**Regional Meeting for Europe, Central Asia and North America on the International Decade for People of African Descent**

**Geneva, 23-24 November 2017**

**Speaking points:**

**Definition and different experiences:**

* Thanks to the organisers for inviting Equinet
* Introducing Equinet as the network of 46 equality bodies in 34 European countries, promoting equality and combatting discrimination on several grounds, including race or ethnic origin
* First, it is useful to acknowledge the **heterogeneous nature of the group of people of African descent and their experiences** depending on their background and different regions (for the purposes of this Regional meeting: Europe, North America and Central Asia).
* Equality bodies see the different experiences of the different groups of People of African Descent, even though high levels of discrimination against them is something that connects these experiences.
* In 2003 the UN’s Working Group of Experts on People of African Descent published a Working Paper on the ‘Identification and definition of “People of African Descent” and how racial discrimination against them is manifested in various regions’ (<http://www2.ohchr.org/english/events/iypad2011/documents/Working_Group_on_African_Descent/2003_WGPAD_Session/Definition_of_People_of_African_Descent-PL_Kasanda.pdf>)
* The Working Paper suggests that ‘*People of African descent maybe defined as descendants of the African victims of the Trans-Atlantic and Mediterranean Sea slave trade. The group includes those of the sub-Sahara slave trade. Descendants of the victims of the trans-Atlantic trade live primarily in the Diaspora of North, Central and South America and the Caribbean. In 1996, for instance, their number in Latin America was estimated at 150 million or approximately a third of the total population of the area. However, for the definition to be completed, it must also include Africans and their descendants who, after their countries’ independence emigrated or went to work in Europe, Canada and the Middle East where they also experienced racial discrimination suffered by those who live in Western European countries*’.

**Legal framework and reality on the ground:**

* EU Member States, EEA countries and accession countries have a strong and comprehensive legal framework against discrimination based on race and ethnic origin – in fact this legal framework, the EU’s Race Equality Directive is stronger than EU equal treatment legislation on any other ground. However, the situation on the ground and the everyday experiences of People of African Descent show that the proper implementation of these laws is lacking.
* Discrimination on the ground of race is recognised as a persistent societal problem and this is reflected in the fact that in many EU Member States it was the first personal characteristic to be protected from discrimination.
* Equinet’s report on discrimination based on race or ethnic origin (published in 2016) shows that equality bodies across Europe have recorded a **significant rise in race discrimination, hate speech and hate crime related to race, negative media coverage and political speeches** which have flowed from refugee and migrant related issues. There is also an increase in State action against refugees/migrants. Concern about the tone of political speeches, the language of the mass media and hate speech on social networks was also highlighted by equality bodies. While some of these negative developments might have originated in the arrival of large numbers of refugees and migrants to Europe, the effects clearly go beyond recent refugees and migrants, increasing hostility and discrimination towards racial and ethnic minorities in general.
* Reports from equality bodies show that **institutional discrimination** is common. In other words, we are not speaking about isolated incidents of discrimination, the political, legal and societal system in general appears to have a bias against racial and ethnic minorities and in particular People of African Descent.
* Against this reality it is very problematic that equality bodies and all in the equality infrastructure are dealing with very **high levels of under-reporting**. Only a fraction of discrimination incidents reach equality bodies or other authorities. This is a problem of lack of awareness of rights, but also a lack of trust in institutions and their ability to provide solutions.
* The experience of equality bodies confirms that People of African Descent can suffer from **multiple, aggravated or intersecting forms of discrimination**. Other grounds most often intersecting with the ground of race or ethnic origin are sex (both women and men, the latter for example in the form of discriminatory police checks), but also disability, age and socio-economic status.

**Development:**

* While ‘Recognition’ and ‘Justice’ are overarching issues where discrimination against People of African Descent is a concern, I am particularly happy to speak in the panel about ‘Development’ as it covers a number of economic and social rights that are inextricably linked with the work of equality bodies.
* Equality bodies recognise that People of African Descent are disproportionately affected by poverty. This is a result of historic and contemporary discrimination. On the other hand this poverty and deprived socio-economic status itself also leads to discrimination, creating a vicious circle.
* The fields of education, employment, healthcare and housing all represent areas in which racial and ethnic minorities are strongly discriminated. While we accept that economic and social rights in these fields need to be realised progressively and subject to the possibilities and available resources, equality bodies are very well placed to progress and develop these rights by enforcing a strict non-discrimination approach in providing for these rights.

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| ***Examples:*** * *In* ***France****, the equality body found racial discrimination when a landlord refused to rent an apartment to people with a foreign sounding surname. In a situation testing activity via telephone the landlord stated that he only wanted ‘European people, like the Swedish or Germans but not people from North-Africa and Africa in general’ to live in his apartment. He has made similar statements relating to Muslims. The case was settled and the apartment owner fined.*
* *In* ***Great Britain****, the Equality body reported that someone born in an ethnic minority household in Scotland is nearly four times more likely to be in a household that is overcrowded and up to twice as likely to be living in poverty and experiencing unemployment*
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* It might be acceptable not to provide the full extent of certain economic and social rights, but it is not acceptable to only provide them to certain groups and not to others. It is the role of equality bodies to remind States of these obligations and enforce equal treatment in these fields.
* In tackling poverty, developing our systems for education, employment, healthcare or housing we must also recognise that EU countries represent one of the richest regions of the world and they hold a historic responsibility for delivering rights and equality for People of African Descent.

**Way forward:**

* If we are to move towards substantive equality for and tackle discrimination against People of African Descent, equality bodies’ experiences suggest that a number of important tools should be used more effectively.
* We need to put in place effective and appropriate positive action measures even if some might raise concerns that positive action can be difficult to implement and can lead to complaints from non-beneficiaries.
* We need to tackle under-reporting by raising awareness about the legal protection against discrimination and the available remedies, but also by increasing the visibility of equality bodies and other structures providing protection. For this we need to conduct better and more effective outreach activities, preferably close to the communities.
* Finally, we cannot emphasize enough the importance of cooperation. Cooperation with People of African Descent and their representatives, with stakeholders… and with international organisation – for which it is even more important for me to be able to be here and join your discussions today.