

The role of the Equality Bodies

Some reflections

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Equality Bodies

The EU legislation (1/2)

- The Racial Equality Directive (2000/43/EC)
Article 13
- The Equal Treatment Directive (2002/73/EC)
Article 8a
- The Recast Directive (2006/54/EC)
Article 20

Equality Bodies

The EU legislation (2/2)

Member States shall ensure that the competences of these bodies include :

- (a) without prejudice to the right of victims and of associations, providing independent assistance to victims of discrimination in pursuing their complaints about discrimination;
- (b) conducting independent surveys concerning discrimination;
- (c) publishing independent reports and making recommendations on any issue relating to such discrimination.

Equality Bodies

and the Paris Principles

- A list of recommendations on the role, the composition, the status and the functions of National Human Rights Institutions (NHRI)
- Adopted by General Assembly resolution 48/134 of 20 December 1993 .
- The EU Directives follow the recommendations, but Paris Principles go beyond.

Between EU legislation and the Paris Principles

- The EU legislation sets up a minimum standard.
- The result: a diversity of Equality Bodies and a need to define the role within the National context.

The need to define a role

- The lesson: an Equality Body need to reflect upon its role in the society.
- Without a conscious decision on the role: a risk of drowning in work/activities in a way that prevent from fulfilling the responsibilities

Some lessons ...

- Never work alone – there are several stakeholders!
- Talk to those who are subject to discrimination!
- Build up a legal strategy!
- An individual case is more than just an individual case:
it's a contribution to a structural social change!

The Swedish Equality Ombudsman

- The Equality Ombudsman (DO) is a governmental agency that was formed on 1 January 2009.
- DO is the result of a merging of 4 anti-discrimination ombudsmen.
- The main task is combating discrimination and promoting equal rights and opportunities for everyone.

The Swedish Equality Ombudsman

- Approximately 100 employees.
- Budget of 9 million Euros
- An advisory council (appointed by the ombudsman)

The legal base

- Act concerning the Equality Ombudsman (2008:568)

Gives the agency a broad mandate (closer to a general human rights based approach)

- Discrimination Act (2008:567)

Ban on discrimination based on 7 grounds + positive action

- Parental Leave Act (1995:584)

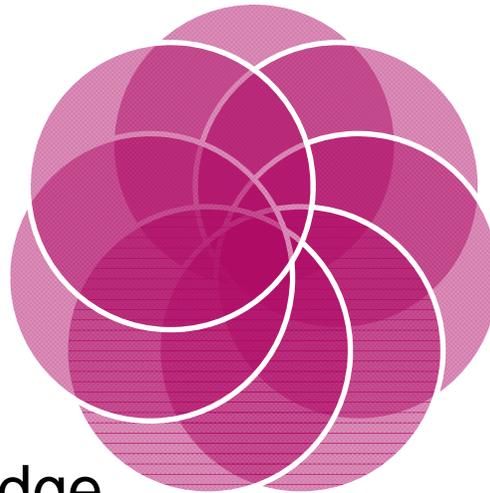
Ban on unfavourable treatment due to parental leave

What we do

- Monitor compliance with anti-discrimination legislation.
- Investigate complaints regarding discrimination or unfavourable treatment due to parental leave.
- Take legal actions.
- Promote equality through analysis, reports, trainings.
- Provide advice, information and trainings on anti-discrimination and equal rights.
- Propose legal amendments and takes initiative for other measures that we find necessary.

Our Strategies

Strategies for
equal treatment



The law as an
effective tool

Societal knowledge
development

Access to
rights

By coordinating these strategies, we can change society



The complex reality

A migrant woman talking to her boss:

- I want the same salary as my Swedish co-workers!
- The men or the women?

