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P9\_TA(2022)0289

**Intersectional discrimination in the EU: socio-economic situation of women of African, Middle-Eastern, Latin American and Asian descent**

**European Parliament resolution of 6 July 2022 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))**

(2023/C 47/13)

*The European Parliament,*

- having regard to Articles 2 and 3(3) of the Treaty on European Union,
- having regard to Articles 8, 153(1) and 208 of the Treaty on the Functioning of the European Union,
- having regard to Article 23 of the Charter of Fundamental Rights of the European Union (the ‘Charter’),
- 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 Elimination of all Forms of Racial Discrimination,
- 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),

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- 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 of 10 March 2022 on the EU Gender Action Plan III <sup>(5)</sup>,
- having regard to its resolution of 17 September 2020 on the implementation of National Roma Integration Strategies: combating negative attitudes towards people with Romani background in Europe <sup>(6)</sup>,
- having regard to its resolution of 26 March 2019 on fundamental rights of people of African descent in Europe <sup>(7)</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: 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’,

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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> Texts adopted, P9\_TA(2022)0073.

<sup>(6)</sup> OJ C 385, 22.9.2021, p. 104.

<sup>(7)</sup> OJ C 108, 26.3.2021, p. 2.

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- having regard to the Commission’s ‘Guidance note on the collection and use of equality data based on racial or ethnic origin’<sup>(8)</sup>,
- having regard to the European Network of Equality Bodies report entitled ‘Collection and Use of Complaints Data by Equality Bodies’<sup>(9)</sup>,
- having regard to the European Handbook on Equality Data<sup>(10)</sup>,
- having regard to the Commission’s common guiding principles for national action plans against racism and racial discrimination of March 2022,
- having regard to the ENAR shadow report entitled ‘Racism & Discrimination in Employment in Europe 2013-2017’<sup>(11)</sup>,
- having regard to the UN International Decade for People of African Descent 2015-2024,
- 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>(12)</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>(13)</sup>,
- having regard to the Center for Intersectional Justice fact sheet of April 2020 entitled ‘Intersectionality at a Glance in Europe’<sup>(14)</sup>,
- having regard to the 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>(15)</sup>,
- having regard to Rule 54 of its Rules of Procedure,
- having regard to the letter from the Committee on Culture and Education,
- having regard to the opinion of the Committee on Civil Liberties, Justice and Home Affairs,
- having regard to the report of the Committee on Women’s Rights and Gender Equality (A9-0190/2022),

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, for example gender with other grounds of discrimination, such as race, colour, ethnic or socio-economic status, age, sexual orientation, gender identity and expression, sex characteristics, genetic features, religion or belief, nationality, residence status, migrant background, or disability, among others, in a way that is inseparable and produces specific types of discrimination;

<sup>(8)</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>(9)</sup> <https://equineteurope.org/wp-content/uploads/2021/07/Collection-and-use-of-complaints-data.pdf>

<sup>(10)</sup> [https://ec.europa.eu/info/policies/justice-and-fundamental-rights/combating-discrimination/equality-data-collection\\_en#equality-data](https://ec.europa.eu/info/policies/justice-and-fundamental-rights/combating-discrimination/equality-data-collection_en#equality-data)

<sup>(11)</sup> [https://ec.europa.eu/migrant-integration/sites/default/files/2018-07/ENAR\\_Shadowreport\\_2013\\_2017.pdf](https://ec.europa.eu/migrant-integration/sites/default/files/2018-07/ENAR_Shadowreport_2013_2017.pdf)

<sup>(12)</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>(13)</sup> <https://fra.europa.eu/en/publication/2018/being-black-eu>

<sup>(14)</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>(15)</sup> <https://www.unwomen.org/sites/default/files/2022-01/Intersectionality-resource-guide-and-toolkit-en.pdf>

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- B. whereas intersectional discrimination differs from multiple discrimination, which occurs when each type of discrimination can be proved and treated independently; whereas in the case of intersectional discrimination, the grounds of discrimination are intertwined, which creates a unique type of discrimination; whereas intersectionality allows a perspective that accounts for intersecting grounds without prioritising one over the other; whereas an intersectional approach caters to the multidimensionality of people's experiences and identities and entails a bottom-up approach; whereas using an intersectionality approach in analysis and policies requires thinking differently about identity, equality and power imbalances;
- C. whereas applying an intersectional analysis allows us to address and understand social inequalities, exclusion and discrimination from a comprehensive, systemic and structural perspective, while overcoming a single-axis approach to discrimination; whereas EU policies have not involved an intersectional approach thus far; whereas they have focused only on the individual dimensions of discrimination, which downplays its institutional, structural and historical dimensions;
- D. whereas the impact of racism and the process of racialisation is often overlooked as an important phenomenon preventing equality in Europe; whereas intersectional policies cannot be implemented without centring racialised people at the intersections of discrimination;
- E. whereas the achievement of gender equality cannot occur if all multiples types of discrimination, intentional and unintentional, in their individual, structural, institutional and historical forms, have not been eradicated; whereas applying an intersectional approach aims to examine the intersections between racism/colonialism, economic inequality and patriarchy; whereas traditional anti-discrimination laws fail to combat all forms of discrimination and their compounded negative effects on the women concerned and not all Member States explicitly cover multiple discrimination and intersectional discrimination in their national legislation <sup>(16)</sup>;
- F. whereas women are not a homogenous category and understanding their diversity is key to ensuring that policymaking does not continue to directly or indirectly discriminate and/or render certain groups of women invisible, for example socioeconomically disadvantaged women of African, Middle-Eastern, Latin-American, Romani and Asian descent; whereas women, particularly women with disabilities, migrant and ethnic minority women, Black women, women of colour, Roma women, older women, women with lower education levels, women with health problems, and LGBTI+ women, are more often subject to multiple and intersectional forms of discrimination;
- G. whereas a key challenge in operationalising intersectionality and addressing intersecting forms of discrimination is the absence of intersectional equality data; whereas the paucity of relevant data leads to serious shortcomings and prevents the EU and Member States from actively monitoring the situation of inequality and addressing and analysing the extent of intersectional discrimination in Europe, including the situation of minority and marginalised groups; whereas some Member States currently do not collect this kind of data thus leaving groups of people invisible in policymaking; whereas the collection of such data, particularly on race, ethnicity and disability, should be provided voluntarily and anonymously in accordance with data protection standards and in line with the Istanbul Convention;
- H. 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 in designing, adopting and implementing policies and measures;

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<sup>(16)</sup> 'A comparative analysis of gender equality law in Europe 2020'.

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- I. whereas women subjected to intersecting types of discrimination face multiple obstacles in accessing the formal labour market, leaving them vulnerable to discrimination, poverty, economic exploitation, social exclusion and gender-based violence, including sexual harassment and mistreatment; whereas across the EU 91 % of Black women are overqualified in their jobs, compared with 48 % of white women, and consistently deal with discrimination and micro-aggressions, resulting in higher rates of burnout; whereas the recognition of diplomas acquired abroad can still represent a significant challenge;
- J. whereas nearly three quarters (72 %) of all victims of trafficking in the EU and 92 % of the victims trafficked for sexual exploitation are women and girls; whereas women in precarious situations facing poor housing conditions, social exclusion and discrimination are even more vulnerable;
- K. whereas in the field of employment, women continue to be overrepresented in precarious and low-paid sectors, which can lead to them facing discrimination, sexual harassment and mistreatment; whereas barriers to joining and remaining in the labour market are often amplified by the intersection of gender with additional factors, for example racial or ethnic origin, religion or belief, disability, age, or sexual orientation, and have significant detrimental economic and social consequences for Member States; whereas as result of these barriers, racialised women tend to predominantly engage in occupations with a higher risk of developing occupational diseases;
- L. whereas migrant women are victims of racism and xenophobia throughout the EU; whereas this contributes to poverty and social exclusion and consequently makes it difficult to get access to resources and basic social services, such as health care, housing, social security, and access to the employment market, education, training and work promotion; whereas nearly one in three non-EU born women work in precarious jobs in the EU and 18 % of migrant women are at risk of poverty;
- M. whereas women from the most marginalised groups account for the majority of lowest paid positions in care services, doing the heaviest, indirect care work or domestic work and often face gender segregation, racism, poor working conditions and pay and violence and harassment at work<sup>(17)</sup>; whereas the precarious situation faced by migrant domestic workers, who are primarily racialised women, and especially young workers, is an example where the intersectionality of race, gender, socio-economic status and nationality is visible; whereas in most EU countries, long-term residence work permits are often available only for highly skilled and highly paid jobs, relegating medium- and low-skilled workers to exploitation and precarious contracts in undervalued sectors;
- N. whereas only 20 % of women with disabilities are in full-time employment in the EU and have significantly lower incomes<sup>(18)</sup>; whereas estimates indicate that 22 % are at risk of poverty or social exclusion; whereas women with disabilities face significant barriers to education, with 13 % of women with disabilities in the EU having a university degree compared with 29 % of women without disabilities;
- O. 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 a 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; whereas afrophobia, islamophobia, antigypsism and antisemitism are widespread forms of racism in the EU and are often fostered through populist and right-wing discourses;
- P. whereas lesbophobia must be understood as violence at the intersection of homophobia and misogyny, constituting a type of violence with its own roots, patterns, modes and consequences formed by this intersectional experience; whereas one in six lesbian or bisexual women (16 %) reported episodes of discrimination when accessing healthcare or social services;

<sup>(17)</sup> [https://www.europarl.europa.eu/RegData/etudes/STUD/2020/662491/IPOL\\_STU\(2020\)\\_662491\\_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2020/662491/IPOL_STU(2020)_662491_EN.pdf)

<sup>(18)</sup> <https://www150.statcan.gc.ca/n1/pub/89-503-x/2015001/article/14695-eng.htm>

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- Q. 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; whereas only 16 % of Roma women are employed compared with 34 % of Roma men; whereas they also lack adequate access to education and more than a quarter (28 %) of Roma women, compared with 6 % of Roma men, are engaged in unpaid domestic work, including care of children and relatives, reinforcing the difficulty of breaking the poverty cycle;
- R. whereas the prevalence of discrimination on the grounds of racial or ethnic origin remains consistently high, both over time and across different population groups in different Member States; whereas FRA survey data show that people with racial, ethnic minority or migrant backgrounds (including Roma, Muslims, Jews and people of African descent) regularly experience high levels of discrimination based on their ethnic or racial origin as well as their religion or belief in different areas of life; whereas islamophobia and antisemitism are persistent forms of hatred and discrimination; whereas 71 % of Jewish people at least occasionally avoid carrying or displaying items that reveal them to be Jewish; whereas more than one third (39 %) of all Muslim women who wear religious dress in public have experienced inappropriate staring or offensive gestures;
- S. whereas high degrees of prejudice and the subsequent policies concerning the display of religious symbols and clothing further trigger unequal treatment and multiply the related barriers, which has a particularly negative impact on Muslim women, when accessing the labour market and housing, excluding them from the public space and any form of meaningful participation in societal processes and decisions, thereby keeping them in a precarious socio-economic situation;
- T. whereas the COVID-19 pandemic has exacerbated existing structural gender inequalities, in particular for girls and women from marginalised groups, and whereas reports of gender-based violence due to lockdown measures have risen rapidly; whereas the pandemic had a disproportionate effect on the job stability of all women, but in particular Black women, women of colour and women from ethnic minorities, and whereas the economic and job recovery is lagging behind specifically for Black women compared with White women;
- U. whereas racialised women, women from disadvantaged socio-economic backgrounds, women with disabilities, migrant women and LGBTIQ+ people face additional barriers and violence in accessing health care and health information, including sexual and reproductive health and rights, as a result of discriminatory laws and policies, stigma and stereotypes; whereas these women are more likely to face gynaecological and obstetrical violence during pregnancy and the delivery, and whereas a lack of comprehensive education and the unavailability of methods of contraception affect them in a disproportional way; whereas the training of healthcare professionals can be beneficial in this regard, ensuring the basic right of access to healthcare services, which should also include access to high-quality and targeted mental health facilities;
- V. whereas racialised women are more likely to have their symptoms dismissed by medical providers as medical education in many Member States does not address diseases and symptoms that affect women of African, Middle-Eastern, Latin-American and Asian descent; whereas in some European countries Black women are four times as likely and Asian women twice as likely to die in childbirth compared with White women, and women of African descent have a higher risk of dying from life-threatening diseases even though these are less prevalent among them; whereas improving access to health care, as well as preventing, eliminating and penalising all forms of discrimination which limit access to health care for all women, is essential in order to reinforce women's ability to exercise their fundamental rights;
- W. whereas Roma women still face racism and discrimination in access to health care and support services in the case of violence; whereas in some Member States Roma women still experience ethnic segregation in reproductive healthcare settings, facing increased forms of verbal, physical, and psychological violence and harassment, including during childbirth, and are often victims of trafficking and/or sexual exploitation; whereas Roma women and women with disabilities have been subjected throughout their history to systematic practices of forced and coercive sterilisation in the EU and many have been denied effective remedies;

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- X. whereas LGBTIQ people across Europe still face discrimination when accessing healthcare services, with 16 % of survey respondents reporting that they have felt discriminated against by healthcare or social services staff because of their identity, and whereas trans people report especially high levels of transphobic and disrespectful behaviour towards them by healthcare personnel; whereas in several Member States trans people are subjected to the practice of forced sterilisation or medicalisation, both of which violate human rights standards;
- Y. whereas social and legal changes, as well as research in the medical and biological field, have led to the recognition of diversity in the definition of 'sex' in addition to women and men; whereas sex discrimination has been interpreted in the case-law of the Court of Justice of the European Union more broadly to include transgender persons who undergo medical transition;
- Z. whereas intersecting types of discrimination can have a serious impact on the life of victims of gender-based violence such as female or intersex 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, leading to an increased risk of complications or having a negative impact on their mental health; whereas professionals entering in contact with victims of gender-based violence often lack training, including on intersectionality; whereas gender-based violence is both the consequence and one of the causes of persisting gender inequalities;
- AA. whereas 1 in 3 trans people experience discrimination when searching for employment and this number increases to 1 in 2 trans women; whereas 26 % of trans women in the EU have experienced homelessness at some time in their lives and 25 % say they are able to make ends meet only with difficulty or great difficulty; whereas racialised trans women in the EU experience unique and extraordinary structural and institutional discrimination that impacts their access to education, employment, health care and housing and their ability to remain out of poverty or social exclusion;
- AB. whereas the quality of housing is often poorer for marginalised groups, which leads to higher exposure to harmful environmental influences resulting in diseases for them and their children; whereas the current rise in energy prices will have a stronger impact on women from disadvantaged socio-economic backgrounds;
- AC. whereas women with disabilities are 10 times more likely to experience physical or sexual assault than women without disabilities; whereas trans women and intersex persons experience more physical violence and sexual assaults than other LGBTIQ+ categories; whereas 27 % of Muslim women of African descent who indicated that they wear religious dress outside of the house report that they have experienced inappropriate staring or offensive gestures, 15 % have experienced verbal insults or offensive comments and 2 % have been physically attacked;
- AD. whereas too many women, and particularly migrant and ethnic minority women, Black women, women of colour and LGBTIQ+ women, continue to be subjected to sexual harassment in public spaces and in the workplace because of persisting stereotypes and are at higher risk of economic and sexual exploitation;
- AE. whereas hate speech and hate crime against persons of Asian origin, particularly members of Chinese communities, or those perceived to be of Asian origin, increased during the COVID-19 pandemic, including racist attacks and beatings, violent bullying, threats, racist abuse and cyber violence;
- AF. whereas criminal justice systems and law enforcement should take into account an intersectional approach as a legal concept in their practices and decisions to avoid exacerbating discrimination, poverty and exclusion, which could have a detrimental impact particularly on women in all their diversity from vulnerable groups;

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- AG. whereas the under-reporting and under-recording of hate-motivated crimes, violence and verbal abuse remain a challenge owing to a lack of trust in public authorities and to structural barriers; whereas this entails the risk that governments do not see the prevalence, thus do not see the structural problem and therefore fail to act; whereas 88 % of 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; whereas this impunity represents not only the risk of repeating and aggravating violence, but also the risk of victims feeling disregarded and forgotten by society;
- AH. whereas LGBTIQ+ children and those with a minority racial or ethnic background are targets of discrimination, which hinders them in accessing key services such as education; whereas across all EU Member States, 80 % of people from the LGBTIQ+ community experienced bullying at school due to their real or perceived sexual orientation and whereas Roma children and children with disabilities are often excluded from mainstream inclusive education; whereas children of rainbow families are often stigmatised, making them targets of discrimination and bullying that affects their educational performance and employment prospects, their daily lives and their personal and family well-being;
- AI. whereas high-quality, inclusive, comprehensive and appropriate education on equality, respect and tolerance starting at a very early stage is the best tool for tackling racism and discrimination on multiple grounds and building inclusive societies <sup>(19)</sup>;
- AJ. whereas women facing intersectional discrimination are at a higher risk of having their children taken into state custody and being denied adequate financial support to raise their children;
- AK. whereas social biases and structural inequalities may be integrated into new technologies, including artificial intelligence, and this is a matter of concern;
- AL. whereas although ending child marriage is considered a priority in the 2015-2019 Action Plan on Human Rights and Democracy, the EU Gender Action Plan for 2016-2020 and the EU Strategic engagement to gender equality 2016-2019, it still occurs in some Member States; whereas this issue is widespread in marginalised communities, affected by low levels of education and high rates of poverty; whereas although the Istanbul Convention calls for criminalising the act of forcing a child to enter into marriage, some Member States still refuse to ratify it and in their legislation they allow child marriage;
- AM. whereas women's NGOs and their networks make a considerable contribution to upholding women's rights and combating discrimination against women;

### ***Intersectional discrimination policymaking***

1. Stresses the need for EU policymaking to address and eliminate intersecting forms of discrimination, including through EU anti-discrimination and gender equality legislation and policies; calls for the policies and actions under the Union of Equality to be strengthened, enhanced and adapted if necessary and for an EU framework on intersectional discrimination with cross-cutting objectives and measures to be promoted; recognises the need to mainstream equality and gender equality into EU policies and create inclusive solutions that protect the most marginalised and those facing intersectional discrimination in our communities;

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; encourages the Member States

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<sup>(19)</sup> <https://rm.coe.int/ecri-general-policy-recommendation-no-10-key-topics-combating-racism-a/16808b75f7>



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to adopt or strengthen criminal and civil law prohibiting both intersectional and multiple discrimination and calls for the development of EU guidelines, including the exchanges of good practices on the adoption of an intersectional approach in policymaking;

3. Calls on the incoming EU presidencies and the currently blocking Member States to make equal treatment and the fight against discrimination in all its forms a key priority in order to break the deadlock and adopt the Anti-Discrimination Directive without delay in order to achieve harmonised protection for all people within the EU in the fields of social protection, including social security and health care, social advantages, education and access to and supply of goods and services, including housing; calls for measures to ensure that this directive is able to address intersectional discrimination, which is missing from the current legislative framework, and secure inclusion and protection for all racialised women;

4. Urges the Commission and the Member States to ensure the enforcement of existing EU anti-discrimination and gender equality legislation and to launch infringement proceedings if Member States do not transpose or fully implement that legislation;

5. Calls on the Commission and the Member States to, based on voluntary participation, confidentiality, anonymity, self-identification and informed consent, take steps toward the collection of reliable and comparable equality data, including data disaggregated by gender, racial and ethnic origin (as defined by the EU Racial Equality Directive), sexual orientation and identity, while respecting the key principles and standards of EU data protection and fundamental rights, for the purpose of identifying the root causes, measuring the extent of and combating racism and discrimination in accordance with the relevant national legal frameworks and working towards using such data to inform its policymaking; notes that equality data is a key tool to understand, uncover and combat all types and dimensions of discrimination, especially the intersectional, structural and institutional ones; calls for the EU to encourage the collection of such data and provide technical support to implement existing Commission guidelines on the matter and to promote the participation of the affected communities in the process;

6. Takes note of the ongoing revision of the European statistics on population; calls on the Commission to ensure that this revision encompasses as many explicit grounds of discrimination as possible, so as to ensure the collection of reliable equality data;

7. Welcomes the appointment of a Commissioner for Equality and EU coordinators for combating racism, as well as for combating antisemitism and fostering Jewish life and the creation of a coordinator on combating anti-Muslim hatred; calls for the immediate appointment of the coordinator on anti-Muslim hatred, the position of which has remained vacant for a year; 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 and always implement a gender mainstreaming approach that creates policies for women in all their diversity; believes that the collective work of such coordinators will help to institutionalise intersectionality, contribute to the important work of the Commissioner for Equality and strengthen the implementation of each strategy;

8. 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; notes that the mandate of this Task Force must be institutionalised, more transparent and work in close collaboration with groups concerned by intersectional discrimination; invites the Commission to reflect further on how to best draw the strategic potential of this initiative; notes that the role of Commissioner for Equality needs to be strengthened to carry out and supervise impactful gender and equality mainstreaming;

9. Considers the Commission's Disability Platform to be a flagship initiative with strategic potential; invites the Commission to set up similar structures to ensure full implementation of all strategies under the Union of Equality framework;

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10. Welcomes the different recent relevant strategies from the Commission, in particular the EU LGBTIQ+ Equality Strategy 2020-2025 <sup>(20)</sup> and the EU Gender Equality Strategy 2020-2025 <sup>(21)</sup>, which both include an intersectional approach; calls on the Commission and the Member States to mainstream an intersectionality perspective and ensure that existing policies and legislation do not have any indirect and unintended adverse effects, such as the remarginalisation of certain groups, in particular racialised women; deeply regrets, in this regard, the lack of an intersectional dimension in the EU's New Pact on Migration and Asylum <sup>(22)</sup>;

11. Welcomes the increasing mention of intersectionality in EU documents, including in the proposal for a pay transparency directive but regrets the lack of clearly defined targets, indicators and actions to implement it;

12. Points out that in recent years, case-law of the Court of Justice of the European Union has reflected an intersectional approach to some extent, based on a capacious interpretation of some of the existing grounds under the EU anti-discrimination legislation drawing on the model of the Convention on the Elimination of Discrimination against Women (CEDAW) and the Convention on the Rights of People with Disabilities (CRPD), which regard women and persons with disabilities respectively as including intersections of disadvantage; fully supports the further development and facilitation of such an approach where possible, also in light of the flexibilities under Article 21 of the Charter;

13. Recalls that the principle of equal treatment for men and women cannot be confined to the prohibition of discrimination based on a person's given sex, and that it also applies to discrimination arising from a person's gender identity; recalls that the Court of Justice of the European Union has interpreted sex discrimination within the principle of equal treatment as encompassing transgender persons who have undergone a medical transition, yet notes that no such judgments have been issued concerning non-binary or intersex persons, questioning the utility and capacity of EU non-discrimination legislation for the large trans population in Europe who cannot or will not access gender affirmation health care or for intersex persons; recalls that such individuals will be without remedy if they suffer discrimination compared with those who have physically altered their bodies; recalls the need for EU anti-discrimination to go beyond the gender binary and recognise gender discrimination; calls on the Commission to come up with a legislative proposal that avoids any risk of legal uncertainty in this matter;

14. 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; stresses that in the proposal for a directive on combating violence against women and domestic violence the intersectional approach is mentioned but regrets that it has not been adequately mainstreamed;

15. Underlines the need to recognise how racialised women are at a heightened risk of violence and that intersecting forms of discrimination exacerbate the consequences of gender-based violence, including due to the persisting biases and stereotypes prevailing in law enforcement policies and bodies and re-victimisation of marginalised people; calls on the Member States to ensure that instances of gender-based violence are appropriately investigated, prosecuted and sanctioned and that victim-support services are comprehensive enough to address all forms of violence with a victim-centred approach, particularly that which results from intersectional discrimination;

16. Calls on all EU institutions, bodies and agencies and Member States to step up their response to the phenomenon of harassment of women; calls on the Commission and the Member States to counter online harassment, which targets girls and women disproportionately, particularly those in public and political life;

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<sup>(20)</sup> Commission communication of 12 November 2020 entitled 'Union of Equality: LGBTIQ Equality Strategy 2020-2025' (COM(2020)0698).

<sup>(21)</sup> Commission communication of 5 March 2020 entitled 'A Union of Equality: Gender Equality Strategy 2020-2025' (COM(2020)0152).

<sup>(22)</sup> Commission communication of 23 September 2020 on a New Pact on Migration and Asylum (COM(2020)0609).

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17. 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 by assessing the impact on the most marginalised groups, especially racialised women, ensuring consultation with a diversity of stakeholders and requesting the collection of disaggregated equality data; stresses that these are important steps towards designing and strengthening strong and effective EU-level legal protections against all forms of discrimination across the EU;
18. Stresses that the European motto 'United in Diversity' does not only apply to the Union and its European Member States, but also to the diversity found inside each of the Member State's populations and should be jointly promoted as a strength and an asset;
19. Calls for a dedicated Council configuration on equality and gender equality;
20. Recalls that new technologies, including artificial intelligence, can exacerbate and compound existing inequalities and discrimination; further recalls the potential risks of these technologies for women in all their diversity facing intersectional discrimination, in particular racialised women; calls on the Commission and the Member States to ensure that artificial intelligence systems are guided by the principles of transparency, explainability, fairness and accountability and that measures, including audits, are put in place to prevent these systems from exacerbating discrimination, racism, exclusion and poverty;
21. Underlines the importance of having disability-sensitive policies that take an intersectional approach;

***Power and representation***

22. Welcomes the Commission's commitment to reach gender parity at all levels but regrets the lack of diversity targets and the lack of overall diversity in the EU institutions; highlights in this respect the important role model function of public services and institutions;
23. Calls for an increased presence of women in all their diversity in high-level and decision-making positions and for positive action measures, such as temporary quotas, incentive mechanisms and mentorships, for women facing intersectional discrimination to attain positions in public institutions, including in the EU institutions, to ensure a fair representation of the diversity of society in decision-making; notes that quotas alone are not sufficient to address structural discrimination in a holistic way;
24. Calls on the Member States to develop and adopt national action plans against racism and racial discrimination, against Roma discrimination and to foster LGBTIQ+ equality in accordance with the strategic frameworks; notes that this should be done in close collaboration with civil society organisations, including racialised women and non-binary people; calls on the Commission to ensure that the comprehensive assessment of the legal framework as outlined in the anti-racism action plan is implemented with an intersectional approach and explicitly considers the impact of women subject to intersecting forms of discrimination, such as racialised women;
25. Calls for the Member States and the EU to provide implicit bias and awareness-raising training courses and campaigns 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 and highlights that these biases lay the ground for discrimination and exclusion;
26. 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;
27. Calls on the Member States to design targeted policies and maximise the use of EU funding from the multiannual financial framework and the Recovery and Resilience Facility to support women affected by intersectional discrimination;

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28. Calls on the Commission to ensure that the EU budget allocated to renovation in the areas of housing and energy specifically supports low-income households, which are often those of women from African, Middle-Eastern, Latin-American and Asian descent;

29. Notes the importance of reaching out to young women from diasporas and marginalised groups, many of whom work in care services and who frequently face discrimination on the labour market and who are often overqualified and underemployed in their jobs;

30. Calls on the Commission and the Member States to support single mothers of African, Middle-Eastern, Latin-American and Asian descent in order to ensure their full participation in society;

31. Stresses the importance of a variety of perspectives in the media and audio-visual industries and their role as opinion formers; therefore calls on the Commission and the Member States to enact all necessary measures to promote the visibility of the contributions of women from diasporas, their presence at all levels, especially in decision-making roles and to counter discrimination and harassment; insists on the value of raising the awareness through a variety of means including the training of journalists and other media professionals against discrimination and unconscious bias;

32. Highlights the role of grassroots sports in social inclusion and healthy lifestyles and hence the negative impact of lower participation rates among girls and women from diasporas; therefore urges the Commission, the Member States and international, European and national sports governing bodies and stakeholders to implement measures to counter organisational cultures that hinder women from diasporas from joining clubs and participating in grassroots and professional sports and from achieving leadership positions in sports such as low visibility in media coverage, and disparities in wages, premium pay and awards; insists on sustained efforts to tackle all forms of violence, harassment and stereotypes;

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

33. Calls on the Member States to ensure that the Council Framework Decision on combating racism and xenophobia<sup>13</sup>, the Racial Equality Directive, the Victims' Rights Directive and the Employment Equality Directive are consistently implemented; calls on the Commission to regularly monitor and evaluate the realisation of equal treatment taking into account the views of the European Union Agency for Fundamental Rights and the European Gender Equality Institute and to take relevant action, including the launch of infringement proceedings against those Member States that fail to eliminate practices of segregation;

34. Calls for awareness-raising through a variety of means, including targeted campaigns and training to combat discrimination, unconscious bias, and 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;

35. Highlights the importance of combating stereotypes and discrimination at a very early age and thus calls for analyses of bias, stereotypical representations and missing representations in teaching materials, their potential revision and bias-free education; calls on the Member States and encourages them to ensure human rights education, to develop awareness-raising campaigns targeted at young people with a view to combating intersectional discrimination, combating racism and promoting equality and non-discrimination in education at every level of schooling starting at an early age; recognises the role of schools and teachers in promoting equality, gender equality, respect, awareness-raising and non-discrimination and the importance of better intercultural sensitivity among school personnel and more inclusive educational systems in Member States;

36. Calls for access to inclusive, quality education, training, skills development and decent employment to be ensured for marginalised girls and young women in all their diversity, and calls on the Commission to support Member States with targeted Erasmus+ projects, including for STEAM subjects and by giving them fair visibility in textbooks and other didactic materials, which could also serve as a tool for empowering these girls and women and facilitate their transition to the

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labour market; stresses the intricate impact of children's education on women's professional and personal endeavours and recalls the need for all children to effectively access free education as provided for by EU law; calls on the Member States to apply an intersectional approach, addressing the specific needs of children in marginalised groups, when implementing the recommendation on a European Child Guarantee;

37. Calls on the Member States and the Commission to create more inclusive education programmes for people with disabilities, in order to tackle the education and subsequent employment gap, as the continued high rate of young people with disabilities who leave school early might indicate difficulties in accessing suitable educational programmes;

38. Highlights the high potential and importance of multilingualism for our societies, and underlines that every language needs to be valued the same way and that a theoretical hierarchy of languages is based on bias and stereotypes;

39. Calls for special attention to be paid, in particular in the care sector, that would allow effective prevention of labour exploitation, gender-based violence and other forms of ill-treatment, and facilitate the exercise of labour rights and the rights of potential victims of exploitation, the majority of whom are women, including among the most marginalised groups and those of different decent, whose representation is disproportionately high in the care sector;

40. Calls on the Member States to support the creation of new measures, including legal pathways across sectors, according to the national context, and also for medium- and low-skilled workers, that promote autonomy, decent work, workers' fundamental rights and social inclusion among women, including women of the most marginalised groups or women from diasporas; calls for an intersectional assessment within the current revision of the EU asylum and migration policies and for policies granting individuals migration status to account for status independent of a spouse, partner or employer with a view to eliminating ties that restrict options and limit opportunities and safety;

41. Highlights that migrant women are often victims of trafficking and other forms of violence such as gender-based violence, forced marriage and genital mutilation, which are still too often not recognised in asylum procedures; stresses the importance of taking into account the specific experience of women victims of intersectional discrimination in the design, implementation and evaluation of asylum, migration and integration policies;

42. Notes that women are disproportionately criminalised due to their situation or status and are prevented from equal access to justice as a result of gender stereotyping, discriminatory laws, intersecting or compounded discrimination, and procedural and evidentiary requirements and practices; calls on the Commission and the Member States to ensure that access to justice is physically, economically, socially and culturally available to all women;

43. Calls on the Member States to apply a comprehensive and intersectional approach to all stages of the criminal justice system and to ensure access to justice for women in all their diversity facing intersectional discrimination, including access to quality legal assistance and in a language that they can understand;

44. Calls for holistic, rights-based, multi-disciplinary and person-centred approaches to protection and support services (including gender-based violence and trafficking) that address the institutional factors that push women into situations of dependence and abuse, and for real opportunities to be provided for decent and stable residence and work permits, and non-discriminatory access to services, support and remedy;

45. Notes that due to a lack of generational wealth, women of African, Middle-Eastern, Latin-American and Asian descent often struggle to finance small businesses and underlines that the promotion of entrepreneurship among these groups can offer great opportunities to foster their economic independence and empowerment;

46. Calls on the Member States to develop specific work-life balance measures to allow the most marginalised women to reconcile work, education and professional advancement with their family obligations and to counter discrimination and bias, which continue to affect them on the labour market, in education and everyday life;

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47. Notes that access to health care can be impaired by the compounded effect of intersectional discrimination; calls on the Member States to ensure universal and accessible healthcare coverage, including specialised mental health services, and to urgently remove the barriers that exist to health care for all, including for migrants in an irregular administrative situation and with a specific focus on women in all their diversity; highlights that access to health care should never be impaired by ignorance, bias or stigma; stresses the importance of healthcare professionals in providing care in a humane, non-discriminatory and non-judgmental manner, respecting free, prior and informed consent and patients' rights; notes that there is a substantial lack of data on women from marginalised groups and migrant women accessing health services, especially mental health services;

48. Calls on the Member States to take note of the compounded effect of intersectional discrimination on access to healthcare diagnosis, particularly concerning reproductive health and specifically for Black women, women of colour and minority women; recalls that sexual and reproductive health and rights are fundamental human rights to which all people, in their diversity, should have safe and legal access;

49. Calls on the Member States to adopt and implement strategies, policies and programmes to advance the sexual and reproductive health and rights of marginalised groups of women and to eradicate the systemic, financial, legal, practical and social barriers they face and to ensure sexual and reproductive health and rights are protected and respected in all Member States; calls on the Member States to promote family planning and comprehensive age-appropriate sexuality education and to help women in vulnerable or precarious situations to access free contraception in all its different forms, and to ensure that they will not face any discriminatory practices in access to health services;

50. Encourages the Member States to ensure accessible and transparent legal gender recognition procedures based on self-determination and in line with the World Health Organization's ICD-11, to recognise trans, non-binary and intersex people in law and to abolish barriers such as mandatory surgical interventions or mandatory psychological counselling; urges the Member States to ban intersex genital mutilation and to ensure that intersex infants are not subjected to non-vital medical or surgical treatment during infancy or childhood;

51. Calls on the Member States to end the practice of forced sterilisation, forced abortion and forced contraception, including of women with disabilities and Roma women and medicalisation for trans people, and to respect their physical and bodily integrity; calls on the Member States to ensure effective and timely remedies for all survivors of forced and coercive sterilisation and forced divorce, including through the establishment of effective reparations schemes;

52. Recalls that women in all their diversity, in particular those facing intersecting forms of discrimination, in marginalised situations and in conflict settings, are disproportionately affected by climate change and its consequences; calls on the Commission and the Member States to ensure that all climate action includes an intersectional perspective, including gender and race, and that targeted funds and measures are implemented to that end and to guarantee the equal participation of women in all their diversity in decision-making bodies at international, European, national and local level;

53. Urges the Member States to take swift, effective and coordinated action to protect the human rights and address the sexual and reproductive health needs of women and girls and marginalised populations affected by the conflict in Ukraine;

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54. Instructs its President to forward this resolution to the Council and the Commission.

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