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**Seminar
with national Specialised Bodies
to combat racism and racial discrimination
“Anti-discrimination bodies:
recent trends and challenges”**

**Strasbourg, Agora Building
31 May-1 June 2012**

Report

Strasbourg, 25 October 2012

1. ECRI organised its annual seminar with national Specialised Bodies¹ on May 31st and June 1st. The theme was “Anti-Discrimination Bodies: Recent trends and challenges”, in particular recent developments in a number of countries where there have been moves to merge equality bodies and human rights institutions or to broaden the mandate of equality bodies to include human rights in general. The seminar was opened by ECRI’s new Chair, Jenö Kaltenbach, who welcomed participants and made some introductory remarks, and EQUINET’s Chair, Jozef de Witte, who delivered a keynote speech on recent trends and challenges concerning equality bodies.
2. The seminar’s sessions looked at two examples of merger of equality and human rights bodies - in France, the United Kingdom - as well as at the forthcoming merger of the Irish Human Rights Commission with the Equality Authority. They also examined two cases where anti-discrimination institutions have had their mandates extended – the new Board for Human Rights and Equality in the Netherlands, to start functioning before the end of the year and the European Union’s Fundamental Rights Agency (FRA), which had been the Monitoring Centre on Racism and Xenophobia until 2000.
3. Another session assessed the role of Ombudsman institutions in the fight against racism and racial discrimination, with contributions from the Ombudsman of Cyprus, as well as the Deputy Ombudsman and the Assistant Commissioner for the Protection of Equality of Serbia, explaining the difficulties they faced, inter alia, because of mandate issues. Finally, a representative of the Scottish Human Rights Commission outlined the synergies between human rights structures and specialised bodies in combating racism and racial discrimination, while respecting the UN Paris Principles of independence and effectiveness.
4. In the ensuing debate, concern was expressed that many of the proposals to merge institutions or expand their mandate were mainly driven by financial concerns and the Governments’ desire to cut costs. In some cases, the impression had been created in civil society that the proposals in question would result in the weakening of bodies that were seen as overcritical of the authorities’ actions.
5. There was also fear that merging specialised equality and anti-discrimination bodies into larger entities with a broader mandate with the same or less resources could make them lose their specific focus and expertise and lead to competition between the different divisions of the merged body for limited resources.
6. At the same time, it was considered that some financial cutbacks were probably inevitable and that institutions in the human rights and anti-discrimination field would have to find ways to co-operate and reinforce each other’s work; thus, it transpired that, in addition to threats, the current trends could present opportunities, such as additional expertise and powers within a single body, as well as increased political impact.
7. The final panel brought together representatives of the EU Fundamental Rights Agency and OSCE/ODIHR, the Offices of the Council of Europe Commissioner and the UN High Commissioner for Human Rights, EQUINET and the Secretariat of ECRI, to explain their perception of the current situation and to suggest future action. The result was quite encouraging, illustrating the amount of regional and international support that is available to national Specialised Bodies, which can be helped to become more effective in their work.

¹ Independent national authorities entrusted with the fight against racism and racial discrimination, the latter being understood as discrimination on grounds of ethnic origin, colour, citizenship, religion or language.

8. The level of interest in the topic of the seminar was shown by the attendance (73 participants, including 18 speakers, panellists and chairs of sessions) and the participants' active involvement. Everyone agreed that the exchange of views had been very useful and proposed continuing the discussion next year, examining in particular:
- Budgetary allocation, which should be proportionate to the nature and range of the institution's functions;
 - Existence of appropriate legal tools, which should be provided by statute and comprise investigating powers, the possibility of having recourse to the courts and providing aid and assistance to victims, including legal representation, and, where appropriate, the possibility of granting compensation;
 - Maintaining core expertise and avoiding the risk of message dilution in a situation of merger into larger bodies;
 - Independence de jure and de facto;
 - Accessibility and visibility of Specialised Bodies to vulnerable groups;
 - Clear division of labour, when more than one institution deals with racial discrimination, avoiding overlapping and confusion among "clients" on who is doing what;
 - Systematic involvement of NGOs in specific activities.

APPENDIX I

Seminar with national Specialised Bodies to combat racism and racial discrimination

Anti-discrimination bodies: recent trends and challenges

31 May – 1 June 2012
Strasbourg, AGORA Building – Room G02

PROGRAMME

Thursday, 31 May 2012:

OPENING SESSION

9:30 – 9:40	Welcome address and introductory remarks - Jenö Kaltenbach, Chair of ECRI
9:40 – 10:00	Recent trends and challenges: setting the scene - Jozef De Witte, Executive Director, Centre for Equal Opportunities and Opposition to Racism, Chair of Equinet

SESSION 1: Merging Specialised Bodies with the view of creating institutions with wider objectives in the field of human rights

Chair: Winnie Sorgdrager, ECRI member

10:00 – 10:15	French example - Dominique Baudis, Défenseur des droits, France
10:15 – 10:30	UK example - Diana Copper, Equality and Human Rights Commission, United Kingdom
10:30 – 10:45	Irish example - Michael Farrell, ECRI member
10:45 – 11:15	Discussion with contributions from the floor

11: 15– 11:30 Coffee break

SESSION 2: Mandate's enlargement

Chair: Michael Head, ECRI member

11:30 – 11:45	Dutch example - Stans Goudsmit, Commissioner, Equal Treatment Commission, Netherlands
11:45 – 12:00	FRA example - Jonas Grimheden, European Union Agency for Fundamental Rights
12:00 – 12:30	Discussion with contributions from the floor

12:30 – 14:30 Lunch break

SESSION 3: The role of the Ombudsman as a Specialised Body

Chair: Zdenka Čebašek-Travnik, Human Rights Ombudsman, Slovenia

14:30 – 14:45	Cypriot example - Eliza Savvidou, Ombudsman of the Republic of Cyprus
14:45 – 15:15	Serbian example - Goran Basic, Deputy Ombudsman, and Milovan Batak, Assistant Commissioner for the Protection of Equality, Serbia
15:15 – 15:45	Discussion with contributions from the floor

15:45 – 16:00 Coffee break

SESSION 4: Synergies

Chair: Michael Farrell , ECRI Member

16:00 – 16:30	Synergies between human rights structures and specialised bodies in combating racism and racial discrimination - Bruce Adamson, Scottish Human Rights Commission
16:30 – 17:00	Discussion with contributions from the floor

17.00 – 18:00 Reception

Friday, 1 June 2012:**SESSION 5: Standards in theory and practice**

Chair: Michael Head, ECRI member

9:30 – 10:00	Panel discussion with: <ul style="list-style-type: none">• ECRI• Office of the Commissioner for HR• UN - OHCHR• EU - FRA• OSCE - ODHIR• EQUINET
10:00 – 10:45	Contributions from the floor
10:45 – 11:00	Wrap-up and conclusions - Michael Farrell , ECRI Member

11:00 – 11:15 Coffee Break

CLOSING SESSION

Chair: Jenö Kaltenbach, Chair of ECRI

11:15 – 11:30	Proposals for the theme of ECRI's 2013 seminar with Specialised Bodies – ECRI Secretariat
11:30 – 12:00	Discussion
12:00	Closing of the seminar - Jenö Kaltenbach, Chair of ECRI

APPENDIX II

Seminar with national Specialised Bodies to combat racism and racial discrimination Anti-discrimination bodies: recent trends and challenges

LIST OF PARTICIPANTS

SPEAKERS, PANELISTS and MODERATORS:

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