

European Youth Forum:
**Survey on “Youth and Multiple
Discrimination in Europe”**
Summary of Main Findings
November 2014



Executive Summary of the Main Findings

Introduction

This report presents the findings of the **online exploratory survey** on multiple discrimination affecting young people in Europe, launched by the European Youth Forum between March and June 2014, which involved 495 young people aged between 18 and 35.

The study collected data from across **Europe (across the countries of the Council of Europe)** on how multiple discrimination occurs in young people's lives, on which grounds young people are discriminated against, as well as on young people's awareness of existing antidiscrimination law on this topic.

The survey **aims to support further research on multiple discrimination affecting young people, to raise awareness** on multiple discrimination, **to support the development of evidence-based policies** and **adequate measures to tackle multiple discrimination based on an extended but non-exhaustive list of discrimination grounds** (for instance, along the lines of the European Convention of Human Rights and Revised Social Charter of the Council of Europe). On a more specific note, it aims to support the adoption of the so called EU 'Horizontal Directive' that would extend the protection from discrimination based on age, sexual orientation, religion or belief and disability beyond the area of occupation and employment, and which is still in the hands of the Council of the European Union.

This is consistent with the European Youth Forum's goal to adopt a rights-based approach to youth policy that integrates the norms, standards and principles of the international human rights system into the development, implementation and evaluation of youth policy. General data on multiple discrimination affecting young people are missing and there is a need to gather knowledge about this topic. In order to achieve this goal, this survey **widened the spectrum of grounds** and **areas** where discrimination can take place in young people's life and it focused on their experiences of discrimination based on one or more than one factor, beyond the perspective of a single group of young people. It also enquired about respondents' perceptions of the grounds on which their young peers are more likely to be discriminated against, or be at risk of discrimination for, in their country.

Constraints of the survey

The in-depth and long questionnaire was originally designed to be disseminated as extensively as possible through the direct involvement of the NGOs cooperating with the Youth Forum but, due to some resource constraints, the survey was mainly distributed through youth online networks. This circumstance might have discouraged some participants from completing the full questionnaire and prevented many others from accessing the survey. The topic of the survey itself (multiple discrimination) is relatively new among youth who are not involved in NGOs and even many of them, who have a relation to NGOs (56.7% of respondents are involved in NGOs activities), **were not familiar with the concept of multiple discrimination**. The availability of the survey in English and online only, made it accessible to those who have a relationship with the Youth Forum or one of its member organisations and who have ICT literacy and command of English. At the same time, the survey explored respondents' perception of other young people at risk of discrimination in the country where they live and this also provided relevant information to tackle discrimination.

However, further quantitative and qualitative research in this field should accommodate the needs of non- English speakers and those who are not ICT literate, in order to reach young people who are more at risk of exclusion and discrimination. The constraints of the survey have some implications on how the results should be read, because they cannot be generalised to all European youth and have certain degree of self-selection bias. **Despite that, this exploratory survey can still offer a basis for reflection on multiple discrimination affecting young people, from their point of view.**

What does multiple discrimination mean?

The concept 'multiple discrimination' is often criticised by many legal practitioners as a 'non-problem' or as a merely intellectual exercise. Looking at the origin of this notion, though, multiple discrimination is far from being just a theoretical *divertissement*: it is rooted in the United States' black women's fight for **substantive equality** in their attempt to make visible situations of discrimination which would have otherwise been obscured.ⁱ

For the aim of this survey, multiple discrimination encompasses three situations: multiple discrimination; additive or compound discrimination; intersectional discrimination.ⁱⁱ

ⁱ Crenshaw, K., 'Mapping the Margins: Intersectionality, Identity Politics, and Violence Against Women of Colour'. *Stanford Law Review*, 43, 1241-1299, 1991

ⁱⁱ Makkonen, T., 2002. *Multiple, compound and intersectional discrimination: bringing the experiences of the most marginalized to the fore*. Institute for Human Rights. Åbo Akademi University; Moon, G., 2010. 'Multiple Discrimination: Justice for the Whole Person'. *Roma Rights 2, 2009: Multiple Discrimination*. Available at: www.errc.org/roma-rights-journal/roma-rights-2-2009-multiple-discrimination/3564/1; Burri, S. and Schiek, D., 2009. *Multiple Discrimination in EU Law. Opportunities for legal responses to intersectional gender discrimination?*. Available at: http://ec.europa.eu/justice/gender-equality/files/multiplerediscriminationfinal7september2009_en.pdf.

The main findings of the study suggest that above all multiple discrimination and intersectional discrimination play a strong role in young people's lives, while compound discrimination was less reported. **The wealth of examples provided in the open questions of the survey show that multiple discrimination often has the effect of marginalising young people, both in their private sphere and in wider society.** This double burden makes young victims of discrimination feel disempowered and helpless. Furthermore, respondents underlined that their identities and social structures have a reciprocal impact on each other, suggesting that social barriers created by institutions at the macro and meso level should be jointly addressed when analysing individual cases of discrimination.ⁱⁱⁱ **For example, one recurrent concern for young people who have precarious and low paid jobs is the lack of access to bank loans for buying an apartment. Another major issue is the high rate of youth unemployment in those countries without a strong welfare system, a situation which hinders young people's full transition to adulthood.** Also, the fact that **single young people, de facto couples and couples without children are more likely to be excluded from social benefits is also perceived as a structural barrier, which** interplays with the individual's situation of discrimination.

Why do we need to tackle multiple discrimination?

Young people are usually defined just by 'age' and are perceived as a homogenous subset of society. The survey shows that **'age' is only one characteristic defining young people's identity and by which they define themselves.** Furthermore, even if discrimination grounds are socially constructed as mutually exclusive, in reality they can add to and interplay with each other. By focusing on each category at the same time, the interconnectedness of the experiences of discrimination based on more than one ground is overlooked. The problem is that antidiscrimination law and policy mainly conceive categories as tightly sealed off factors. As a consequence, lawyers defending victims of multiple discrimination often pick up the ground that is more likely to succeed before the courts. Also, the young people located at the intersection between different categories of identity and structures of oppression can be easily disregarded by the various policies based on one ground only.

The importance to step up efforts to further research, legislation and evidence-based policies tackling multiple discrimination can be easily understood by trying to address and answer specific cases and challenges similar to the following ones: *Imagine that a Muslim woman wearing a veil is discriminated against because of her particular situation (the intersection between being a Muslim (religion) and woman (gender)). The employer does not want to hire women wearing a headscarf, but hire both Muslim men and non-Muslim women. Consequently, the employer discriminates neither just on gender, nor just on religion. It is, in fact,*

ⁱⁱⁱ Degele, N. and Winker, G., 2011. Intersectionality as multi-level analysis: Dealing with social inequality. *European Journal of Women's Studies*, 18(1), 51–66.

discriminating on the intersection between religion and gender. In the workplace her situation would be fully covered because both Directive 2000/78/EC (religion) and Directive 2006/54/EC (gender) tackle discrimination in the workplace. But 'Quid iuris' if discrimination happens in the field of the access to housing (covered just by Directive 2004/113/EC on gender, but not by Directive 2000/78/EC)?

The fragmentation of law would leave the particular condition of certain sub-sets of people, located at particular intersections, without protection. *Imagine that a young Roma gay is discriminated against in the housing field because he is gay (the landlord wants to rent the flat just to straight people) and he has difficulties to access the labour market because he is Roma.*

The stigma towards Roma people in Europe is so rooted that the antidiscrimination law seems to be ineffective in tackling anti-Roma discrimination, despite the efforts stepped up by the National Roma Integration Strategies.^{iv} At the same time, discrimination based on sexual harassment is banned only in the field of employment and occupation under today's EU law.

The examples collected during this research show the importance to do what Mari Matsuda calls "to ask the other question". This author says: "*The way I try to understand the interconnection of all forms of subordination is through a method I call 'ask the other question'. When I see something that looks racist, I ask 'Where is the patriarchy in this?' When I see something that looks sexist, I ask 'Where is the heterosexism in this?'*".^v *Mutatis mutandis*, this implies, to consider at gender relations and heterosexism when approaching disability (e.g. sexual education towards disabled people, risk of gender-based violence against disabled women); to question social status and class inequalities when dealing with ethnic and racial origin, and so on.

Snapshots from the survey:

Grounds and areas of discrimination

The findings of this survey show that the main experiences of discrimination reported by respondents occur in the field of **education** and **employment/occupation** (both in the access to a remunerated job and in the workplace), but relevant cases of discrimination can be found also in the **access to goods and services, including housing**. Respondents also found that social security and advantages would be important areas to cover in future research.

^{iv} The Strategies for Roma integration can be accessed at: http://ec.europa.eu/justice/discrimination/roma/index_en.htm

^v Matsuda, M., 1991. *Beside My Sister, Facing the Enemy: Legal Theory out of Coalition*, *Stanford Law Review* 43(6): 1183–92, quoted in Bello, B.G., forthcoming. Report '*United for Dignity. Conference on the specific situation of Roma young people affected by multiple discrimination*', 24 – 26 June 2014, European Youth Centre Strasbourg. Available at: <http://enter.coe.int/roma/Roma-Youth-Action-Plan/Publications>.

In summary, 53.8% of respondents experienced discrimination in the field of education; 50.5% in searching for a remunerated job; 42.4% in the workplace; 29.2% when looking for accommodation; 26.6% in healthcare; 26% in the attempt to get recognition of their qualifications; 24.9% in restaurants, cafés or pubs; 24.7% when trying to get bank services; 24% at the cinema, theatre or clubs; 19.3% in sport centres; 22.8% in shops, supermarkets or shopping centers; 15.8% in accessing the justice or legal system.

Education and the labour market

The most mentioned grounds of discrimination in the field of education are **gender** (15%), **sexual orientation** (10.1%), **religion or belief**, **social origin** (10.4%), **physical appearance** (8.4 %), **ethnic origin** (7.8 %), **language as well as political or any other opinion** (both 7.5 %).

The EU secondary antidiscrimination legislation (Directive 2004/113 and Directive 2006/54) does not ban discrimination on gender in the field of education, despite several NGOs advocating and lobbying to extend the law to cover this ground. Several studies show that experiences of discrimination at an early age impact young's people well-being, sense of belongingness and self-esteem, which are likely to impact on their future.^{vi} Respondents pointed out that schoolbooks contribute to strengthening roles and expectations related to gender and sexual orientation, contributing to perpetuating and even reinforcing stereotyped descriptions of people's identities.

The issue of the **recognition of degrees and qualifications** was also explored because it is heavily interlinked with mobility and access to the labour market abroad, and heavily connected to the guaranteed freedom of movement within the EU, but not covered at all in any other mobility context. When **looking for a remunerated job**, 18% of respondents declared that they had experienced discrimination because of 'young age' (being **18-24 years** and **25-29 years old**, respectively **18.2 %** and 8.8% of respondents), both alone and in combination with other grounds, such as **gender** (16%), **ethnic origin** (7.2%) and **language** (7.8%). Interestingly, respondents consider that the following grounds are major causes of discrimination against their young peers in the field of employment: **Roma ethnic origin** (72%), **refugee/asylum seeker status** (71.5%), **social status** (69.5%), **irregular migration status** (64.9%) and **statelessness** (62.0%).

Also, the examples provided by respondents show that neither the education systems, nor the job market manage to accommodate the needs of young people with mental health issues. Depression is described as a taboo issue across the survey, which is worrying given the interconnection between long-term unemployment and depression. Sandra Fredman explains that "*the human and*

^{vi} Cicognani, E, Zani, B. and Albanesi, C., 2012. Sense of community in adolescence. *Global Journal of Community Psychology Practice*, 3(4), 119-125.

social costs of age discrimination, particularly when it leads to exclusion from the labour force, should not be under-estimated. Increased poverty, ill health, depression, as well as low self-esteem and social isolation, are themselves strong justifications for legal intervention".^{vii} As a result, young people who are affected by discrimination based on age and mental diseases – caused by unemployed or not - are stuck in a vicious circle of exclusion.

Young women are particularly at risk of discrimination due to pregnancy, childbirth or medical conditions related to these events, which make them considered by employers to be 'less productive' than their male counterparts. The situation is exacerbated in the case of young women belonging to **ethnic, religious or migrant communities**, who are prejudiced against because they are expected to have more children than other women. Findings show that 'patriarchy' is still pervasive both in the family and workplace structures. The plethora of examples provided by respondents to the open question also show that **sexual orientation, gender identity and physical appearance (particularly obesity)** make the experience of discrimination of young people qualitatively different from their peers and impact both their working lives and private spheres.

Outside the labour market

The main gaps of today's antidiscrimination legislation and consequent policies concern the areas outside the labour market in many countries. Within the EU legal framework, just the EU antidiscrimination legislation on ethnic and racial origin and, partially, on gender, go beyond this field. In summary, the main grounds of discrimination experienced by respondents in almost all fields outside the labour market are **ethnic origin (above all Roma), social origin, being 18-24 years old, gender, sexual orientation** and **physical appearance (obesity** was explicitly mentioned many times across the survey).

The area in which most respondents declared that they experienced discrimination (30%) is when looking for renting an apartment and also **accommodation** in hotels, etc., particularly on age (being 18-24 years old for 6.2%), **ethnic origin** (5.2%), **social origin** (3.6%) and **sexual orientation** (3.6%). When asked about the perception of most discriminated young people in terms of accommodation, they listed in both cases **Roma, transgender or transsexual** and **refugee or asylum seeker** as the most vulnerable. In this regard, for example, in recent years NGOs and studies show that Roma asylum seekers are facing multiple barriers both in the EU and when they are forcibly returned to Kosovo or other non-EU Balkan countries in accessing housing and accommodation.^{viii} The issue of

^{vii} Fredman, S., 2011. *Discrimination Law*. Oxford University Press, 2nd ed.

^{viii} Unicef, 2011. *Integration Subject to Conditions. A Report on the Situation of Kosovan Roma, Ashkali and Egyptian Children in Germany and After Their Repatriation to Kosovo*, drafted by Verena Knaus, Peter Widmann et al. Available at: http://www.unicef.org/kosovo/RAEstudy_eng_web.pdf

gender identity is perceived as being a taboo issue both within ethnic or migrant communities and outside them.

The second area in which respondents reported as a 'place' where discrimination occurs (27%) is public and private healthcare. **Social origin** (3.6%) surfaces as a repeatedly mentioned ground for discrimination, together with sexual orientation (5.2%) gender (3.6%), gender identity and age between 18 and 24 years old (same rate: 3.3%). Among the grounds on which they perceive that young people would be more at risk of discrimination in this field, respondents mention Roma ethnic origin (35.4%), refugee/asylum seeker status (32.1%), social status (28.6%), irregular status (64.9%) and statelessness (62%). As far as the access to **bank services** is concerned, 24.7% had experienced discrimination. Interestingly, being **aged between 18-24** is the most cited ground of discrimination. Many respondents were very critical towards the bank system itself, above concerning the strict conditions set for the access to loan, which exclude all people with precarious jobs and unemployed people. **These conditions though have a disparate impact on young people who figure at the top positions in unemployment statistics.** According to respondents, their peers who are refugee/asylum seeker (43.5%), irregular person (42.1%), Roma (32.1%), and poor (30.1%) are more at risk of discrimination in this field.

A low rate of respondents answered that they had never felt discriminated against in these areas: 24.2% at the cinema, theatre and clubs; 24.9 % in restaurants, cafes and pubs; 23.8 % in shops, supermarkets and shopping centres. 19.3% in swimming pools, sport centres, fitness centres and ski facilities. Even if the data concerns a small number of respondents, their responses are instructive in grasping how discrimination works in young peoples' lives and to point out areas for further research and policy intervention. **Physical appearance (including obesity), social origin, gender and ethnic origin are the most-cited grounds of discrimination in almost all these four areas. Language** is a major ground of discrimination in restaurants, cafés, pubs as well as shops, supermarkets and shopping centres, whereas being 18-24 years-old is a relevant cause of discrimination also in shops, supermarkets and shopping centres and, additionally, at the cinema, theatre and clubs. **In most cases discrimination occurred on each ground on a different occasion (so defined 'multiple discrimination'), while in a lower number of cases it was based on the interplay between more grounds (intersectional discrimination).** Roma, transgender/transsexual and refugee/asylum seeker were considered as particularly discriminated against also when trying to **hire a taxi or waiting for a bus**, followed by disabled people.

It is worth mentioning that the participants in the survey spontaneously raised the issue of discrimination and racism in areas that were not covered by the research, namely at **border control points**, in **relations with the police**, in **public spaces** (forms of assault and racism), the **lack of recognition of same sex couples** in many countries and **the gender binary in personal documents.**

Are young people aware of antidiscrimination law and policy?

The EU antidiscrimination secondary legislation places a strong emphasis on the dissemination of information, because discrimination can be better tackled when people know what their rights are. The findings show that awareness of discrimination (particularly multiple discrimination) and of the law tackling it is not very high among respondents. Half of respondents think that EU law bans multiple discrimination, while a higher number (50.6%) are not sure about the position of EU law. It is also worth mentioning that only 5.6% of respondents are aware of whether EU and national policies (apart from the national law) tackle multiple discrimination against young people (3.3%). Moreover, just 45.7% of young people are aware of whether equality bodies exist in the country where they live and just 36.4% are familiar with organisations that provide help to young discriminated people. As a conclusion, it can be said that despite a relatively high occurrence of discrimination among young people living in Europe their awareness of protective mechanisms is quite low and there is still an open space for promotion of human right standards among European residents.


Lessons learnt

The survey shows that **young people are a kaleidoscope** in terms of biographies, mobility trajectories, kinds and levels of education. In different ways, many young people find it difficult to find stable employment, to access credit, to rent a house, to complete their transition to adult life: a whole trend that has been intensified by the global financial crisis. Findings show that all forms of multiple discrimination are experienced by at least half of respondents. They also show that there is a **certain interconnectedness among sectors where discrimination occurs** and, often, among grounds of discrimination. The respondents in this survey are generally highly educated and they are often mobile inside their countries and abroad. Therefore, there is an **urgent need to get a clearer idea of how young people with fewer possibilities are impacted by multiple discrimination**. Furthermore, there are some recurrent patterns of discrimination (including multiple discrimination) in different sectors and this implies that the issue is widespread. Some grounds for discrimination are covered by today's antidiscrimination legislation, whereas many others are not and leave victims of discrimination on one or more grounds without or with only weak protection. The interconnectedness between sectors also raises the issue of prolonged stays in in the internship 'limbo' and precarious or low paid jobs hinder access to house renting and bank loans etc. Not being able to plan for the future with a stable income to rely on has serious consequences for young people, who are forced to postpone the start of an adult life. Some young people can rely on their families but young people who come from low income or

marginalised families will lose out and stay trapped in a vicious circle of exclusion. **Age (particularly 18-24) is considered, perceived and experienced as a discrimination ground per se. Ageism does not concern only senior workers, but also juniors. This ground intersects, adds to and multiplies many other grounds which, jointly with structural and institutional barriers, prevent many young people from enjoying equal opportunities and substantive equality.**

Recommendations/Next steps

- To follow-up this explorative on-line survey with further quanti-qualitative large-scale research on multiple discrimination affecting young people in Europe delving into different ways in which multiple discrimination may occur (multiple, intersectional, compound).
- To spread information about current antidiscrimination law, including multiple discrimination, as recommended by the EU antidiscrimination Directives. More precisely, to disseminate information on the existing antidiscrimination legislation and policy (with a focus on multiple discrimination) among young people through user- and learner-friendly material and training modules;
- To raise awareness of the role that youth NGOs can play as para-legals and social actors in the field of multiple discrimination, for more information about existing antidiscrimination law and policy
- To encourage the adoption of antidiscrimination legislation based on a non-exhaustive list of grounds, inspired by the European Convention of Human Rights
- To encourage equality bodies, where existing, to embrace multiple discrimination
- To enforce the existing antidiscrimination law and policy, in a way that can benefit 'all young people'
- To put antidiscrimination legislation and policy in a global perspective and integrate the needs of non-EU nationals moving to the European Union. To encourage the application of the Directives 2003/109 and Directive 2011/98, which are meant to fill in the gaps concerning Third-Country nationals residing in the European Union.

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- To embrace the complexity of young people's identity beyond antidiscrimination law, in other areas of policy and legislation (youth policy, employment policy, etc.)
 - To bring antidiscrimination law to the attention of young people, youth NGOs and people working with them also in rural or peripheral areas. Youth NGOs play a significant role in multiplying the knowledge on antidiscrimination law and calling for action for its implementation and improvement.
 - To include modules on multiple discrimination in training for lawyers, judges and practitioners
 - To encourage exchanges of best practice between European countries on existing mechanisms regarding antidiscrimination law and policy and their implementation
 - To include a broadened multiple discrimination perspective (including intersectional and compound discrimination) when planning and evaluating policies, trainings and projects.

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