The role of the Equality Bodies

Some reflections

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Equality Bodies

*The EU legislation (1/2)*

  *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)


- 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?