

**Equinet Executive Board Meeting III**  
**8 September 2016**  
**Helsinki, Finland**

**VENUE:** Hotel Katajanokka, Merikasarminkatu 1 a - FI-00160, Helsinki, Finland

<b>ATTENDANCE</b>	
<p><b>Board Members</b>            Kosana Beker (KB)            Sarah Benichou (SB)            Anna Blaszcak (AB)            Patrick Charlier (PC)            Evelyn Collins (ECo) - <i>Chair</i>            Sandra Konstatzky (SK)            Kalliopi Lykovardi (KL)            Petr Polak (PP)</p> <p><b>Expert Advisor to the Board:</b>            Niall Crowley (NC)</p>	<p><b>Equinet Secretariat</b>            Anne Gaspard (AG)  <i>Executive Director</i>            Tamas Kadar (TK)  <i>Head of Legal &amp; Policy Team</i>            Sarah Cooke O'Dowd (SCOD) -  <i>Communication Officer</i>            Jessica Machacova (JM) -  <i>Membership and Policy Officer</i>            Katrine Steinfeld (KS) -  <i>Policy Officer/Gender Equality</i></p>

**Chair of the meeting:** Evelyn Collins (ECo)

**Apologies:**

*Board Member* - Elisabeth Lier Haugseth (ELH)

*Equinet Secretariat* – Yannick Godin (YG), Finance & Administration Officer

**Minutes:** Jessica Machacova (JM)

## APPROVED MINUTES OF THE BOARD MEETING

### 1. OPENING AND ANNOUNCEMENTS

**Eco** opened the Board meeting at 09:00. The proposed agenda for the meeting was reviewed and agreed upon by participants.

### 2. FOLLOW-UP LAST EQUINET MEETINGS

#### **Draft Minutes of Board Meeting 15 June 2016**

The draft Minutes were reviewed, and one minor correction (concerning participants' list) agreed.

**DECISION:** Minutes approved by the Board and will be made available to Members on the restricted Members' area of the Equinet website.

#### **Equinet Reception & Conference: Strengthening implementation and effectiveness of equal treatment legislation, Brussels, 15-16 June 2016**

The Board discussed the outcomes and learnings of these successful events in June, underlining the good level of contribution and satisfaction of many participating Equinet members and the high-level contributions from key EU institutions, stakeholders and international organisations. A summary of the Equinet conference will be made available as soon as completed.

### 3. STRATEGIC ISSUES

#### **Equinet/NEBs EU Positioning**

**AG** and **JM** updated the Board on recent Equinet work relating to EU contribution and positioning. Potential implications of the upcoming internal reorganization and changes at various leadership levels within the Equality Directorate of the DG Justice and Consumers of the European Commission were also discussed.

#### **Draft Equinet Work Plan 2017**

The latest proposal for a Draft Equinet Work Plan 2017 was reviewed and discussed by the Board. The following issues and topics were raised:

- **Equinet engagement – IDAHOT Forum (May 2017, Belgium):** **PC** mentioned the possibility to organize a joint side event involving Unia and Equinet, focusing on the work of equality bodies promoting LGBT equality on the occasion of this high-profile international IDAHOT Forum to be hosted in Belgium in 2017. To be noted there is no dedicated budget from Unia, and only minor contribution from Equinet could support a potential side meeting. Other funding ideas could be explored if required. The relevance of and potential link to the IDAHOT Forum is referenced in the proposed Equinet Work Plan under the section on *Equinet EU and international engagement*.
- **Standards for equality bodies:** **SK** proposed to host an Equinet meeting in Vienna next year (preferably in March), which could possibly consist of a side event on standards for equality bodies, pending approval of the Board of the Austrian Ombud for Equal Treatment.

- **Seminar “Breaking the glass ceiling: career progress and promotion patterns experienced by women”:** SK and SB highlighted the need for case law on this topic, and the suggestion that the seminar could cover practical focus on how to prove discrimination cases.
- **Follow up of the handbook on how to build a case on equal pay:** SK suggested that, in addition to the legal nature of the training event, Equinet could also address the promotional aspect of equal pay, making a link between the training and the above seminar.
- **Project on Violence against Women and Gender Based Violence:** AB suggested linking with UN work in this context.

**DECISION:** The Board endorsed a final version of the Draft Equinet Work Plan 2017, including agreed final changes and improvements to the text. The Draft Equinet Work Plan 2016 will be circulated to all Equinet Members as a proposed voting item - open to written amendments – in view of its ratification by members during the Annual General Meeting (30<sup>th</sup> September 2016, Brussels, Belgium).

### Supporting development of Standards for NEBs: next steps

AG and TK presented the note “Standards for Equality Bodies: the next steps”. The Board also shared updates in relation to the dissemination of the Equinet Working Paper in their context of work.

- **PP** will represent Equinet and present the Working Paper on Developing Standards for Equality Bodies at a side event to the UN HRC on the role of NEBs and NHRIs in tackling racism in Geneva on 16 September 2016.
- **PP** proposed that his office will translate the Equinet Working Paper into Czech language. A translation into French has already been initiated and confirmed by **PC** and Unia.
- **ECo** highlighted the importance of engaging with academics to produce relevant literature on standards for equality bodies, and referred in particular to the excellent presentation by Professor McCrudden in concluding the Equinet June seminar on *Strengthening implementation and effectiveness of equal treatment legislation*.
- **NC** proposed seeking to have the issue of standards included on the agenda of the High Level Group on Gender Equality within the framework of its focus on antidiscrimination infrastructure, and underlined the importance of finding innovative ways to promote the Working Paper.
- **ECo** reminded that the working paper remains a work in progress. And that, following good engagement with the Membership on this topic at the AGM, it would be interesting and timely at some point next year to find discuss again together opportunities, learnings and review the process and any progress in advancing the work on Standards for equality bodies.

### Discussion: Links between NEBs and NHRIs mandates, linking Equality and Human Rights frameworks

TK introduced the “Internal Note for first Board Discussion on Links between EB and NHRI mandates”. Board members shared various comments on the links between equality and fundamental rights, as well as the links between EBs and NHRIs. Topics included:

- Different scopes, goals and traditions of equality and human rights.
- An apparent increasing focus on human rights in the European context
- The importance of sustaining a focus on EBs and equality issues.

- EBs specificity in doing more promotional work and work directly with citizens and duty bearers.
- The importance of keeping in mind the overlaps between Equinet and ENNHRI membership.
- The idea was raised of a possible joint meeting/session linking Equinet board and ENNRHI board during the course of next year.
- The importance of focusing on the significant and supportive links between equality issues and human rights as part of our work.

**FOLLOW UP:** Important topic area for further discussion to be pursued at next Board meeting/s

## 4. MEMBERSHIP

### Membership issues

- In the **CZECH REPUBLIC**, a new law to protect whistleblowers is underway, while the Public Defender is expecting to receive additional budget for seven new persons once the Freedom of Movement Bill goes through the parliament. The support from Commissioner Jourovà to the proposed amendments to the Act in Czech Republic is also welcome.
- In **GREECE**, a new ombudsman (Andreas Pottakis) was appointed during the summer 2016 and will participate in the Equinet AGM.
- In **FRANCE**, a new law on whistleblowers was adopted and might create new competences for the Defender of Rights.
- In **BELGIUM**, Unia might have new competences under the 2014 EU Directive on Freedom of Movement, and is engaged in discussions relating to budget and resources in this context.
- In **POLAND**, the annual report of the Commissioner for Fundamental Rights was presented to the Parliament. It resulted in attacks on the Commissioner due to LGBTI and migrants work. The Polish Ministry of Family, Labor and Social Affairs was given competence for conducting independent research under the Freedom of Movement Directive.
- **POLAND:** Adam Bodnar, the Commissioners for Fundamental Rights, had welcomed the proposed Equinet letter of support<sup>1</sup> and this would be sent formally to him following the Board meeting.
- **ITALY:** the situation remains unclear. No reaction from the National Equality Councillor since Equinet agreed and proposed to waive the membership fees for 2016 following its request.

### Membership application from the Institution of Human Rights Ombudsman of Bosnia and Herzegovina

- The Institution of Human Rights Ombudsman of Bosnia and Herzegovina formally submitted a membership application on 6<sup>th</sup> September 2016.
- **TK** introduced this application including a preliminary assessment of the application documents submitted.
- **Board Members** reviewed the formal application documents and legal mandate in view of Equinet membership criteria.
- **ECo** proposed that further discussion could be helpful on the status of different types of bodies (i.e. Tribunal type bodies) for the purposes of potential future Equinet membership.

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<sup>1</sup> Following the Board Meeting, the letter was sent in paper and electronic version to the Polish Office of the Commissioner for Human Rights

**DECISION:** The Board members approved the Equinet Membership application of the Institution of Human Rights Ombudsman of Bosnia and Herzegovina, which will be presented to Equinet Members for ratification by the General Assembly. The membership application documents will be immediately circulated to Equinet members as a voting item for the AGM.

### **Scope and potential for future Equinet membership development**

- **TAIEX fund:** KS gave feedback on the meeting the Equinet Secretariat had with European Commission officials of the DG NEAR, in view of pending interest for cooperation and Equinet membership from equality bodies in Moldova, Georgia, Ukraine.
- **Moldovan equality body:** Ian Feldman, President of the Moldovan equality body, visited the Equinet office and expressed strong motivation in becoming his institution becoming a Member of Equinet. Application from Moldova is however not possible at present due to Equinet European Commission grant and financial regulations (non-eligible costs in countries concerned).

**DECISION:** The Board asked the Equinet Secretariat to further explore the potential of other possible relevant funds (from the TAIEX mechanism of the European Commission) to consider supporting involvement from and cooperation with equality bodies from the region.

## **5. EQUINET GOVERNANCE**

### **Equinet Annual General Meeting – AGM 2016 Draft Programme**

The Board reviewed the latest programme of the Equinet AGM 29-30 September.

### **Revised Proposal – Equinet Board Elections Procedures**

Building on Board guidance and outcomes of previous meeting discussion on this topic, a proposal for revised Equinet Board Elections Procedures was reviewed and discussed.

**DECISION:** The Board approved the proposal for revised Equinet Board Elections procedures, which will be presented and circulated to Equinet members as a voting item – open to written amendments - for ratification by the AGM.

## **6. EQUINET COMMUNICATION**

### **Equinet Online Directory of NEBs**

**SCOD** presented the latest version of the European Directory of NEBs. The final version will be presented to the Equinet members during the AGM. The Board acknowledged the hard work involved by the Equinet team (SCOD) for the design, preparation and successful launch of the European Directory of NEBs at the AGM and welcomed this important new resource.

### **Preparations Equinet 10 years Anniversary 2017**

A concept note outlining proposed initiatives marking the 10<sup>th</sup> anniversary of Equinet in 2017 was introduced to the Board for discussion and feedback.

Considerations were suggested to Equinet to integrate as part of its 10<sup>th</sup> Anniversary event/gala a cultural programme with NEBS, exploring the idea of musical performance (**PC**) or use of theater (**SK**) highlighting issues of discrimination and equality messages.

### **Equinet public statements positioning**

The Board was invited to pursue discussion on considerations of Equinet public statements and positioning. For instance, the pending CJEU cases on the headscarf could be topics on which Equinet and/or national bodies may wish to consider some public positioning in due course.

Important considerations were raised by Board Members related to potential future public statements:

- Differentiation between own Equinet public statement/press release and joint statements with other stakeholders.
- In general but particularly in the case of joint statements proposals, we have to be cautious about the *whys* and the *whats* of such statements.
- Communication and process within the Equinet membership: can such statements be discussed and agreed by the Executive Board and targeted working groups, or should these be discussed and agreed by the whole Equinet membership?

**FOLLOW UP:** Discussion to be pursued at next Board meeting/s considering concrete illustrations of such statements and opportunities arising (case studies) to be highlighted by the Equinet Secretariat.

## **7. EQUINET WORK PROGRAMME – IMPLEMENTATION PROGRESS**

The Board was presented with updates and commented on the range of work and activities pursued by Equinet under its 2016 work programme implementation.

This included reporting progress on the Equinet **Working Groups**, the preparation of Equinet's first **training event on Equality Bodies and Social Media**, work progress of the **Strategic Ligation cluster** and **cooperation platforms FRA-CoE-Equinet-ENNHRI**, or approach to the setting up of the **Cluster on quasi-judicial bodies**.

The following ongoing work priorities were also discussed in further substance:

- **Equinet Factsheet on integration of migrants:** as a follow up of the Member survey questionnaire on this topic conducted earlier in 2016, **JM** presented a first draft of a factsheet and compendium of good practices on the contribution of equality bodies to the integration of migrants.

**FOLLOW UP:** A final draft of the Equinet Factsheet will be circulated by email to the Equinet Board for written comments and formal approval in the few coming weeks.

- **Seminar on Race & Ethnicity (Budapest, 9-10 Nov 2016):** **TK** commented on the updated plans and agenda for the Seminar, and welcomed reactions and suggestions from the Board for the final preparations of this capacity-building Seminar for Members.
- **Equinet draft Paper & Conference on Intersectionality (Brussels, 7 Dec 2016):** **KS** introduced a concept note for the Equinet conference. The draft Perspective on the topic is under

finalisation with Equinet team and Working Group/s and a draft Perspective will shortly be available.

**FOLLOW UP:** The final draft of the Equinet Perspective *Innovating at the Intersections: Equality Bodies tackling Intersectional Discrimination* will be circulated by email to the Equinet Board for written comments and formal approval, prior to publication.

- **Draft study paper on the use of positive duties in promoting equality:** NC and KS presented the first draft of the paper, which is due to be available at the Equinet AGM and published later end 2016. This work will be a strong basis and contribute to the preparations of the Equinet conference proposed to focus on the topic of positive duties in promoting equality.

**FOLLOW UP:** The final draft of the Study Paper on the use of positive duties in promoting equality will be circulated by email to the Equinet Board for written comments and formal approval, prior to publication.

## 8. EQUINET FINANCE & ADMINISTRATION

### Management report - situation Equinet Accounts 2016

- In capacity of Equinet Treasurer, PC introduced the figures of the latest situation of Equinet accounts 2016, and informed that the financial situation is under control currently, with some underspending under various budget headings.
- AG also updated the Board on the fact that the Equinet Grant application to the European Commission for 2017 funding will be prepared for final submission in November. Preparations will start immediately after Equinet AGM further to approval of the Equinet Work Plan and Budget 2017 by the Members.

### Equinet external evaluation 2016

- ECo and AG suggested that a restricted tender should be published for the external evaluation work of Equinet in 2016, to be contracted out to a relevant expert/organization experience in the field. Board Members were invited to share any potential relevant contacts for dissemination of tender. The Board should also be represented by one of its Members to support the Secretariat in the final assessment of the tenders according to agreed criteria for the selection of the successful contractor.

**DECISION:** Equinet will issue a tender process for the work of the external Evaluation of the Network in 2016. Board Member PC will be invited to participate in the final assessment of the tenders and agree the final award decision with Equinet Secretariat.

## 9. RELEVANT EU AND EUROPEAN STAKEHOLDERS INITIATIVES

The Board was updated about the range of Equinet engagement in connection with relevant events and initiatives at European level.

### EC Journalism Award 2016

- **SCOD** extended invitation to the Board to attend the Award Ceremony in Dublin due to take place on 16 October. **ECo** and **AG** have confirmed participation and will seek to meet with Equinet Member Irish Human Rights and Equality Commission (IHREC) on this occasion.

#### **EC LGBTI Campaign 2016 & IDAHO Forum 2017**

- Comments relating to Unia engagement and Equinet potential links to IDAHOT Forum 2017 in Belgium (cf. page 2 above)
- It was noted that the EC LGBTI Campaign launched in summer 2016 is due to continue. **SCOD** informed that Member States will provide the Commission with feedback on the impact of the campaign, as it did not translate well into every cultural context. The European Commission would also welcome feedback from equality bodies about the campaign and how it could be improved in the given country (where applicable).

#### **NEXT MEETINGS**

The next Board meeting will take place on 8 December 2016 in Brussels, Belgium.

ECo thanked Board Members for their contribution and Equinet staff for all preparations and hard work.

**=== The Chair closed the Board Meeting at 15:00 ===**