



**RECOMMENDATION FOR A FAIR AND
EQUAL EUROPE: REBUILDING OUR
SOCIETIES AFTER COVID-19**

Equinet, the European Network of Equality Bodies:

- Recognising** that the public health crisis triggered by COVID-19 and the measures taken by governments to tackle it are not neutral; they affect some in Europe more than others, with disproportionately negative effects on certain groups, often already in a disadvantaged socio-economic position and at risk of discrimination;
- Acknowledging** that there is a clear risk of a serious economic downturn and social crisis hitting Europe over the coming months and years; and that this is almost certain to increase discrimination and inequalities without strong pro-equality policies, the mobilization of necessary resources and action at European, international, national and local levels;
- Noting** that the disastrous consequences of the 2008 economic downturn, with a surge in inequalities, poverty, populism, discrimination and hate speech, provide an imperative for doing better in responding to such crises and underline the importance of building a fair and equal Europe after the crisis;
- Welcoming** the *EU's commitment* to ensure that equality is at the heart of the recovery;
- Recognising** that building societies characterised by equality and solidarity will also increase the resilience of societies to future crises;
- Recalling** that equal treatment and non-discrimination are the foundations of the universal human rights system and founding principles and values of the European Union and national constitutions; and that this crisis is a crucial test for commitment to these values;
- Bearing in mind** that the right to equality and freedom from discrimination is the only right set out in all nine of the core UN human rights treaties and it is also the subject of binding legislation and well-developed jurisprudence at the Council of Europe, European Union and national levels;
- Recalling** that equality bodies are independent state institutions set up across Europe to promote equality, counter discrimination and harassment and often mandated to deal with hate speech;

Equinet provides the following recommendations:

An equality-compliant response to the crisis

- 1 Equal treatment and non-discrimination are common minimum standards and must be respected under all circumstances, including in times of crisis. Any derogation from these minimum standards may only be accepted if it is proven to be strictly necessary and proportional, narrowly construed both in time and scope and does not violate other basic fundamental rights.
- 2 All public institutions and politicians should communicate clearly that a crisis must never be used to suspend the right to equality and freedom from discrimination. Their words and actions should be driven by a concern for equality and protecting all in society without discrimination. Responses to the crisis must be swift in ensuring the protection of the most vulnerable groups and securing equal access to essential public services for all.
- 3 Public institutions and the media must avoid any discrimination and hate speech against any groups in the context of the crisis, as well as any actions that might fuel such discrimination and hate speech. This includes avoiding indirect discrimination through general, apparently neutral measures having disproportionately negative effects for certain groups.

Towards a fair and equal Europe growing out of the crisis

- 4** Europe must do better than restoring the pre-crisis situation. EU and national actions should aim at eliminating systemic problems of inequality and building fair and equal societies grounded on solidarity. This should include promoting equality, including in education, as a shared value and as a key characteristic which underpins the response to the economic and social crisis and all economic and social policy cycles.
- 5** All planned EU and national measures and policies responding to the economic and social crisis should be subject to a rigorous and comprehensive ex ante equality impact assessment as well as ex post monitoring of their impact. Any EU or national investment should be conditional on reducing, rather than conserving or increasing inequality. Bearing in mind data protection rules, Member States should strengthen their equality data collection efforts in order to secure better policy targeting of the most vulnerable groups and to ensure periodic evaluation of the effectiveness of policy measures.
- 6** The EU and all countries should put in place and finance targeted measures, including positive action measures, to improve the situation and experience of marginalised groups and to reduce inequalities so as to enable the creation of a fair and equal Europe. Adopting an intersectional approach, particular attention and resources must be allocated to the most vulnerable within all marginalised groups (for example Roma women, Muslim women, older persons with disabilities).
- 7** All countries should invest in and strengthen their social infrastructure. This includes strengthening the social protection system as a tool for reducing structural inequality, developing a care infrastructure that is built on valuing independent living, and providing for a strong safety net protecting against all forms of poverty and leaving no one behind.
- 8** The EU and all countries should strengthen their equality legislation in a way that confirms equality as a central value and demonstrates an ambition to achieve full, substantive equality in practice. This includes widening the scope of equal treatment legislation to cover discrimination on all grounds and in all fields of life. The need for protection against discrimination on the grounds of health status and socio-economic disadvantages and the discriminatory potential of artificial intelligence is acutely underlined by the current crisis.
- 9** The EU and all countries should consider a wider use of statutory equality duties for employers, service providers, education and healthcare institutions, social services, and the public sector in general, obliging them to have due regard for and mainstream equality in their work, with an aim to achieve full equality in practice in all their actions.
- 10** The EU and all countries should ensure that equality legislation is effectively enforced, including by enhancing access to justice for victims of discrimination and by an evaluation and adjustment of the effectiveness and dissuasiveness of sanctions in discrimination cases.
- 11** All countries should strengthen national equality bodies and allow them to fulfill their potential in monitoring and enforcing equality legislation, promoting equality in society and policy making, working with duty bearers to support good practice and collecting and analysing data and evidence to provide expertise. This should entail widening the mandate of equality bodies to all grounds and fields of discrimination, ensuring their independence, accessibility and a sufficient level of resources. The [European Commission Recommendation on standards for equality bodies](#) and the [ECRI General Policy Recommendation No. 2 on Equality Bodies to Combat Racism and Intolerance at National Level](#) should be seen as minimum standards and fully implemented by all countries.



Equinet is the European Network of Equality Bodies, a membership organisation bringing together 49 equality bodies across Europe including all EU Member States. National equality bodies are public organisations assisting victims of discrimination, monitoring and reporting on discrimination issues, and contributing to an awareness of rights and a societal valuing of equality. They are legally required to do so in relation to one, some, or all of the grounds of discrimination covered by European Union (EU) law – gender, race and ethnicity, age, sexual orientation, religion or belief, and disability.

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