

ECRI Annual Seminar with equality bodies
Prohibition of discrimination: can a focus on intersectionality
contribute to effective equality?
Strasbourg, 26 September 2022

Opening speech by Maria MAROUDA

Chair of ECRI

Dear Commissioner Dali, dear Special Rapporteur Achiume and General Rapporteur Bayr, distinguished Participants, dear friends;

Good morning. It is my pleasure to welcome you to the 2022 edition of ECRI's annual seminar with equality bodies. As you know, the theme of this year is about intersectionality. Can this concept help to stamp out discrimination and to achieve effective equality in European societies?

The term of intersectionality was coined by US scholar Kimberlé Crenshaw three decades ago. It has since become a buzzword in public and other discourse across disciplines. 'Race' and 'gender' constituted its departing point. It has now touched upon many different groups, such as Black LGBT people, Muslims with a migration background, Muslim and Jewish women, and Roma women and girls. The concept of intersectionality recognises that people's lives are shaped by their identities, relationships and social factors. These create intersecting forms of privileges and disadvantages depending on individuals' social environment and existing power structures.

Intersectionality may offer a new way of thinking about the complexities of human lives and about phenomena such as racism, LGBTI-phobia and sexism. It is neither an 'add and stir' approach, nor does it "provide definitive answers to social problems". Rather, it reframes our understanding of marginalisation and structural inequalities while creating spaces for thoughtful consideration. This way of thinking has made progress in policy-making over the years in a number of countries. I am sure that we shall hear more about how it is used in practice, and within the EU for example, through the EU Action Plan

against Racism 2020-2025 and the EU LGBTIQ Equality Strategy 2020-2025.

ECRI has also been using the concept of intersectionality as an important tool in its work. In ECRI's view, the intersectional dimension indeed holds great significance as it recognises the manner in which "multiple grounds of identity" interact in experiences of discrimination, exclusion and hostility suffered by many members of groups of concern to ECRI. In its country monitoring reports as well as in its general guidance to member states, such as its new General Policy Recommendation No. 5 on preventing and combating anti-Muslim racism and discrimination and its General Policy Recommendation No.9 on preventing and combating antisemitism, this concept was highlighted as an imperative for understanding the issues at stake in all their complexity.

Despite its growing use by many different actors, including national equality bodies and civil society organisations, the concept seems, however, to have seen slow growth in anti-discrimination law. Due to its distinct and 'synergistic' nature, intersectional discrimination is often not fully understood. At the same time, in many national legislative frameworks, there is a lack of reference to this form of discrimination, which renders intersectional discrimination cases often invisible and proper redress virtually impossible.

Today's seminar is an attempt to join forces for a common reflection as to whether and how intersectionality may be used by equality bodies, ECRI and other stakeholders with a view to achieving effective equality in law, policy-making and practice.

Now a few words about today's participants and speakers. I am very pleased to have so many representatives of equality bodies among the participants at this year's annual seminar, and of course among the speakers. You are amongst ECRI's closest partners on the ground, contributing to many positive changes of mindset, often in co-operation with civil society organisations.

I am also proud of the line-up of speakers who have kindly accepted the invitation we extended for the different sessions. Our discussions

will be divided into three parts: first, the challenges; then, the approaches and finally, the ways forward. Before moving onto hopefully interactive sessions, our esteemed keynote speaker will set the scene and tell us more as to how laws and practices could be viewed through the lens of intersectionality. This will be followed by powerful testimonies. I already salute the work by all the other speakers who in their work already make the best use of the concept of intersectionality. This is the case of ECRI's sister body in the UN, the Committee on the Elimination of Racial Discrimination (or CERD). This is the case of many civil society organisations advocating for the use of this concept with a view to approaching social inequalities from a structural point of view.

I am especially honoured by the presence of our high-level guest speakers, the European Union Commissioner for Equality, Helena Dalli, who is attending and speaking at ECRI's annual seminar for the third year. Dear Helena, thank you very much for making your attendance at our annual seminars a tradition. Your support and that of your team to ECRI's work is truly appreciated. I am also very pleased to have Petra Bayr with us, the General Rapporteur on combating racism and intolerance of the Parliamentary Assembly of the Council of Europe, who is a close partner of ECRI. We are also privileged to have Tendayi Achiume, the UN Special Rapporteur on Racism, Racial Discrimination, Xenophobia and Related Intolerance. I still remember that we had a fascinating exchange with her during ECRI's 25th year anniversary a couple of years ago. She unfortunately could not speak to us in person or online due to time zone differences but I am happy that she could make it through a video message from the United States of America.

Dear Participants, let me wish us all a fruitful annual seminar.

Now, I would like to give the floor to the Commissioner Dalli. Dear Helena, you have the floor.