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## **DRAFT REPORT**

on intersectional discrimination in the European Union: the socio-economic situation of women of African, Middle-Eastern, Latin-American and Asian descent  
(2021/2243(INI))

Committee on Women's Rights and Gender Equality

Rapporteur: Alice Kuhnke

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## MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION

### **on intersectional discrimination in the European Union: the socio-economic situation of women of African, Middle-Eastern, Latin-American and Asian descent (2021/2243(INI))**

*The European Parliament,*

- having regard to Articles 2 and 3(3) of the Treaty on European Union (TEU),
- having regard to Articles 8, 153(1) and 208 of the Treaty on the Functioning of the European Union (TFEU),
- having regard to Article 23 of the Charter of Fundamental Rights of the European Union,
- having regard to the UN Sustainable Development Goals, and, in particular, goal 5,
- having regard to the UN Convention on the Elimination of All Forms of Discrimination against Women,
- having regard to the UN Convention on the Rights of Persons with Disabilities,
- having regard to the Beijing Declaration and Platform of Action of 15 September 1995 and the outcomes of its review conferences,
- having regard to Article 26 of the International Covenant on Civil and Political Rights 1966 and Article 2 of the International Covenant on Economic, Social and Cultural Rights 1966,
- having regard to the Council of Europe Convention on preventing and combating violence against women and domestic violence,
- having regard to the joint communication from the Commission and the High Representative of the Union for Foreign Affairs and Security Policy of 25 November 2020 entitled ‘EU Gender Action Plan (GAP) III – an ambitious agenda for gender equality and women’s empowerment in EU external action 2021-2025’ (JOIN(2020)0017), and to the accompanying Joint Staff Working Document entitled ‘Objectives and Indicators to frame the implementation of the Gender Action Plan III (2021-25)’ (SWD(2020)0284),
- having regard to the Commission communication of 3 March 2021 entitled ‘Union of Equality: Strategy for the Rights of Persons with Disabilities 2021-2030’ (COM(2021)0101),
- having regard to the Commission communication of 5 March 2020 entitled ‘A Union of Equality: Gender Equality Strategy 2020-2025’ (COM(2020)0152),
- having regard to the Commission communication of 18 September 2020 entitled ‘A

- Union of equality: EU anti-racism action plan 2020-2025' (COM(2020)0565),
- having regard to the Commission communication of 7 October 2020 entitled 'A Union of Equality: EU Roma strategic framework for equality, inclusion and participation' (COM(2020)0620),
  - having regard to the Commission communication of 12 October 2020 entitled 'Union of Equality: LGBTIQ Equality Strategy 2020-2025' (COM(2020)0698),
  - having regard to Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin<sup>1</sup> ('Racial Equality Directive'),
  - having regard to Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation<sup>2</sup> ('Employment Equality Directive'),
  - having regard to the Generation Equality Forum held from 29 to 31 March 2021 in Mexico City, and from 30 June to 2 July 2021 in Paris,
  - having regard to its resolution of 21 January 2021 on the gender perspective in the COVID-19 crisis and post-crisis period<sup>3</sup>,
  - having regard to its resolution of 24 June 2021 on the situation of sexual and reproductive health and rights in the EU, in the frame of women's health<sup>4</sup>,
  - having regard to its resolution 17 September 2020 on the implementation of National Roma Integration Strategies: combating negative attitudes towards people with Romani background in Europe<sup>5</sup>,
  - having regard to the European Institute for Gender Equality (EIGE) report entitled 'Intersecting inequalities: Gender Equality Index 2019',
  - having regard to the EuroCentralAsian Lesbian\* Community (EL\*C) report of 29 June 2021 entitled 'Resistance as a Way of Living: Lesbian lives through the COVID-19 Pandemic',
  - having regard to the EL\*C report of 1 October 2021 entitled 'Lesbophobia: an intersectional form of violence',
  - having regard to the European Union Agency for Fundamental Rights (FRA) report of 14 May 2020 entitled 'A long way to go for LGBTI equality' (FRA LGBTI Survey II),
  - having regard to the EL\*C report of 7 February 2022 entitled 'A bitter pill to swallow:

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<sup>1</sup> OJ L 180, 19.7.2000, p. 22.

<sup>2</sup> OJ L 303, 2.12.2000, p. 16.

<sup>3</sup> OJ C 456, 10.11.2021, p. 191.

<sup>4</sup> OJ C 81, 18.2.2022, p. 43.

<sup>5</sup> OJ C 385, 22.9.2021, p. 104.

- gaps and discriminations in access to healthcare for lesbians’,
- having regard to the European Network against Racism (ENAR) report of 14 September 2020 entitled ‘Intersectional discrimination in Europe: relevance, challenges and ways forward’,
  - having regard to the Commission’s ‘Guidance note on the collection and use of equality data based on racial or ethnic origin’<sup>6</sup>,
  - having regard to the European Network of Equality Bodies report entitled ‘Collection and Use of Complaints Data by Equality Bodies’<sup>7</sup>,
  - having regard to the ENAR shadow report entitled ‘Racism & Discrimination in Employment in Europe 2013-2017’<sup>8</sup>,
  - having regard to the FRA report of 4 April 2019 entitled ‘Second European Union Minorities and Discrimination Survey – Roma women in nine EU Member States’<sup>9</sup>,
  - having regard to the FRA report of 15 November 2019 entitled ‘Second European Union Minorities and Discrimination Survey – Being Black in the EU’<sup>10</sup>,
  - having regard to the Center for Intersectional Justice fact sheet of April 2020 entitled ‘Intersectionality at a Glance in Europe’<sup>11</sup>,
  - having regard to UN Women and UN Partnership on the Rights of Persons with Disabilities resource kit published in 2021, entitled ‘Intersectionality Resources and Toolkit: An Intersectional Approach to Leave No One Behind’<sup>12</sup>,
  - having regard to Rule 54 of its Rules of Procedure,
  - having regard to the opinion of the Committee on Civil Liberties, Justice and Home Affairs, –having regard to the letter from the Committee on Culture and Education,
  - having regard to the report of the Committee on Women’s Rights and Gender Equality (A9-0000/2022),
- A. whereas many women face intersecting inequalities and discrimination in the EU; whereas intersectional discrimination refers to a situation in which several grounds of discrimination operate and interact with each other, in a way that is inseparable and produces specific types of discrimination;

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<sup>6</sup>

[https://ec.europa.eu/info/sites/default/files/guidance\\_note\\_on\\_the\\_collection\\_and\\_use\\_of\\_equality\\_data\\_based\\_on\\_racial\\_or\\_ethnic\\_origin\\_final.pdf](https://ec.europa.eu/info/sites/default/files/guidance_note_on_the_collection_and_use_of_equality_data_based_on_racial_or_ethnic_origin_final.pdf)

<sup>7</sup> <https://equineteurope.org/wp-content/uploads/2021/07/Collection-and-use-of-complaints-data.pdf>

<sup>8</sup> [https://www.enar-eu.org/IMG/pdf/20107\\_shadowreport\\_2016x2017\\_long\\_v8\\_hr.pdf](https://www.enar-eu.org/IMG/pdf/20107_shadowreport_2016x2017_long_v8_hr.pdf)

<sup>9</sup> [https://fra.europa.eu/sites/default/files/fra\\_uploads/fra-2019-eu-minorities-survey-roma-women\\_en.pdf](https://fra.europa.eu/sites/default/files/fra_uploads/fra-2019-eu-minorities-survey-roma-women_en.pdf)

<sup>10</sup> <https://fra.europa.eu/en/publication/2018/being-black-eu>

<sup>11</sup> [https://www.intersectionaljustice.org/img/2020.4.14\\_cij-factsheet-intersectionality-at-a-glance-in-europe\\_du2r4w.pdf](https://www.intersectionaljustice.org/img/2020.4.14_cij-factsheet-intersectionality-at-a-glance-in-europe_du2r4w.pdf)

<sup>12</sup> <https://www.unwomen.org/sites/default/files/2022-01/Intersectionality-resource-guide-and-toolkit-en.pdf>

- B. whereas EU policies have not involved an intersectional approach thus far and have focused only on the individual dimensions of discrimination, which downplays its institutional, structural and historical dimensions;
- C. whereas women are not a homogenous category and understanding their diversity is key to ensuring that policymaking does not continue to render certain groups of women invisible;
- D. whereas a key challenge in operationalising intersectionality and addressing intersecting forms of discrimination is the absence of intersectional equality data, including data disaggregated by race and ethnicity;
- E. whereas implementing intersectional policy means undertaking thorough impact assessments of policies and legislation, removing measures that are detrimental to marginalised groups at the intersections of discrimination, and securing the meaningful participation of people affected by inequalities in all their diversity;
- F. whereas women subjected to intersecting types of discrimination face multiple obstacles in accessing the formal labour market, leaving them vulnerable to discrimination, exploitation, sexual harassment and mistreatment; whereas across the EU, 91 % of Black women are overqualified in their jobs, compared to 48 % of white women;
- G. whereas half of all trans women experience discrimination when searching for employment; whereas only 20 % of women with disabilities are in full-time employment in the EU and estimates indicate that 22 % are at risk of poverty or social exclusion;
- H. whereas on several occasions, the respondents in the FRA LGBTI Survey II highlight additional grounds for discrimination, with 40 % facing additional discrimination on account of being member of an ethnic minority or having an immigrant background, 15 % on account of their skin colour, 36 % on account of having a disability and 28 % on account of religion;
- I. whereas the high unemployment rate among Roma women cannot be explained by one single factor, such as discrimination on the basis of ethnicity, gender or socio-economic background, as these grounds are mutually reinforcing;
- J. whereas high degrees of prejudice and the subsequent policies preventing Muslim women from wearing religious dress further trigger unequal treatment and multiply the barriers to accessing the labour market and housing, thereby keeping them in a precarious socio-economic situation;
- K. whereas racialised women, women from disadvantaged socio-economic backgrounds, women with disabilities and LGBTIQ people face additional barriers and violence in accessing healthcare, including sexual and reproductive health and rights (SRHR), as a result of discriminatory laws and policies, stigma and stereotypes;
- L. whereas intersecting types of discrimination can have a serious impact on the life of survivors of gender-based violence such as female genital mutilation, for example by limiting or impeding their access to the prevention, support and protection services they

need as a result of a combination of types of discrimination and cultural and linguistic barriers;

- M. whereas 26 % of trans women in the EU have experienced homelessness at some time in their lives;
- N. whereas women with disabilities are 10 times more likely to experience physical or sexual assault compared to women without disabilities; whereas 27 % of the Muslim women of African descent who have indicated that they wear religious dress outside of the house report that they have experienced inappropriate staring or offensive gestures;
- O. whereas hate speech and hate crime against persons of Asian origin, particularly members of Chinese communities, or those perceived to be of Asian origin, has increased during the COVID-19 pandemic, including racist attacks and beatings, violent bullying, threats and racist abuse;
- P. whereas the under-reporting and under-recording of hate-motivated crimes, violence and verbal abuse remains a challenge owing to a lack of trust in public authorities and to structural barriers; whereas 88 % of the hate-motivated physical attacks against Roma people are not reported, together with 79 % of the most serious antisemitic harassment incidents, and 80 % of cases of physical or sexual violence against LGBTIQ people;

### ***Intersectional policymaking***

1. Stresses the need for EU policymaking to address intersecting forms of discrimination and calls for the polices under the Union of Equality to be strengthened and for an EU framework on intersectional discrimination with cross-cutting objectives and measures to be promoted;
2. Calls for the creation of a mainstreaming mechanism for cooperation and coordination for EU and national equality policies, ensuring that all types of discrimination, especially those which intersect, are taken into account in the review and adoption of policies, including through systematic gender and equality impact assessments;
3. Calls on the incoming EU presidencies to adopt the Anti-Discrimination Directive without delay;
4. Calls on the Member States to collect equality data, including data disaggregated by gender, racial and ethnic origin, based on voluntary participation, anonymity, confidentiality, self-identification and informed consent, while respecting the key principles of data protection and fundamental rights;
5. Welcomes the appointment of a Commissioner for Equality and EU coordinators for combating racism, as well as for combating antisemitism and fostering Jewish life; stresses that in order to institutionalise an approach that takes intersectionality into account, the Commission should appoint coordinators aligned with all of the individual Equality Strategies;
6. Calls for the role and cooperation of the Commission's Task Force on Equality to be reinforced and its cooperation with other bodies to be stepped up in order to ensure that

all policy measures include an intersectional perspective based on impact assessments of policies and legislation;

7. Highlights the need for a comprehensive directive on gender-based violence with an intersectional approach, covering all women and girls in all their diversity and LGBTIQ people on the grounds of gender identity, gender expression or sex characteristics;
8. Calls on the Commission to operationalise intersectionality in the upcoming directive to strengthen the role and independence of equality bodies and to include the intersectionality perspective in the evaluation and implementation criteria of the Victims' Rights Directive and the Anti-Trafficking Directive;

### ***Power and representation***

9. Calls for positive action measures, such as quotas, for women facing intersectional discrimination in public institutions, including in the EU institutions, as a way to promote public institutions that reflect the diversity of society;
10. Calls for the Member States and the EU to provide implicit bias and awareness-raising training courses within their institutions, including in judicial institutions, asylum processing and intake centres, education, and for the police, healthcare professionals and other civil servants, and to address the effects of the implicit biases on decisions, actions and interactions generated resulting from persistent stereotypes, and the under-representation of certain groups in these sectors;
11. Calls on the Commission to earmark funding under the Citizens, Equality, Rights and Values programme to grassroots civil society organisations led by and for women facing intersectional discrimination and to design grants specifically for projects which are aimed at combating intersectional discrimination in the EU;

### ***Ensuring equal access and equal rights***

12. Calls on the Member States to ensure that the Council Framework Decision on combating racism and xenophobia<sup>13</sup>, the Racial Equality Directive and the Employment Equality Directive are consistently implemented;
13. Calls for awareness-raising campaigns to combat the gender and diversity segregation of the labour market, with the aim of countering prevalent prejudices, as manifested in the structural barriers faced by Roma and Muslim women, trans migrants and asylum seekers, and women with disabilities among others;
14. Calls on the Member States to support the creation of new legal pathways across sectors, including for medium- and low-skilled workers, that promote autonomy, decent work and social inclusion;
15. Calls on the Member States to ensure universal health coverage and to urgently remove the barriers that exist to healthcare for all, including for undocumented migrants;

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<sup>13</sup> Council Framework Decision 2008/913/JHA of 28 November 2008 on combating certain forms and expressions of racism and xenophobia by means of criminal law, OJ L 328, 6.12.2008, p. 55.

16. Calls on the Member States to adopt and implement strategies, policies and programmes to advance the SRHR of marginalised groups of women and to eradicate the systemic, financial, legal, practical and social barriers they face;
17. Encourages the Member States to ensure accessible and transparent legal gender recognition procedures based on self-determination and to recognise trans, non-binary and intersex people in law;
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18. Instructs its President to forward this resolution to the Council and the Commission.