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Enhancing co-operation between parliaments and equality bodies

Report[1]
Committee on Equality and Non-Discrimination
Rapporteur: Ms Tuula HAATAINEN, Finland, Socialists, Democrats and Greens Group

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1. Reference to committee: Doc. 15905, Reference 4791 of 7 March 2024.

A. Draft resolution[2]

1. Equality and non-discrimination are cornerstones of democratic societies and essential elements of the rule of law. Equality is one of the most sensitive barometers of democracy, and gender equality provides a particularly clear indicator. Regressions in women's rights may serve as an early warning sign of broader democratic backsliding.

2. National equality bodies, which are established in the vast majority of Council of Europe member States, are independent institutions that play a central role in promoting equality and combating discrimination. They provide assistance and legal support to victims of discrimination and advise public authorities, including legislators and policy makers, on the design, implementation and evaluation of equality policies.

3. The structure, mandate and powers of equality bodies vary significantly across Council of Europe member States. They may cover a single ground or multiple grounds of discrimination and may operate as stand-alone institutions or as part of multi-mandate institutions. Legislation should clearly define the mandate of equality bodies and create a system that covers all prohibited grounds of discrimination, including ethnic origin, language, religion or belief, citizenship, age, gender, disability, sexual orientation and gender identity or expression, as well as multiple and intersectional discrimination.

4. The Parliamentary Assembly notes with concern that human rights, equality and non-discrimination face increasing pressure across Europe from both domestic and external actors, including foreign governments and forces opposing equality, such as anti-gender movements. Public authorities must ensure that national equality bodies are able to operate independently in this context. The independence and effectiveness of equality bodies require adequate financial and human resources, protection from political interference, and a legal framework that guarantees their autonomy.

5. The Assembly strongly believes that co-operation between parliaments and equality bodies should be strengthened, including by consistently seeking or accepting the contributions of these bodies in legislative processes and duly taking their opinions and recommendations into account. Such co-operation should be clearly defined, structured, and based on transparent and established procedures.

6. Civil society organisations, particularly those active in equality and non-discrimination, are closely connected to the realities on the ground and may contribute to the design, implementation and evaluation of public policies. Public authorities should regularly engage in dialogue and strengthen co-operation with them. Ensuring a safe and sustainable environment for their work is essential to democratic life.

7. Evidence-based policy making depends on access to reliable, independent and transparent data on equality and non-discrimination. Council of Europe member States and their national statistical institutes should step up efforts to ensure that comparable data are collected, processed and made available at European level. Co-operation with academic institutions in this area should also be strengthened.

8. The Assembly is concerned about the risk that digital technologies, especially artificial intelligence, may be misused, leading to increased discrimination, hate speech and disinformation. At the same time, technological advances, when responsibly applied, can support equality, improve monitoring of discrimination, and inform policy making.

9. The Assembly welcomes the opening for signature of the Council of Europe Framework Convention on Artificial Intelligence and Human Rights, Democracy and the Rule of Law (CETS No. 225). This landmark convention establishes common standards to ensure that artificial intelligence systems are consistent with fundamental rights and democratic principles.

10. In light of the above, the Assembly calls on member States to:

10.1. with regard to equality bodies:

10.1.1. establish, where they do not yet exist, one or several independent equality bodies with a clear mandate to promote equality, prevent and combat discrimination and support diversity and inclusion;

10.1.2. ensure that equality bodies' mandates cover all relevant grounds of discrimination, including ethnic origin, language, religion, citizenship, age, gender, disability, sexual orientation and gender identity, as well as multiple and intersectional discrimination;

2. Draft resolution adopted by the committee on 20 April 2026.

10.1.3. empower equality bodies to assist victims of discrimination, provide independent advice to public authorities, monitor the implementation and impact of legislation and policies, and, where appropriate, support or initiate legal proceedings;

10.1.4. guarantee the independence, autonomy and effectiveness of equality bodies, including through adequate and sustainable financial and human resources and protection from political interference;

10.1.5. engage in sustained dialogue with national equality bodies and take into account their recommendations on legislation, policies, procedure and programmes;

10.1.6. fully implement the European Commission Against Racism and Intolerance (ECRI) General Policy Recommendation No. 2 “Equality bodies to combat racism and intolerance at national level”, revised in 2017;

10.2. with regard to co-operation with parliaments and public authorities:

10.2.1. strengthen co-operation between equality bodies and national parliaments, including through regular exchanges, hearings, reporting mechanisms and systematic consideration of recommendations of the equality bodies in legislative and oversight processes;

10.2.2. ensure that governments, parliaments and other public authorities consult and co-operate with equality bodies, taking their expertise into account when designing, adopting and evaluating legislation, policies and programmes;

10.3. with regard to civil society:

10.3.1. ensure an enabling environment for civil society organisations working on equality and non-discrimination, including gender equality and women’s rights, safeguarding their freedom of operation and providing adequate and sustainable support;

10.3.2. promote structured co-operation between public authorities, equality bodies, and civil society organisations in the design, implementation and evaluation of equality policies;

10.4. with regard to data, monitoring and early warning:

10.4.1. ensure the availability of reliable, comparable and transparent data on equality and non-discrimination, including by strengthening national statistical institutes and supporting relevant academic research;

10.4.2. ensure that equality bodies can act as independent “alert mechanisms”, identifying emerging patterns of discrimination and signalling risks to public authorities;

10.4.3. consider the establishment of a Europe-wide early warning mechanism on equality and non-discrimination in order to identify and respond to risks of backsliding in a timely manner, based on measurable indicators developed in co-operation with national statistical institutes and European and international bodies with expertise in equality and non-discrimination and data collection;

10.5. with regard to artificial intelligence and digital environment:

10.5.1. sign, ratify and implement the Council of Europe Framework Convention on Artificial Intelligence and Human Rights, Democracy and the Rule of Law;

10.5.2. take effective measures to prevent and combat the misuse of digital technologies and artificial intelligence to spread hate speech and discrimination;

10.5.3. promote the responsible development and use of artificial intelligence as a tool for supporting equality, including in monitoring discrimination, improving access to rights and informing public policies.

B. Explanatory memorandum by Ms Tuula Haatainen, rapporteur[3]

1. Introduction

1. Equality is a cornerstone of democracy and one of its most sensitive barometers. Gender equality exemplifies this. When women's rights are eroded, it should serve as a clear warning. The achievement of equality is a powerful indicator of societal well-being and, perhaps, the strongest measure of a healthy society and the genuine implementation of the rule of law.

2. National equality bodies play a central role in promoting and safeguarding equality and non-discrimination across Europe and beyond. Their structure, mandate, and relationship with parliaments vary significantly from country to country.

3. The aim of this report is to analyse the functioning of equality bodies in Council of Europe member States and the way in which they co-operate with national parliaments, with a view to identifying best practices and ways to enhance such co-operation across Europe.

4. The preparation of this report has entailed several activities. A questionnaire was circulated through the European Centre for Parliamentary Research and Documentation (ECPRD), and hearings were held with the participation of experts, including a representative of the Norwegian equality body. I carried out a fact-finding visit to Hungary, for which I am grateful to the Hungarian delegation and to my colleague Ms Zita Gurmai also a member of the Committee on Equality and Non-Discrimination. I also met bilaterally with a civil servant from the Dutch equality body. Furthermore, I will share the findings of conversations that took place with the Finnish Ombudsman and members of his staff.

5. In addition, I had the opportunity to participate in two of the seminars with equality bodies that the European Commission against Racism and Intolerance (ECRI) organises annually in Strasbourg.

6. This report covers equality across the board and protection from discrimination based on any prohibited ground. I will focus particularly on gender equality, a principle that should consistently be among the highest priorities of legislators and policymakers, and a good indicator of the proper functioning of equality systems, and of society as a whole.

2. Information collected thanks to the ECPRD questionnaire

7. The questionnaire distributed to national parliaments via the ECPRD sought to map the regulatory frameworks and practical arrangements governing the co-operation between equality bodies and national parliaments across Europe, inviting the latter to share information on their respective legal provisions, institutional mechanisms, and day-to-day practices in this area.

8. The primary objective of this exercise was to collect comprehensive and comparable data from a wide range of European countries, thereby facilitating a cross-national analysis of the way parliaments engage with equality bodies and how their engagement is structured, or not, by law and tradition.

9. The questionnaire addressed several key aspects of parliamentary-equality body co-operation. Firstly, it inquired about the existence and nature of national equality bodies within each country’s legal system, as well as formal mechanisms or legal frameworks governing the co-operation between these bodies and parliament. Where such frameworks exist, respondents were asked to describe them and, where applicable, to provide references to relevant legislation. In cases where co-operation occurs on an informal basis, the questionnaire requested details on the nature of this co-operation, including which body typically takes the initiative and whether parliament retains the discretion to decline requests for collaboration from equality bodies. The questionnaire also sought to clarify the channels and frequency of interaction, and whether equality bodies are routinely consulted or have opportunities to contribute to parliamentary proceedings. Finally, parliaments participating in the research were asked to indicate the main challenges hindering co-operation with equality bodies, and to share recommendations on ways to improve it.

10. The ultimate aim was not merely to catalogue existing arrangements, but also to identify and highlight good practices. In this context, good practices are understood as examples of regulations, procedures, or other measures that enable equality bodies to play a significant and meaningful role in promoting equality and non-discrimination, particularly within the legislative process. This may include mechanisms for keeping

3. This explanatory memorandum is drawn up under the responsibility of the rapporteur.

equality bodies informed about new legislative initiatives – such as draft bills – so that they can provide timely and relevant input. It may also encompass procedures that allow equality bodies to be proactive, drawing legislators' attention to topical equality issues that require intervention or specific consideration. By documenting and disseminating these good practices, this report seeks to support parliaments and equality bodies across Europe in strengthening their collaboration and, ultimately, in advancing the cause of equality and non-discrimination for all citizens.

3. National equality bodies: overview

11. The landscape of national equality bodies across Europe is diverse. While some countries have opted for a single, centralised body, others have developed dual or multiple institutions to address the complexity of equality and anti-discrimination issues. The choice of model often reflects historical, legal and political contexts, as well as the range of equality challenges faced by each country.

12. In countries that have established a single, central equality body, this body has a broad mandate covering multiple grounds of discrimination. These bodies are typically independent and serve as the main point of contact for both citizens and parliament on equality issues.

13. Examples include Czechia, where the Public Defender of Rights (Ombudsman) is the national equality body, responsible for equal treatment and anti-discrimination, France (Defender of Rights), Ireland with the Irish Human Rights and Equality Commission, and a number of other countries including Hungary, Norway, Poland and Slovenia.

14. Some countries have two main equality bodies, often with distinct but complementary mandates. For example, in Austria the Ombud for Equal Treatment covers general discrimination, and the Austrian Disability Ombudsperson focuses on disability. In Belgium, the Institute for Equality between Women and Men addresses gender equality, while Unia (Interfederal Centre for Equal Opportunities) covers broader anti-discrimination grounds.

15. Several countries have established multiple equality bodies, each with a specific focus or covering different aspects of equality and anti-discrimination. Notable examples include Georgia, where the Public Defender (Ombudsman) is the main equality body, but where there are also parliamentary councils, government commissions and municipal bodies with equality mandates, Iceland and Spain with multiple bodies at both national and regional levels (each Spanish Autonomous Community has its own equality body).

4. Co-operation between national equality bodies and parliaments

4.1. Formal mechanisms or legal frameworks

16. Some Council of Europe member States have formal legal frameworks or mechanisms regulating co-operation between national equality bodies and their parliaments. In Albania, for instance, Article 36 of the Rules of Procedure of the Assembly allows parliamentary committees and sub-committees to hold hearings with executive institutions – including equality bodies – on specific issues. Hearings can be initiated by committee members, interest groups, or citizens. If one third of committee members request a hearing, it must be held. This is a clear example of a formal, regulated mechanism for co-operation. In the Slovak Republic, the National Centre for Human Rights is established by law and submits an annual report to parliament. The National Council's Committee on Human Rights and National Minorities regularly co-operates with this equality body. While day-to-day co-operation is rather informal, there is a formal mechanism for reporting to parliament.

17. In other countries, co-operation is more informal and not regulated by a specific legal framework. In France there is no formal mechanism or legal framework regulating co-operation between the parliament and national equality bodies. Co-operation is informal and can be initiated either by the parliament or by the equality body, depending on the issue at hand. There is no obligation for parliament to consult equality bodies or accept their requests for co-operation. The Defender of Rights (Défenseur des droits) regularly submits annual reports to parliament, and these are discussed in relevant parliamentary committees, but this process is not mandated by a specific legal provision. Engagement depends on the initiative of either party.

18. Iceland also has no explicit formal mechanism for co-operation between the parliament (Althingi) and equality bodies. However, the Ministry of Social Affairs and Labour (which oversees equality bodies) is accountable to parliament, and there is a legally mandated four-year gender equality action plan. The action plan, submitted to parliament, is developed in consultation with the Directorate of Equality and with input from

the Gender Equality Forum, which includes members of parliament. While not a direct legal framework for co-operation, this creates a structured, recurring form of engagement. In Liechtenstein, parliamentary committees or members may consult the Equal Opportunities Department as needed. In Luxembourg, co-operation occurs through specialised parliamentary committees, but this is not regulated by law.

4.2. Good Practices in co-operation between parliaments and equality bodies

19. Several examples of good practices in the area of co-operation between parliaments and equality bodies emerge from the information submitted by national parliaments. Establishing clear legal frameworks, creating dedicated parliamentary committees, mandating regular reporting, ensuring diverse representation and maintaining open channels for both formal and informal co-operation are all recognised as good practices. These measures collectively enable equality bodies to play a proactive and influential role in promoting equality and non-discrimination, especially within the legislative process. Having a robust legal basis for equality bodies is the starting point and is essential for effective co-operation and credibility. It should include provisions for independence, funding and a clear mandate.

4.2.1. Parliamentary committees dedicated to equality

20. Creating dedicated parliamentary committees or working groups ensures sustained attention to equality issues and facilitates regular interaction with equality bodies. Examples include Slovak Republic, where the Committee on Human Rights and National Minorities co-operates directly with the equality body, or Luxembourg, where the parliament has a Commission on Family, Solidarity, Living Together and Reception, which focuses on gender equality.

4.2.2. Regular reporting and accountability mechanisms

21. Mandating regular reports and action plans involving both equality bodies and parliament fosters transparency, accountability and ongoing dialogue. This practice is common (see paragraphs 16 and 18, the case of the Republic of Slovaquia and Iceland).

4.2.3. Inclusive and participatory structures

22. Ensuring diverse representation in equality bodies and advisory councils strengthens legitimacy, brings varied perspectives, and enhances the quality of input into the legislative process. In Albania, the National Council for Gender Equality includes representatives from government ministries and civil society, selected through open competition. In Georgia, the legislative framework ensures minority and civil society participation in equality policy, as enshrined in the Constitution and supporting laws. In Iceland, the Gender Equality Council and Forum includes representatives from parliament, government, academia and non-governmental organisations (NGOs). In Spain, the Women's Participation Council is a collegiate, participatory, consultative and advisory body, ensuring that diverse voices, including those from civil society, are heard in policy development.

4.2.4. Flexible, informal co-operation

23. Even in the absence of formal rules, fostering a culture of open communication and willingness to consult equality bodies can lead to meaningful co-operation. As previously mentioned, a number of countries lack formal frameworks with precise procedures, but parliaments maintain regular informal contacts, hold committee hearings, or consultations as needed.

4.3. Challenges in co-operation between parliaments and equality bodies

24. Information on challenges in co-operation between parliaments and equality bodies also emerges from the replies to the ECPRD questionnaire. The most common challenges identified across member States include the lack of formal frameworks, resource constraints, informal or inconsistent co-operation and the limited influence of equality bodies on parliamentary decision making. Addressing these challenges would likely require clearer legal obligations, increased resources and more structured, transparent processes for consultation and follow-up.

4.3.1. Limited or informal co-operation

25. One of the most frequently reported challenges is that co-operation between parliaments and equality bodies is often informal, ad hoc, or not regulated by law. In countries such as Luxembourg, Spain and Liechtenstein, this lack of formalisation can result in inconsistent engagement and missed opportunities for expert input. For example, in Spain, there is no formal mechanism in the Senate for co-operation with the Ministry for Equality or other equality bodies; engagement depends largely on the initiative of individual committees or members of parliament. Similarly, in Luxembourg, while parliamentary committees address equality issues and may consult with the Centre for Equal Treatment, there is no codified process, which leads to a lack of systematic dialogue. Liechtenstein also relies on informal consultations, which, while sometimes effective, do not guarantee regular or structured input from equality bodies.

4.3.2. Lack of legal frameworks

26. Several respondents, including France, Luxembourg and Liechtenstein, highlight the absence of a formal legal mechanism for co-operation between parliament and equality bodies. In France, for instance, co-operation is not mandated by law and is instead based on informal arrangements; the parliament may even deny requests for engagement from equality bodies. This situation means there is no obligation for parliaments to consult equality bodies, and co-operation is left to political will or individual initiative. As a result, equality bodies in these countries may struggle to have their voices heard in legislative processes, and their input can be overlooked or inconsistently sought.

4.3.3. Limited resources and capacity

27. Resource constraints are a significant barrier for many equality bodies, as seen in Slovenia and Georgia. These bodies often operate with insufficient funding or staff, which hampers their ability to engage proactively with parliament. In Slovenia, for example, the Advocate of the Principle of Equality has highlighted the need for more systematic co-operation mechanisms but faces challenges in preparing timely and comprehensive opinions or reports due to limited resources. Georgia's equality bodies also experience similar difficulties, their limited capacity making it challenging to follow-up on parliamentary initiatives or legislative changes, and to provide consistent, high-quality input.

4.3.4. Political and institutional barriers

28. Political and institutional barriers can also impede effective co-operation. In some cases, parliaments or their committees may be reluctant to engage with equality bodies, particularly on politically sensitive issues. There can also be limited awareness or understanding among members of parliament about the role and expertise of equality bodies. For example, in Albania, even though formal mechanisms for co-operation exist, practical challenges remain in ensuring regular and meaningful engagement, especially when political priorities shift or when there is insufficient buy-in from parliamentary actors.

4.3.5. Fragmentation and overlap

29. In countries with multiple equality bodies, such as Spain and Georgia, fragmentation and overlapping mandates can create confusion about which body should be consulted on particular issues. In Spain, there are several national and regional bodies responsible for promoting equality and combating discrimination, including the Ministry of Equality, the Women's Institute and various regional agencies. This multiplicity can lead to fragmented communication channels with parliament and uncertainty about roles and responsibilities. Georgia faces similar challenges, with a complex landscape of equality bodies that sometimes results in overlapping efforts and a lack of co-ordinated engagement with the legislature.

4.3.6. Lack of transparency and public awareness

30. Another challenge identified by some respondents is that the opinions or recommendations of equality bodies are not always made public or systematically discussed in parliament. This lack of transparency can reduce accountability and limit the impact of equality bodies' work. For instance, in some countries, reports or recommendations may be submitted to parliament but not debated or published, making it difficult for the public to assess the effectiveness of parliamentary oversight or the responsiveness of legislators to equality concerns.

4.3.7. Limited impact

31. Finally, even when equality bodies are able to provide input, their recommendations are not always taken into account in the legislative process, which limits their impact on the ground. For example, in Finland, while committees often consult equality bodies in practice, there is no legal obligation to do so, and the influence of these bodies on final legislative outcomes can be uncertain. In Slovenia, despite the existence of an independent equality body, the lack of systematic mechanisms for co-operation means that its recommendations may not always be fully integrated into parliamentary decision making.

5. Equality policies in Finland

32. As a member of the Finnish parliament, and a former member of government, I would like to share some information about equality policies in my own country. While no system is perfect, the Finnish equality framework is often cited as a positive example, and it certainly benefits from the considerable importance that public authorities attach to pursuing equality and social cohesion.

33. The Finnish model places particular emphasis on mainstreaming equality across different levels of government and public administration. Rather than relying on a single institution, the system combines legislation, administrative bodies, structural tools in workplaces and education and mechanisms for supervision and legal protection.

5.1. Legislation and policy guidance

34. The legal foundation of the Finnish system is the Act on Equality between Women and Men (Equality Act). This legislation obliges public authorities, education providers and employers to actively promote equality and prevent discrimination based on gender, gender identity or gender expression.

35. In addition to the legal framework, the government regularly adopts an equality programme for each governmental term (for instance, the current programme covers 2024 to 2027). This programme sets out the main objectives and concrete measures through which the government intends to advance gender equality.

36. A central principle guiding these efforts is gender mainstreaming. In practice, this means that equality considerations are systematically integrated into decision making and into the everyday activities of public institutions across society.

5.2. Administrative bodies and actors

37. Several public bodies play a role in implementing and co-ordinating equality policy in Finland. The Ministry of Social Affairs and Health is responsible for preparing legislation such as the Equality Act and for co-ordinating the overall equality policy of the government.

38. The Equality Ombudsman is an independent and autonomous authority tasked with monitoring compliance with the Equality Act. In addition to supervising the application of the law, the Ombudsman promotes equality more broadly and provides assistance to individuals who have experienced discrimination.

39. The Finnish National Advisory Council for Gender Equality, appointed by the government, serves as an important forum for discussion and co-operation. Its role is to promote gender equality and stimulate public debate on equality-related issues.

5.3. Structural tools in workplaces and schools

40. The promotion of equality is also embedded in the everyday functioning of workplaces and educational institutions. Workplaces with more than 30 employees are required to prepare an equality plan. These plans must include an assessment of pay equality as well as a broader review of equality-related issues within the organisation.

41. Educational institutions are subject to similar requirements. Schools and universities must develop operational equality plans in co-operation with both staff and students, ensuring that equality considerations are integrated into the educational environment.

5.4. Supervision and legal protection

42. Compliance with equality legislation is monitored primarily by the Equality Ombudsman, who can provide guidance, advice and recommendations to authorities, employers and educational institutions.

43. In more serious cases, matters can be referred to the Non-Discrimination and Equality Board. This body can examine discrimination cases and, where necessary, issue binding decisions prohibiting discriminatory practices, including under the threat of a fine.

44. Individuals who experience discrimination may also bring cases before the ordinary courts, which provide an additional avenue for legal protection.

5.5. International co-operation

45. Finally, Finland's equality policy is closely connected with international co-operation. Finland actively participates in the development of European Union equality policies and contributes to the work of the European Institute for Gender Equality (EIGE).

6. Fact-finding visit to Hungary

46. On 20 and 21 October 2025, in Budapest, I held a series of meetings with a broad range of stakeholders. I began with a discussion with journalists, who shared their perspectives on the situation in the country. They highlighted the challenges faced by independent media, particularly the difficulty of accessing people in positions of power – who, on the other hand, are easily available to mainstream media outlets.

47. I also met with fellow parliamentarians, both from the majority and the opposition, as well as with members of the government. I met with the Secretary General of the national equality body, the Commissioner for Fundamental Rights, whose office also serves as the national human rights institution. I exchanged views with representatives of several civil society organisations working in the fields of human rights and equality, including gender equality and the rights of LGBTI people.

48. Part of the discussions with my counterparts focused on rather technical and legal aspects in particular, the procedures and mechanisms regulating co-operation between parliament and the national equality body, which in Hungary is the Office of the Commissioner for Fundamental Rights. Representatives of this Office provided me with very detailed information on the procedure used to appoint the Commissioner, including the requirements and criteria for selection. These rules are intended to safeguard the independence and effectiveness of the institution.

49. Technical and legal questions concerning the functioning of equality bodies are often intertwined with political ones. For instance, it is open to discussion whether it is preferable to have a single equality body with a broad mandate, or several bodies, each focusing on a specific area. There is no universal or purely technical answer to this question. It largely depends on how these bodies are organised and funded, which ultimately reflects political priorities and choices.

50. In Hungary, in 2020, the Equal Treatment Authority was merged with the Office of the Commissioner for Fundamental Rights, which is the national Ombudsman. During exchanges with representatives of the Hungarian authorities, the merger was presented as a way to reinforce the institution and increase coherence. Civil society organisations and individual experts, however, took a more critical view. They mentioned a decline in the number of cases handled by the Commissioner and expressed concern that the merger may in fact have weakened the institution's capacity to address discrimination effectively.

51. In an opinion adopted in 2021,[4] the Council of Europe's Commission on Democracy through Law (Venice Commission) expressed criticism of this reform. The Venice Commission regretted that the relevant legislation was adopted during the state of emergency, "in a rushed manner without any consultation with civil society, opposition and other stakeholders." In addition, the Venice Commission reiterated that any change related to the structure of equality bodies and national human rights institutions should be made with the aim of making the protection and promotion of rights at stake even more effective and efficient. The opinion also observes that the overlap between the competences already enjoyed by the Commissioner under the previous legislation and those acquired as successor of the Equal Treatment Authority was a risk that may undermine the effectiveness of the work in the field of promoting equality and combating discrimination.

4. See CDL-AD(2021)050.

52. We cannot ignore that Hungary has been facing certain challenges, including the shrinking space for civil society and the opposition. Some of the issues I wished to discuss with the Hungarian authorities proved to be particularly sensitive. Whenever I tried to discuss the rights of LGBTI people, the response referred instead to children's rights. My interlocutors argued that children's rights must be prioritised to avoid possible conflicts between these two categories of rights. However, legislative and policy developments in most European countries, as well as the case law interpreting human rights standards, show that there is no inherent risk of such a conflict. The impression, therefore, was that in Hungary certain rights were sacrificed on the altar of political ideology.

7. Artificial intelligence: friend or foe?

53. Artificial intelligence (AI) is developing at an unprecedented pace, offering both significant opportunities and posing serious risks for our societies. In the current political climate across many European countries, hate speech is spreading with alarming speed, amplified by digital platforms and fueled by information illiteracy and the rapid circulation of disinformation. Addressing these phenomena is no longer optional: strengthening critical thinking, media literacy and accountability in the digital space is essential to safeguarding democratic values and social cohesion.

54. Artificial intelligence – when placed in the wrong hands – can serve dangerous purposes. Rather than remaining a neutral tool, AI systems may reinforce existing biases or even introduce new forms of discrimination, particularly when deployed without sufficient oversight. This risk is not theoretical. There have already been troubling cases involving public authorities. To mention an example dating as far back as 2013, in the Netherlands the algorithms used by tax authorities to detect fraud in childcare benefits were revealed to systematically discriminate against individuals with a foreign or migrant background, wrongly accusing tens of thousands of families and causing them harm.

55. These developments show the need to anticipate and prevent such risks and to ensure that AI is used in a way that strengthens equality rather than undermines it. Public authorities bear a particular responsibility in this regard: they must guarantee that AI systems respect fundamental rights, are subject to rigorous evaluation, and operate in a transparent and non-discriminatory manner. Safeguards must be embedded at every stage, from design to deployment.

56. While AI presents challenges, it also holds considerable positive potential. When developed and used responsibly, it can become a powerful tool for progress, by helping to detect discrimination, improve access to public services, and support more inclusive policy making. We should therefore not reject AI but rather shape it in accordance with our shared values.

57. In this context, the Council of Europe has taken a decisive step by adopting the Framework Convention on Artificial Intelligence and Human Rights, Democracy and the Rule of Law (CETS No. 225), the first binding international legal instrument in this field. This landmark convention establishes common standards to ensure that AI systems are consistent with fundamental rights and democratic principles.

58. The Parliamentary Assembly, which has been at the forefront of highlighting both the risks and the potential of AI through a wide range of texts adopted since 2020, still has a crucial role to play in this area. It should actively promote the signature and ratification of this new convention, encouraging member States to commit to a common legal framework that ensures AI serves equality and human rights.

8. Current risks for equality policies and ways forward: indications from the European Commission Against Racism and Intolerance (ECRI)

59. The risk of backsliding in the area of human rights exists across Europe. It is first and foremost the duty of legislators and policy makers to counter this negative trend and to protect, consolidate and further strengthen equality systems. Equality bodies also have an important role to play. They provide advice and feedback on how legislation and policies are implemented and on their impact. They may also be proactive and indicate the need for intervention in specific areas.

60. To do so, equality bodies need support. Financial and human resources are, of course, important parts of the equation, but independence and autonomy are just as important. Co-operation between parliaments and equality bodies therefore needs to be strengthened.

61. ECRI has been a trailblazer in this area and its General Policy Recommendation No. 2 "Equality bodies to combat racism and intolerance at national level" has led a large number of Council of Europe member States to establish one or several such institutions.

62. Member States that have not done so already should establish equality bodies with the aim of promoting equality, preventing and combating discrimination, and promoting diversity and inclusion. Discrimination should be interpreted in a wide sense, including structural discrimination and hate speech.

63. Equality bodies can cover a single ground or multiple grounds and be stand-alone institutions or part of multi-mandate institutions. Legislation should set out their mandate clearly and explicitly. This should cover all grounds of discrimination, ranging from ethnic origin to language, religion, citizenship, age, gender, disability, sexual orientation and gender identity, as well as multiple and intersectional discrimination.

64. Equality bodies should have the functions of preventing discrimination and promoting equality, supporting people exposed to discrimination and intolerance and pursuing litigation on their behalf. They may also have the power to take decisions on complaints.

65. ECRI's General Policy Recommendation N°2, as revised in 2017, also states that "authorities and equality bodies should build a sustained dialogue on progress in the field of equality and non-discrimination", and that "Government and other authorities should consult and co-operate with equality bodies and take their recommendations on legislation, policy, procedure, programmes and practice into account". Among the "other authorities", parliaments are particularly prominent.

66. As highlighted during ECRI's 2025 Annual Seminar with Equality Bodies, pressure on these institutions is growing and becoming systemic, encompassing political interference, budgetary pressure and legal erosion, and in some cases delegitimisation campaigns. International co-operation between equality bodies, networking and co-operation with monitoring mechanisms should be strengthened to counter these challenges.

67. At the same annual seminar and more generally in discussions among European equality bodies, the idea of establishing an "early alert" or "early warning" mechanism has emerged. Such a mechanism would make it possible to signal and respond more rapidly to situations in which the independence, mandate or resources of equality bodies are threatened.

68. Based, among other things, on exchanges I held with Finnish experts, I consider that a Europe-wide Alert System for Equality should be created to detect situations of backsliding in this area. Measurable indicators should be identified to reveal negative development in an objective way. These indicators could be developed in co-operation with national statistical institutes and international agencies. EIGE, for instance, would be particularly well placed to contribute to this endeavour, with a focus on the gender perspective. Equality bodies themselves have often acted as "alert systems", drawing attention to increasing inequalities and risks of discrimination.

9. Conclusions

69. The work carried out in preparation of this report has confirmed the importance of equality bodies, also in view of their dual function: a specific one (providing support to individual victims of discrimination) and a general one (assisting and advising public authorities in matters of legislation and policy making). At the same time, it has highlighted the challenges that these institutions face in the current context, with risks of democratic backsliding in some Council of Europe member States.

70. Close co-operation between equality bodies and national parliaments is beneficial to both parties, as it provides legislators with an additional and valuable source of knowledge, while enabling equality bodies to translate insights gained through their direct experience of discrimination cases into legislative measures.

71. Political will is a crucial prerequisite for establishing and strengthening this form of co-operation. The Assembly is best placed to remind its members, and through them the national parliaments of member States, of their duty to bring the principle of equality to the forefront and to support close collaboration with equality bodies as part of their obligation to uphold democracy, human rights and the rule of law.