threatened or impaired as a result of, or under cover of, economic recession. This is a topic we will be addressing in our work this year in an Opinion we will develop on impact of economic recession and the accompanying backlash against equality on the equality bodies and their work. It is a topic that has already been suggested for our strategic plan 2011 to 2014.

The manner in which economic downturn is being experienced and managed in many Member States will increase inequality and discrimination. This in turn will increase the workload of equality bodies. It will pose threats to the capacity of equality bodies to realize their potential. We hope that the Opinion we will prepare on this issue will identify steps that could be taken to ensure equality bodies can realize their potential in a time of economic downturn. In the longer term we need to look to establishing standards that could guide all stakeholders in ensuring that equality bodies can realize their important potential.

We hope that these themes could be a focus for cooperation and coordination with the Fundamental Rights Agency. This is necessary if there is to be an effective response to the challenges posed by economic downturn to equality and to the pursuit of a more equal European Union. We note the commitment of the Fundamental Rights Agency in the RADAR project which looks at the impact of economic crisis on fundamental rights in relation to racism and xenophobia. We hope that this could be a launching pad for wider work on this issue by the Fundamental Rights Agency and that this would emerge as an area we could cooperate on.

## A EUROPEAN YEAR TO COMBAT POVERTY AND SOCIAL EXCLUSION

It is useful, in this context of economic downturn, that 2010 has been designated as the European Year 2010 For Combating Poverty and Social Exclusion. It should be a Year to build a new awareness of, and commitment to eradicating, poverty and inequality within

the European Union. It should be time to secure a longer term and lasting legacy of initiative to achieve a more equal European Union. In this regard a renewed and more effective approach to the Open Method of Coordination on Social Inclusion could emerge as an important part of this legacy.

The Year provides an important moment to reflect on and respond to the intersection of rights. In particular it provides an important moment to address the intersection of discrimination and poverty issues. Discrimination is a causal factor of poverty. Poverty increases the chances of experiencing discrimination. Poverty and discrimination are often experienced simultaneously by people and groups. As such we need a more integrated policy response to poverty and discrimination issues. A new Open Method of Coordination should reflect a commitment to eradicating both poverty and discrimination.

Poverty is a causal factor in the under-reporting of discrimination. Poverty provides barriers to equality bodies in reaching out to groups of people who experience discrimination and poverty. There is a challenge to equality bodies to be creative in their awareness raising and outreach work to take on this additional barrier of poverty and to make sure we are relevant to people from across the grounds we cover who experience poverty.

Socio-economic status is a particular focus for a number of our member organisations in Member States where discrimination is prohibited on this ground. We have much to learn from the work and experience of these bodies and we have conducted an initial survey of this work to inform our thinking on these issues.

During this Year Equinet is working to support an engagement by equality bodies at Member State level with the national programmes for the European Year. We have already disseminated briefing material to support this engagement. We will also produce an Opinion on the intersection of poverty and discrimination issues. We hope that this Opinion will draw from the learning from the work of equality bodies that have a socio-economic status ground as part of their mandate and from the work of all equality bodies in their work to address the barriers poverty presents to the effective implementation of equal treatment legislation.

This intersection of poverty and discrimination is a policy theme that could usefully be developed by the Fundamental Rights Agency. Our work in this area could serve as a basis for cooperation and coordination with the Fundamental Rights Agency in further opening up this policy theme by creating a deeper understanding of its impact and developing knowledge as to how best to respond to the difficult realities it creates for groups experiencing inequality.

## UNDER-REPORTING OF DISCRIMINATION

Poverty is of course only one barrier to the reporting of discrimination. The work of the Fundamental Rights Agency in the EU MIDIS research has served us well in opening up

this problem. This research is disturbing in identifying that the norm is to not report discrimination. It is valuable in beginning to open up an understanding of the many reasons for this under-reporting that results.

This issue of under-reporting has been very evident to equality bodies at Member State level. It is an issue that emerged in the survey carried out by Equinet in the summer of 2009 of the legal work being done by equality bodies. It is an issue across all grounds. It is particularly evident on the ground of racial or ethnic origin (in particular for Roma and Traveller people), the disability ground (in particular for people with intellectual disabilities and people with mental health problems), the gender ground (in particular for trans people) and the ground of sexual orientation.

This is an issue that provided a focus for an Equinet training event in Dublin in 2009. This focused on 'Access to Rights' and sought to share good practice and experience between equality bodies on responding effectively to under-reporting. It is an issue that has emerged in the early discussions on our strategic plan for 2011 to 2014. It is an issue that threatens the effectiveness of equal treatment legislation, so it is not surprising that it has emerged as a significant concern in our work.

The Fundamental Rights Agency is usefully developing a commitment to this theme under its Justice strand of work. We note your commitment to working on 'Encouraging Reporting of Discrimination and Victimisation' as a follow on from the EU MIDIS study. This issue of under-reporting of discrimination could usefully be a central theme for cooperation and coordination between the Fundamental Rights Agency, Equinet and the equality bodies and could usefully be an area for further and broader work by the Fundamental Rights Agency itself.

## MAKING EQUAL TREATMENT LEGISLATION WORK FOR ROMA PEOPLE

Under-reporting of discrimination by Roma and Traveller people has emerged as a significant issue in our work this year and last year. During 2009 Equinet established a specific networking initiative between equality bodies working on Roma and Traveller issues. Two round table events were held to enable the equality bodies to explore the situation of Roma and Traveller people, their analysis and understanding of this situation and the work they are doing to respond to this situation. In 2010 we have already produced an Opinion on 'Making Equal Treatment Legislation Work for Roma and Traveller people' and we are committed to sustaining this networking between equality bodies.

We presented this Opinion to the Roma Summit in Cordoba last week. It sets out the challenge to equality bodies, national and local authorities, social partners and NGOs if equal treatment legislation is to make an impact on the situation and experience of Roma and Traveller people. It emphasizes the importance of developing a range of advocacy initiatives within and with Roma and Traveller communities. It highlights good practices developed by equality bodies in creating an engagement of mutual trust and learning with

Roma and Traveller people. It identifies the value in collaboration between different stakeholders in making equal treatment legislation work for Roma and Traveller people.

The Fundamental Rights Agency has had a valuable focus on Roma and Traveller people in their work. This shared commitment could usefully provide a basis for ongoing cooperation and coordination. In particular the Fundamental Rights Agency has much to contribute to the theme of making equal treatment legislation work for Roma and Traveller people.

## MAKING EQUAL TREATMENT LEGISLATION WORK FOR TRANS PEOPLE

Trans people are another group that Equinet has begun to develop a specific focus on in our work. In our survey of the work of equality bodies in 2009 it was clear that trans people were relatively invisible. The survey identified issues of under-reporting of discrimination by trans people alongside challenges to equality bodies to engage with trans people. This year we will prepare an opinion on making equality legislation work for trans people. This will be based on the work being done by equality bodies on the discrimination and inequality being experienced by trans people and will identify the learning from this work to support a dissemination of good practice among equality bodies and to inform a wider engagement with and understanding of the situation and experience of trans people.

The Fundamental Rights Agency has also had a valuable focus on trans people in their work. The recent report of the Fundamental Rights Agency on homophobia and discrimination on the grounds of sexual orientation and gender identity provides a valuable source of knowledge on the situation and experience of trans people. Again this shared commitment could provide the basis for ongoing cooperation and coordination in making equal treatment legislation work for trans people.

## CONCLUSION

I wish to conclude by highlighting a topic that is a focus in our 2010 work plan and that the Fundamental Rights Agency could make a particular contribution to. A number of our member organisations combine a focus on equality and human rights in their work. This combination of functions is increasingly a focus for debate. It is a combination that holds potential for the promotion of equality just as it poses challenges and holds some threats. We are concerned to build a dialogue on the relationship between equality work and work on human rights and the role of bodies with responsibilities in both areas. The Fundamental Rights Agency has a unique perspective on this issue and could make a valuable contribution to this dialogue.

We look forward to the debates today. We hope that they will shape the future work programmes of the Fundamental Rights Agency and that they will contribute to greater cooperation and coordination between the Fundamental Rights Agency, Equinet and the equality bodies. Equinet is in the process of preparing its strategic plan for 2011 to 2014. We are currently consulting widely on this strategic plan and we welcome any input from

the Fundamental Rights Agency in this regard. Again today's debates will be of great assistance to us in preparing this strategic plan.