

# Update on Current ERT Projects

## **Project “Legal Standards on Non-discrimination and Equality”**

Following the launch of the *Declaration of Principles on Equality* on 21 October 2008, ERT continued its efforts to promote the *Declaration* and has undertaken advocacy work on the basis of the *Declaration*. This included:

- Presenting the *Declaration of Principles on Equality* to the British Equality and Diversity Forum.
  - Submitting a brief to the members of the UN Committee on Economic, Social and Cultural Rights related to the drafting of a General Comment on discrimination, and making recommendations based on the *Declaration of Principles on Equality*.
  - Presenting the *Declaration* to the UN High Commissioner on Human Rights, Navanethem Pillay, and discussing with her the role it might play in the work of her office.
  - Promoting the *Declaration* to the UN Secretary-General Ban Ki-Moon and explaining how the new approach enshrined in the *Declaration* makes the connection between social justice and equality.
  - Meeting the Council of Europe Commissioner on Human Rights, Thomas Hammarberg, to discuss the *Declaration* with him.
  - Promoting the *Declaration* through oral and written statements and to civil society organisations and other stakeholders at the Durban Review Conference in Geneva.
- Lobbying for support of the *Declaration* at the UN Alliance of Civilisations gathering in Istanbul; the European Parliament’s inter-group on secularism and religion in Brussels; and the Annual Conference of the European Foundation Centre in Rome.
  - Using the *Declaration* as the principle strategic instrument to promote and lobby the UK parliament to improve the content of the Equality Bill 2009.

## **Project “Law Enforcement Discrimination and Deaths in Custody”**

Launched in December 2007, this project has three main objectives: (i) to systematise the existing pool of knowledge on the relationship between deaths in custody and discriminatory policy or conduct by law enforcement bodies; (ii) to further enhance the global understanding of the nexus between deaths in custody and discrimination; and (iii) to develop and promote new advocacy tools that will complement existing investigatory standards into custodial deaths by adding a distinct anti-discrimination component.

The project consists of four country reports which will be submitted by external consultants to form separate substantive chapters within the final thematic report. In May 2009, ERT engaged a senior research consultant and project manager to guide the work in its final phase. Following a decision to do research in the United States, ERT started US field work in April 2009, focusing on California and Texas. In India field research has been ongoing in the first half of 2009 in two states - Karnataka and Maharashtra. In Nige-

ria, field research has been ongoing in four states – Lagos, Kano, Enugu and Abuja. A report on the subject is expected to be published in December 2009.

### **Project “Detention of Stateless Persons”**

The project “Detention of Stateless Persons” started in May 2008 with the aim of strengthening the protection of stateless persons who are in any kind of detention or imprisonment due at least in part to their being stateless, and to ensure that they can exercise their right to be free from arbitrary detention without discrimination. UNHCR and others have expressed the view that stateless persons should not be detained only because they are stateless. If detention has no alternative, its maximum length should be specified, based on strict and narrowly defined criteria. However, this principle has not been translated into international or national legal standards and into practice. Progress is hampered by a lack of information on cases of detention, including prolonged and indefinite detention of stateless persons.

The project therefore pursues two interrelated objectives: (i) to document the detention, or other forms of physical restriction of stateless persons (*de jure* and *de facto*) around the world; (ii) and to use this information to develop detailed legal analysis as a basis for international and national advocacy against the arbitrary detention of stateless people.

The project has involved the development of global networks for collaboration with other organisations in order to place this issue on the agenda. ERT now participates in the statelessness working group coordinated by Refugees International which has helped ERT to engage and collaborate with a number of key players in the field of statelessness.

In February 2009 the project published two working papers which featured as reading list papers for a short course on statelessness organised by the Refugees Studies Centre at the University of Oxford. Country and region specific documentation has also gained pace from January to June 2009. Research is well underway inside the UK and includes reviews of legislation, contact with relevant UK experts and support groups working with detainees. Contact has also been made with key government bodies and a series of interviews has been conducted. Documentation efforts continue in countries including the USA, selected countries in Central and South America, Thailand, Malaysia, Bangladesh, Kenya, Egypt and Australia.

On the advocacy side of the project an article on the key issues and motivation of the project was published in the March 2009 edition of the *Forced Migration Review* and in January 2009 ERT published an article in *The Guardian* on the issue of statelessness in the context of detention in Guantanamo Bay. In February 2009 ERT published an article in the *Telegraph* concerning forced expulsion of Rohingya in Thailand which follows on from a letter ERT wrote to the Prime Minister of Thailand in January expressing concern over situation of Rohingya in Thailand.

### **Project “Religious Diversity and Healthcare in Europe”**

This project started in June 2008 with the aim of producing a thematic dossier mapping out the problem field on “The State, Religious Diversity and Healthcare in Europe”. The thematic dossier has been completed in February and since then it has been receiving feedback from selected expert readers. Its publication is planned for September 2009.

**Project “Promoting Better Implementation of Equality and Non-discrimination Law in India”**

This project started in May 2009 with support from the UK Foreign and Commonwealth Office and in partnership with the Human

Rights Law Network (India). The project will run until March 2011 and its purpose is to build the capacity of NGOs and lawyers to implement equality and non-discrimination legislation and policy in India through the promotion of national, regional and international standards and best practice.