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AN EQUINET  
PERSPECTIVE

**OPENING UP THE ISSUE.  
EQUALITY BODIES COMBATING  
DISCRIMINATION AGAINST AND PROMOTING  
EQUALITY FOR YOUNG PEOPLE**

**E** Equinet  
European network  
of equality bodies

*Opening up the Issue. Equality bodies combating discrimination against and promoting equality for young people* is published by Equinet, European Network of Equality Bodies.

**Equinet** brings together 46 organisations from 34 European countries which are empowered to counteract discrimination as national equality bodies across the range of grounds including age, disability, gender, race or ethnic origin, religion or belief, and sexual orientation. Equinet works to enable national equality bodies to achieve and exercise their full potential by sustaining and developing a network and a platform at European level.

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## EXECUTIVE SUMMARY

**Equal treatment legislation, across Europe, tends not to define the ground of age or young people.** Other legislation or policy in these countries defines young people in terms of age limits. This reflects a legal and policy need for exact definition. The variety of age limits used, however, exposes the inevitable **arbitrariness** of the choices involved in setting age limits. In some instances, **equality bodies** in their casework have found age limits being used as a **mechanism to discriminate against people**. Nonetheless, equality bodies have taken advantage of the certainty of age limits in their casework but, in some instances, have deployed a valuable flexibility in doing so to address some of the deficiencies associated with age limits.

The **concept of transition** has been widely deployed at EU and national level to define young people. Young people are viewed as being involved in transitions **from childhood to adulthood, from education to work, and from dependence to autonomy**. Equality bodies make particular use of this understanding in their promotion, communication and research work and where the focus of the work of is on advancing equality for young people. Equality bodies in all their work **view young people as diverse**, holding characteristics from other grounds covered by equal treatment legislation.

Transitions from childhood to adulthood have, over recent years, been subject to great change and have become more complex. **Inequalities for young people have deepened** in relation to the right to education, high levels of unemployment, the wait for a first quality job and precarious forms of work, access to affordable housing, and mental health services. Discrimination, individual and structural, hinders these transitions.

Equality bodies report a spectrum of key issues, identified from their work, faced by young people. This spectrum spans the **economic, political, cultural and social domains of inequality**. Most equality bodies reported provisions in their legislation on age discrimination that covered employment, education, social protection, accommodation and the wider spectrum of goods and services in most instances. While equality bodies emphasise that there is no prioritisation in their work across different cases of discrimination, many reported that issues of discrimination against and **inequality for young people tended to have a medium to low focus**, often due to limitations in their mandate, under-reporting and lack of casework, and limited data.

An effective involvement of young people and their organisations in the work of equality bodies is recognised as a challenge still to be met by many equality bodies. Some reported engaging with diverse **youth organisations**. Instances of **good practice** included: action to engage with young people where they live, are educated, are cared for or socialise in order to listen to their issues and make use of their opinions in the equality body's work; youth advisory panels to advise equality bodies and to take action on issues of discrimination; and dialogue meetings with young people in schools to tap into their knowledge and experience with a focus on schools addressing discrimination.

**Four different approaches** to work with young people are identified by equality bodies. These are not mutually exclusive and any number of them can be deployed by the one equality body. They are:

- **A reactive approach**, evident in a responsiveness to invitations and a readiness to address cases brought to their attention.
- **A horizontal approach** is used by most equality bodies where multi-ground activities include the ground of age, in particular communication and promotion of good practice activities.

- Equality bodies are engaged in a wide range of **intersectional work** with young people that cover intersections with grounds of gender, racial or ethnic origin (in particular young Roma people), religion, disability, and sexual orientation in particular, in employment and access to employment, education including higher education, access to leisure services, housing provision, and social protection.
- An approach focused on **structural discrimination** is viewed by some equality bodies as central to address current outcomes for young people, in mainstream systems such as the labour market, and in targeted systems such as education.

Within these approaches equality bodies are **challenged to be concerned** with:

- **Individual discrimination** experienced by young people on the basis of **their age** and the need to develop **channels of communication** about rights that are adequate to reaching young people.
- **Individual discrimination** experienced by young people on the basis of **characteristics other than age** but taking account of the potential for the age characteristic to serve as an **aggravating factor** to this experience.
- **Structural discrimination** experienced by young people in a range of mainstream settings and evident in the outcomes for young people in these settings but taking account of the diversity of young people. Account also needs to be taken of the particular experience of specific forms of structural discrimination in settings where young people are congregated, in particular schools.
- Equality for young people that encompasses not only the resources available to young people to effectively make the transitions they are faced with but also the **status and standing of young people**, the access of young people to **participate in decisions** that impact on them,

and the experience of young people of relationships of respect and trust.

Equality bodies reported a **low level of casework** on the age ground in general and, within this casework, very few cases in relation to young people. In seeking to communicate with young people about their rights, equality bodies have sought to **develop materials in a manner that engages this target audience**. Competitions have been a feature in the communication work of equality bodies to support a valuing of equality, diversity and non-discrimination among young people.

Equality bodies reported a limited range of work in **supporting good practice** for young people. There is a particular focus on specific groups of young people in education settings in this work. Training provided by equality bodies is a feature of this work. Equality bodies reported work on a range of policy issues of relevance to young people. They have sought to uncover issues of structural discrimination through their **research work** with a particular focus on the fields of education and employment.

Factors that enable this work by equality bodies include: **collaboration with young people and their organisations**; the importance attributed by equality bodies to transitions for young people; and cooperation with other actors enabling transitions. Barriers to this work include: under-reporting and low levels of casework; lack of knowledge among young people of their rights and of how to exercise these; lack of data; lack of adequately resourced youth organisations; limitations in the scope of equal treatment legislation and the mandate of and resources available to the equality body; and lack of understanding and awareness in society of discrimination against young people.

Equality bodies could further develop their work in relation to young people, including to: trace out and agree what full **equality in practice** might mean for young people; involve young people and their organisations and share good

practice in this; respond to issues of structural discrimination in key areas that enable transitions, education, employment, and housing; and raise awareness of rights under equal treatment legislation with **initiatives specifically designed for young people.**

Equinet could take initiatives to enhance the impact of this **Perspective** among its member equality bodies. The European Youth Forum could continue and deepen its cooperation with Equinet and support its members to engage more effectively with equality bodies at national level.

**EU funding** streams to advance the social inclusion of young people could be **more explicit in their focus on equality, diversity and non-discrimination.** This funding could resource equality bodies as an actor in this regard. This *perspective* further underlines the need for European **standards for equality bodies** if they are to be sufficiently resourced and empowered to make an impact. The proposed EU Horizontal Equal Treatment Directive with its coverage outside the labour market is needed.

**National jurisdictions** could **mainstream a focus on young people** in policy strategies using equality impact assessment tools and positive action, in particular those seeking to address and improve the situation of other groups of people. National jurisdictions could also include a focus on **equality, diversity and non-discrimination** in their funding streams targeting young people.

Both of these developments could include an **engagement with equality bodies and dialogue with young people and their organisations.** National jurisdictions could ensure equality bodies are adequately resourced and empowered to address age discrimination and inequality experienced by young people. **Data collection and analysis** at national level could be further developed to underpin and inform such interventions.



# 1. INTRODUCTION

Equinet *perspectives* are published to draw out, analyse and learn from the work and **experience of equality bodies** at Member State level and to tease out the implications of their work for policy and practice development. This *perspective* is based on a roundtable discussion of Equinet's Policy Formation Working Group and on a survey of the Equinet members.

Twenty one equality bodies from twenty European countries completed the survey.<sup>1</sup> Four of the equality bodies, as single ground bodies, do not cover the age ground directly but address young people as an **intersectional issue**.<sup>2</sup> The text of the survey questionnaire is included in the Appendix.

## 2. YOUNG PEOPLE

### 2.1 AGE LIMITS

Equal treatment legislation, across the jurisdictions equality bodies have reported from to inform this *perspective*, does **not define the ground of age** or, more specifically, young people. However, other legislation or policy in some of these countries does contain definitions that use age limits. The Youth Act in **Bulgaria** defines young people as being aged 15 to 29 years. The Youth law of **Latvia** defines young people as persons from 13 to 25 years of age. The **Romanian** Law on Youth defines young people as being between the age of 14 and 35 years. The Law on Youth in **Serbia** defines young people as being aged from 15 up to 30 years. The Public Employment Service in **Austria** defines young people as those aged from 15 to 24 years.

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<sup>1</sup> Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Finland, France, Germany, Greece, Latvia, Lithuania, Luxembourg, Malta, Poland, Portugal (2), Romania, Serbia, Slovakia, and Sweden.

<sup>2</sup> Austria (gender), Finland (gender), Portugal (gender), and Portugal (racial or ethnic origin).

These definitions, using age limits, reflect a legal and policy **need for exact definition**. However, there are difficulties in confining any definition of a group to age limits. The variety of age limits set out exposes an inevitable **arbitrariness** of the choices involved in setting age limits. Age limits raise difficult issues in relation to individuals who happen to fall just outside the age limit set but share the same needs or hold the same potential as those inside the age limit. Age limits tend to have little basis in the reality of the lives of the young people and have been used to exclude young people.

**Age limits** can serve to indiscriminately restrict access to particular benefits for all people below, or above, an often arbitrary age limit. They can be a form of discriminatory rationing of scarce resources. Age limits relating to employment or legal capacity or voting were noted, amongst others, by equality bodies in a roundtable discussion for this *perspective*. Age limits have been found by equality bodies in their casework as being used as a **mechanism to discriminate against people**. However, not all age limits have been amenable to litigation or have been found to be discriminatory.

Equality bodies were reticent about defining young people in the survey for this *perspective*. Some went for the legal certainty of age limits in considering different groups. This is a simple way to establish the relevance of the characteristic of age to the issues in casework. In some instances, this approach was influenced by the presence of an Ombudsman for Children addressing children's issues up to 18 years of age.

Some equality bodies adopted a more fluid case by case approach. **The Office of the Ombudswoman in Croatia** stated that "sometimes we use the age limit (only as a reference point) but mostly we hold that young people are all those who are perceived as young by the discriminator". **The Public Defender of Rights in the Czech Republic** stated



that “We assess discrimination on grounds of age on a case by case basis”.

## 2.2 TRANSITIONS

**The Slovak National Centre for Human Rights** suggested any “definition should not solely link to fixed age limits but should rather take account of the circumstances of each case” and went on to state that “Most commonly, young people are defined by staff of the centre as people in professional formation, a group of people above the age of childhood towards whom their parents have maintenance obligations (i.e. until the age of 26) or people in transition from childhood”.

This **concept of transition** emerges as central in the work of international organisations, the European Union (EU), and the European Youth Forum. While the concept can be vague and difficult to use in litigation that requires more defined boundaries, it is valuable in the work of promoting equality for young people.

**UNESCO** identify that “‘youth’ is best understood as a period of transition from the dependence of childhood to adulthood’s independence and awareness of our interdependence as members of a community. **Youth is a more fluid category** than a fixed age-group”.<sup>3</sup> They do, however, note that the “UN, for statistical consistency across regions, defines ‘youth’, as those persons between the ages of 15 and 24 years”.

**The European Commission** employs this mix of a focus on transitions and a focus on statistics shaped by age limits. The statistical data allows for comparability of the situation and experience of different age groups. The tracking of transitions allows for a better understanding of and response to the situations and experiences of young people that emerge from this data.

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<sup>3</sup> See: <http://www.unesco.org/new/en/social-and-human-sciences/themes/youth/youth-definition/>

A Commission Staff Working Document in the EU Youth Report 2015 states that “Common to all countries is that the period of youth - the transition from being a child to being an adult - is marked by important life changes: from being in education to having a full-time job, from living in the family home to setting up one’s own household, and from being financially dependent to managing one’s own money”.<sup>4</sup> In the same report the European Commission uses EUROSTAT data for the age group 15-29 to provide a snapshot of the **changing situation of young people**.

The European Youth Forum articulates a concern for transitions for young people, from childhood to adulthood, from education to work, and from dependence to autonomy. It is committed to combating discrimination and sees discrimination as “hindering young peoples’ transition to adulthood and autonomy”.<sup>5</sup> One of its three main goals is to secure an **increased autonomy** and inclusion for young people.

Equality bodies and the European Youth Forum identified the **diversity of young people**. While the characteristic of transitions might be shared by young people, they hold other characteristics that draw from the full range of other grounds including gender, sexual orientation, racial or ethnic origin, religion or belief, and disability, and from the ground of socio-economic status.

## **2.3 DEFINING YOUNG PEOPLE**

**It is clear that there is a need to define young people.** Age limits have clear deficiencies in this regard but offer a rigorous certainty. This certainty assists in progressing the casework of equality bodies. The fluidity developed by some equality bodies, where they take account of the perspective of the alleged discriminator valuably attempts to circumvent

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<sup>4</sup> EU Youth Report 2015, Commission Staff Working Document, European Commission, Luxembourg, 2016.

<sup>5</sup> Policy Paper on Equality and Non-Discrimination, European Youth Forum, Brussels, 2016.

these deficiencies. The use of the concept of a group in transition is more attuned to the real-life situation of young people. It emerges as a key concept for use in the promotion, communication and research work of equality bodies and in pursuing the goal of equality for young people.

As a result, it is useful for equality bodies to be flexible in any definition used of young people and to be expansive in deploying the definitions most appropriate to the work in hand.

## 3. POSING THE CHALLENGE

### 3.1 CHANGING THE NATURE OF TRANSITIONS

The challenges facing young people can best be explored through this focus on transitions and the changing nature and **complexity of the transitions** facing young people today. The need for policy targeting young people to address these transitions effectively and in a manner that reflects the changes in these transitions is emphasised.

The European Commission has identified that:

“Transitions from child to adulthood have become more complex and individualised, a trend that has risen sharply since 2008. These transitions are marked by key changes - from education to work, from being financially dependent to managing one’s own budget - and a need to acquire autonomy which exposes young people to fluctuating economic, social and environmental conditions. Policies should accompany young people in this journey and help them realise their full potential”.<sup>6</sup>

The European Youth Forum highlights that:

“Young people need to be better supported when the increasingly infrequent ‘traditional’ route to autonomy – finishing education, finding a job, moving out – is not achievable. Welfare systems are currently not adapted to the specific needs of young people today– needs that are related to a longer transition into autonomy: entering the labour market for the first time, leaving home, starting a family”.<sup>7</sup>

It notes that “Young people’s autonomy and inclusion is dependent foremost on their social background and the

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<sup>6</sup> EU Youth Report 2015, Joint Report of the Council and the Commission on the implementation of the renewed framework for European cooperation in the youth field (2010-2018), European Commission, Luxembourg, 2016.

<sup>7</sup> Resolution on Youth Autonomy and Inclusion, Council of Members/Extraordinary General Assembly, European Youth Forum, Brussels, 2016.

education they were able to receive, but also later on their access to a quality job”.

### 3.2 INEQUALITY FOR YOUNG PEOPLE

The European Youth Forum has set out a range of issues that reflect **disadvantage and inequality** for young people.<sup>8</sup> These include:

- **The right to education** being compromised by budget cuts. Access to affordable quality services in education and the provision of non-formal education have been diminished for young people.
- **Access to employment** becoming increasingly challenging for young people with a dramatic rise in the levels of youth unemployment across the European Union and further issues of eligibility for and adequacy of unemployment benefits reducing the income available to young people.
- Young people waiting longer before finding their first job and having difficulty securing **quality employment**. They experience precarious and non-standard forms of work including zero-hour contracts, undeclared work, underemployment, unpaid work, and unregulated internships.
- **Access to affordable housing** being increasingly difficult for young people. Homelessness of young people is a growing concern.
- **Mental health services** being particularly important for young people in a context where suicide and intentional self-harm are the second most frequent cause of death among young people.

The European Youth Forum defines itself as the “voice of young people in Europe”.<sup>9</sup> It points to inequalities in power and influence in its concern to **empower young people** to

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<sup>8</sup> Social Inclusion and Young People: Excluding Youth, A Threat to our Future, European Youth Forum, Brussels, 2016.

<sup>9</sup> See: <http://www.youthforum.org/european-youth-forum/>

participate actively in society. It emphasises that youth organisations are the “tool through which we empower, encourage, involve, represent, reach out and support young people”.



## 4. EQUALITY BODIES NAMING THE CHALLENGE

### 4.1 DOMAINS OF INEQUALITY

In the survey for this *perspective*, equality bodies report a spectrum of key issues, they have identified from their work, as being faced by young people. These span the four domains of inequality:

- **Economic domain** and issues of access to resources.
- **Political domain** and issues of representation and access to influence and decision-making.
- **Cultural domain** and issues of recognition and access to standing and status.
- **Social domain** and issues of respect and access to relationships of care and solidarity.

A complete picture of the economic, political, cultural and social drivers for the inequalities experienced by young people emerges from the full spectrum of issues reported by equality bodies as facing young people. Most equality bodies named issues involving one or two elements of the full spectrum, only a few named issues stretching across the full spectrum of economic, political, cultural and social domains.

### 4.2 ECONOMIC DOMAIN

Equality bodies emphasised the economic domain and issues of **access to resources**. There was a particular focus on access to and participation in employment.<sup>10</sup>

**Unia in Belgium**, for example, pointed to the high levels of unemployment in the data for young people, while noting that this is not translating into cases.

The **Office of the Ombudswoman in Croatia** noted the high levels of unemployment of young people and questioned



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<sup>10</sup> Austria, Belgium, Bulgaria, Croatia, Cyprus, France, Poland, Portugal, Romania, Slovakia and Sweden.

whether the measures introduced to address this issue are working.



CET

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RÉPUBLIQUE FRANÇAISE

Problematic provisions in relation to age in collective agreements are raised by the **Centre for Equal Treatment in Luxembourg** and the **Equality Ombudsman in Sweden**.

The **Slovak National Centre for Human Rights** noted issues of high unemployment and precarious work for young people in low-paid jobs, unpaid internships or part-time jobs. The **Defender of Rights in France** referred to young peoples' search for one internship after another and their enduring a continuous period of precariousness with temporary contracts before finding a job. The **Commission for Citizenship and Gender Equality** in Portugal noted the high numbers of young people defined as 'NEET' (not in education, employment, or training).



FOR HUMAN RIGHTS



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ALTO COMISSARIADO PARA AS MIGRAÇÕES



REPUBLIC OF LATVIA  
OMBUDSMAN

Access to and achieving outcomes from education were given significant mention by the equality bodies as an issue for young people.<sup>11</sup> The **Office of the Ombudswoman in Croatia**, for example, noted inequalities in access to education where access for young people depends on their parents' property status. The **High Commission for Migration in Portugal** raised issues for young people of school absenteeism, school failure, early school dropout and being subject to punitive educational measures. The **Latvian Ombudsman** identified the specific issues of inclusive education for children with disabilities and retaining Muslim children in school.

A range of other resource-related areas were identified as being at issue for young people, in particular housing<sup>12</sup> and financial services<sup>13</sup>. The **Equality Ombudsman in Sweden**, for example, highlighted requirements in terms of income and of permanent forms of employment that bar many young



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<sup>11</sup> Bulgaria, Croatia, Germany, Greece and Portugal.

<sup>12</sup> Greece, France, Romania, and Sweden.

<sup>13</sup> Cyprus, Czech Republic, and France.



people from buying or renting a flat and which prevent them from leaving their parent's home. **The Defender of Rights in France** noted young people being particularly affected by increases in property prices.

The **Greek Ombudsman** pointed to issues for young people of discrimination in fields of social protection and citizenship. The **Defender of Rights in France** noted issues in access health insurance. **The Equality Ombudsman in Sweden** pointed to the danger of young people being neglected in health care provision as a consequence of certain age limits being used. **The National Council for Combating Discrimination in Romania** pointed to the disproportionately high rates of at-risk-of-poverty-and-exclusion experienced by young people. The Latvian Ombudsman identified issues in accessing the right to social guarantees for children and young people whose parents had died.

#### 4.3 POLITICAL DOMAIN

Issues of the lack of power, voice, autonomy and influence for young people were not specifically named by many equality bodies in the survey. **The Greek Ombudsman** pointed to discrimination perceived by young people in the extent to which their opinions are not taken into consideration. The **powerlessness** of young people within mainstream and targeted systems of policy and provision was noted by equality bodies in the roundtable discussion. The absence of the voice of young people in decisions that impact on them was viewed as part of the structural discrimination they experience. **Inequalities of power and influence can underpin inequalities** in other domains, in particular the **economic domain and access to resources**.

#### 4.4 CULTURAL DOMAIN

There was significant mention by the equality bodies of the low status and standing experienced by young people, specifically as a result of stereotyping. **Stereotyping** can characterise the manner in which young people are viewed



and can undermine their status and standing. The pervasiveness of the stereotype of ‘inexperienced’ was highlighted by equality bodies in the round table and the barriers this presented to young people. A further stereotype of ‘dangerous or violent’ was identified.



**The French Defender of Rights**, for example, noted in the survey that young people are subjected to stereotypes and prejudices which increase the risk of discrimination. Young adults can be perceived as reckless and impulsive or flexible and enthusiastic. **The Swedish Equality Ombudsman** pointed out that young people face barriers in accessing employment due to perceptions of their character linked to their age.



The **Office of the Ombudswoman in Croatia** stressed that “age stratification in our societies determines the whole of our social reality, although we don’t often perceive it so since it is normalised. This means that people are always perceived as of a certain age and, based on that, there are social and institutional positions which they are expected to occupy and expected modes of behaviour for each of these positions”.



**The Ombud for Equal Treatment in Austria** raised the stereotyping of young women when seeking work due to their capacity to give birth, stereotypes of young migrant men when seeking to access clubs and discotheques, and the stereotyping of young people generally when seeking to rent an apartment. The issues facing young women seeking work were also identified by **the Slovak National Centre for Human Rights**.



Stereotyping has a particular impact when different stereotypes end up reinforcing each other. This was noted by equality bodies at the roundtable in the current discourse on radicalisation which has focused on young minority ethnic people. It can be also seen in police operations of stop and search that target young minority ethnic people.

#### 4.5 SOCIAL DOMAIN

Issues of lack of respect and access to relationships of care and solidarity for young people were not specifically named in the survey by many equality bodies. **The Ombud for Equal Treatment in Austria**, for example, noted the sexual harassment of young women in driving schools. **The Commission for Citizenship and Gender Equality in Portugal** referred to issues of bullying and segregation for some minority ethnic young people and LGBT young people.

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## 5. ENGAGING WITH YOUNG PEOPLE

### 5.1 EQUAL TREATMENT LEGISLATION

Equality bodies in all countries reported provisions in their legislation on **age discrimination**. The scope of these provisions covered employment, education, social protection, accommodation and the wider spectrum of goods and services in most instances. However:

- **Austrian and Portuguese** legislation only covers employment and occupation including vocational education and training;
- **Lithuanian** legislation covers employment, education, consumer protection, public agencies and membership of organisations;
- **Maltese** legislation covers employment, banking and financial institutions, and education but does not cover the provision of goods and services;
- **Polish** legislation covers employment and professional activity but the Office of the Commissioner for Human Rights can address issues of age discrimination under Art. 32 of the Constitution which covers discrimination in political, social or economic life.

In all instances, **no definition is provided in the legislation in relation to age**. The preparatory works for the Swedish legislation, however, do state that age refers to a person's age at a given moment, being equal to the life length of the individual concerned as counted from his or her birth. Younger as well as older people are thereby encompassed without any upper or lower limit. The law also protects against discrimination with regard to perceived age that is when an individual is being discriminated against owing to the discriminator perceiving the former's age as being higher or lower than his or her actual age.

## 5.2 FOCUS ON YOUNG PEOPLE

While equality bodies emphasise that there is no prioritisation in their work across different cases of discrimination, many reported that issues of discrimination against and inequality for young people tended to have a **medium to low focus in their work**.

A low focus can result from **limitations in the mandate** of the equality body, in particular where this is limited to employment as in **Austria**, or where education is not part of the mandate as in **Germany**. **Under-reporting** of age discrimination, the lack of complaints of discrimination from young people on the age ground, and the subsequent lack of casework in this area are further reasons for a low level of focus on young people by equality bodies. The presence and work of a Children's Ombudsman in the jurisdiction can also mean that an equality body might choose to limit its focus on the age group addressed by the Children's Ombudsman.

A greater focus on young people by equality bodies can be stimulated by the **availability of data and statistics** that reflect the disadvantaged or less equal outcomes in key policy areas for young people. This is emphasised by some equality bodies in relation to both employment and education. The issue of **intersectionality**, where age and another ground are at play or where age and particular social roles such as parenting are at play, can also drive a greater focus by equality bodies on issues of discrimination against and inequality of young people.

## 5.3 PARTICIPATION BY YOUNG PEOPLE

The Children's Rights Department of the **Greek Ombudsman** serves as the Greek Ombudsman for Children. It described an involvement with young people that reflects good practice. "The Ombudsman seeks to be close to children and adolescents, meets them in the spaces where they live, are educated, cared for and socialize, communicates with them directly, informs them of their rights, listens to the issues

that concern them, records and utilizes their opinions in his work and actions, and forwards their proposals to the government and policy makers”. The Ombudsman has also set up **Youth Advisory Panels** to EU standards. This captures an involvement that is valuably broad in being about talking with, talking to and talking about young people.

The Commissioner for the **Protection of Equality in Serbia** offers an innovative involvement with a group of young people who call themselves ‘Discrimination Busters’. This Youth Advisory Panel is made up of twenty children and young people from elementary and secondary schools. They advise the Commissioner on the topics they are concerned about and promote equality and anti-discrimination values in their schools and local communities. This approach captures a structured and long-term engagement that allows young people to inform the work of the equality body.

**The Swedish Equality Ombudsman** organises ‘Dialogue Meetings’ with school pupils during official visits to schools or at the Equality Ombudsman’s office. These meetings are designed to tap into the knowledge, experience and opinions of young people, with a particular focus on the role of schools addressing discrimination. Pupils’ organisations have also been invited to contribute their views on relevant matters at meetings organised by the Equality Ombudsman.

There is an engagement reported by some equality bodies with organisations representing young people. The **Office of the Ombudswoman in Croatia** consults with civil society organisations combating discrimination against young people when preparing its annual report. The **Ombud for Equal Treatment in Austria** has engaged in discussions with organisations of Muslim young people in relation to cases involving the wearing of Islamic headscarves. The Advisory Council of the **Commission for Citizenship and Gender Equality in Portugal** includes representatives of young peoples’ organisations. The **Ombudsman in Cyprus** collaborates with the Youth Board, a public entity working



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with young people and supporting initiatives for young people. **The Latvian Ombudsman** has developed cooperation with Latvian Students Association.

More generally, a picture of somewhat limited engagement by equality bodies with young people and their organisations emerges from the survey. The challenge to find **better ways to interact with young people** and to develop their engagement with youth organisations is recognised by equality bodies.

## 6. STRATEGIES

### 6.1 REACTIVE APPROACH

The main approach evidenced by the equality bodies in their work with young people is a **reactive approach**. This is demonstrated in a responsiveness to invitations to meet with, talk about, and talk to young people and their organisations. It can be seen in the readiness to address cases brought to the equality bodies by young people. This is an important foundation for work with young people on the age ground. It enables and challenges equality bodies to go further.

This reactive approach reflects the **lack of explicit demand** on equality bodies from young people and their organisations. It is a direct product of the **limited resources** available to most equality bodies and to youth organisations. It creates conditions for equality bodies where only the most urgent of demands can be responded to and leaves little room for equality bodies to be proactive in building new demands on their attention and services.

### 6.2 HORIZONTAL APPROACH

This reactive approach is built on by equality bodies in the horizontal approach they take to some **communication initiatives and promotion of good practice activities**. This is an inclusive approach in embracing all grounds including age. Many equality bodies name age within activities that are **multi-ground**. However, these activities can have a limited potential in the absence of being accompanied by initiatives specifically targeted on young people.

### 6.3 INTERSECTIONAL APPROACH

This horizontal approach has been important in enabling a wide range of intersectional work with young people by many equality bodies. Young people are understood in the work of these equality bodies as diverse, including members of all discrimination grounds. Young people are seen as being

discriminated against because of their age and because of **their age combined with other characteristics** related to other grounds. They are also discriminated against just because of their membership of another ground, while their age can exacerbate this experience.

Age is seen by equality bodies as an aggravating factor and as **increasing the vulnerability** of the person experiencing discrimination on another ground. **The Federal Anti-Discrimination Agency in Germany** emphasises the particular and systemic powerlessness of young people when discriminated against. The damaging impact of discrimination at a young age when people are building their autonomy for the future and the risk of lost opportunities into the future is raised by **Unia in Belgium, the Commission for the Protection of Equality in Serbia, and the Swedish Equality Ombudsman.**



The experience of discrimination on another ground can be exacerbated through being young, sometimes to the point where this experience is qualitatively different. The experience of young LGBT people and of women of child bearing age were pointed to as examples in this regard. The **Greek Ombudsman** noted that society can be willing to tolerate bullying of young LGBT people as “a means of pressurising a young person to change his/her sexual orientation or gender identity”.

The intersections of age and gender, age and racial or ethnic origin (in particular young Roma people), age and religion, age and disability, and age and sexual orientation have been addressed in this work. Age and property status and age and social status are also usefully raised as relevant intersections by the **Office of the Ombudswoman in Croatia.** The **Commission on Gender and Citizenship in Portugal** also identifies age and social status. A focus on intersectionality has provided a valuable entry point for equality bodies to addressing discrimination against and promoting equality for young people.



The sites identified for these **intersectional experiences** of discrimination and inequality were varied. They included employment and access to employment, education including higher education, access to leisure services, housing provision, and social protection. Issues of harassment were noted in particular if gender and sexual orientation were intersecting grounds.

The European Youth Forum note that **age is just one characteristic defining young people's identity** and by which they define themselves. Their survey on multiple discrimination experienced by young people identified education (53.8% of respondents), seeking remunerated employment (50.5% of respondents, at the workplace (42.4% of respondents), looking for accommodation (29.2% of respondents), healthcare (26.6% of respondents), recognition of qualifications (26%), access to restaurants, cafes and pubs (24.9% of respondents, and getting bank service (24.7% of respondents) as sites of multiple discrimination.<sup>14</sup>

In education, discrimination experienced by young people on grounds of gender, sexual orientation, religion or belief, social origin, physical appearance, ethnic origin, language and political or other opinion was reported in particular. In seeking employment, discrimination experienced by young people on gender, ethnic origin and language was reported in particular. Outside the labour market, discrimination experienced by young people on grounds of ethnic origin, social origin, gender, sexual orientation and physical appearance was reported in particular.

#### **6.4 STRUCTURAL DISCRIMINATION APPROACH**

The age ground and young peoples' situation and experience reflect particular challenges of structural discrimination. There is evidence of instances of individual experiences of

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<sup>14</sup> Multiple Discrimination and Young People in Europe: Beyond 'age-only' based discrimination, European Youth Forum, Brussels, 2015.

discrimination. However, the dominant issues emerge as **more structural in nature**. The outcomes for young people in a number of fields across the Member States points to issues of structural discrimination. These are not always amenable to change through responding to individual instances of discrimination. Structural discrimination has always proven more difficult for equality bodies to grapple with.

However, **Unia in Belgium** identify that it is the evidence of structural discrimination and the particularly disadvantaged situation of young people in specific policy areas that has motivated their attention to young peoples' issues. While these issues have not presented as individual cases, they have led Unia to develop activities on these issues and commission studies to better understand these issues.

**Structural discrimination is based on taken for granted processes, practices, and norms.** It is usually unconscious and can even be based on best intentions. It is only visible in the outcomes of disadvantage from institutional policies and practices that accrue for a particular group of people. The labour market outcomes of young people are an example in point. A **focus on policy and institutional systems** might provide a useful entry point for equality bodies to addressing structural discrimination against and promoting equality for young people. This would encompass both mainstream and targeted policy and institutional systems.

**Mainstream systems** are concerned with the general public of which young people form a part. Young people can point to significantly poorer outcomes from a number of key mainstream systems. In this regard, equality bodies pointed to issues of: employment (recruitment, pay and conditions), unemployment, and work in the shadow economy; policing; social protection access and rates; housing rental; and access to clubs.

**Targeted systems serve young people specifically.** The experience of young people within these institutions can reflect inequalities in the status and standing, influence, and

respect that are experienced by young people and can amount to forms of structural discrimination. Equality bodies pointed to issues in the education system in this regard. Age specific issues were identified including age limits for compulsory education, lack of voice in decision-making, and age stereotyping. Children in institutions were also seen to raise particular issues of equality and discrimination for young people within a targeted system.

The predominant issues identified by equality bodies in education related to different groups of young people, in particular, the experience of such as Roma young people, young people with disabilities, young minority ethnic people, and young LGBT people. For some groups of young people, **the education system has failed to provide a safe space** for learning. Other groups experience segregation. Bullying is a feature in the experience of a number of groups.

## 7. TAKING ACTION

The age ground is complex when it comes to addressing the situation, experience and needs of young people. There is a diversity of young people. The experience of individual discrimination is often, but not always, determined by characteristics of young people other than that of age. However, it is clear that this experience can be exacerbated by the **powerlessness** and stereotypes that are often the lot of young people. The experience of structural discrimination, however, is more clearly linked specifically to the age ground and is evident in the disadvantaged outcomes for young people in a range of fields, in particular the labour market. However, it is clear that in responding to this it is important to take account of the diversity of young people.

Structural discrimination can take different forms in different types of settings, in particular in mainstream or general settings where all age groups participate and in targeted or congregated settings where only young people participate. The labour market and the housing market are key mainstream settings in this regard and the education system is key targeted setting in this regard.

In mainstream settings, the primary focus is on outcomes in **access to resources for young people**, such as a job, an income, accommodation or justice on a par with other age groups. There is also an underlying concern with the access of young people to influence, status and respect in these settings which can lie at the root of the unequal outcomes in access to resources.

In targeted settings, the diversity of young people comes to the fore in terms of outcomes for specific groups of young people. However, structural discrimination specifically on the age ground raises issues of the influence and **access to decision making** of young people, the status and standing of

young people, and the relationships of respect and trust within these settings.

Equality and the promotion of equality for young people is concerned with achieving full equality in practice for young people as young people. **Positive action** is important in this regard. The promotion of equality is concerned with outcomes for young people in society and in institutions in relation to equality in access to resources, influence, status, and relationships of respect. In pursuing equality in these different domains for young people, it is important to address issues of intersectionality and to address the situation, experience and needs of all groups of young people.

In taking action, therefore, equality bodies need to be concerned with:

- **Individual discrimination** experienced by young people on the **basis of their age** and the need to develop channels of communication about rights that are adequate to informing young people.
- **Individual discrimination** experienced by young people on the **basis of characteristics other than age** but taking account of the potential for the age characteristic to serve as an aggravating factor to this experience.
- **Structural discrimination** experienced by young people in a range of **mainstream settings** and evident in the outcomes for young people in these settings but taking account of the diversity of young people in these settings.
- The particular experience of specific forms of **structural discrimination** in settings where young people are congregated, in **particular schools**.
- Equality for young people that encompasses not only the **resources** available to young people to effectively make the transitions they are faced with but also the status and standing of young people, the **access of young people to participate** in decisions that impact on them, and the



experience of young people of **relationships of respect and trust.**

## 7.1 ENFORCEMENT

Equality bodies reported a low level of casework on the age ground in general and, within this casework, **very few cases** in relation to young people. Thirteen equality bodies reported no casework in relation to young people<sup>15</sup> and four reported a small number of cases<sup>16</sup>. Equality bodies in the **Czech Republic, France, Greece, and Sweden** reported a body of casework but mainly with a narrow focus.

The cases reported by equality bodies typically involve the use of age limits, service provision that is targeted on young people and/or intersectional issues. In the **Czech Republic**, cases involved postal services to people under 15 years of age and the provision of services by a health insurance company to people under 18 years of age. A number of equality bodies identified casework in relation to schools. In **Greece**, cases focused on young migrants, young Roma, disabled young people, and young trans people in schools.

**The Office of the Ombudswoman in Croatia** issued an opinion that a traffic regulation that young drivers were not allowed to drive a vehicle with an engine stronger than 80kW was discriminatory. The Constitutional Court decided likewise on this issue.

**The Ombudsman in Cyprus** addressed a case where an insurance company refused coverage to an 18 year old driver because he was young and a new driver. The decision was that any such differentiation had to be justified by reliable data.



<sup>15</sup> Belgium, Bulgaria, Cyprus, Finland, Germany, Lithuania, Luxembourg, Malta, Poland, Portugal (2), Romania, and Serbia.

<sup>16</sup> Austria, Croatia, Latvia, and Slovakia.



**The Public Defender of Rights in the Czech Republic** found that the refusal of a postal service provider to hand over parcels to recipients under 15 years of age was discriminatory as it unjustifiably restricts the rights of young people to correspondence and privacy and restricts their access to goods and services.

**The Defender of Rights in France** settled a case where a woman reported an employment advertisement for a position that specified that any applicant should be minimum 30 years old. The advertisement was withdrawn.

**The Ombudsman in Latvia** resolved a case where a person who was 21 years old wanted to participate in the “Youth Parliament” project of the Parliament. However, the person was denied participation because only those up to the age of 21 could participate. The Parliament explained that the “Youth Parliament” offers the possibility for people from 15 to 21 years of age to participate because people who are 21 or older can be elected in the state parliament and the project’s aim is to introduce young people to the parliament and decision making process. The Ombudsman accepted the explanation of the Parliament and did not consider the age limit as discrimination.

**The Slovak National Centre for Human Rights** issued an expert statement in relation to an insurance company refusing to provide compulsory motor vehicle third party liability insurance to people younger than 24 years of age. The insurance company claimed that this was a result of high risks and high damages in relation to young people in recent years compared to other age groups. The Centre stated that the Anti-Discrimination Act did not allow for the exclusion of a whole group of possible insured persons because of their age. The Act allowed for different rates of insurance fees based on verifiable risk levels. The Centre recommended that the insurance company put its practice in compliance with the Act and this was done.

**The Equality Ombudsman in Sweden** brought a discrimination claim concerning a twenty year old woman who had applied for a job as receptionist at a hostel. She had relevant previous experience but was not selected owing to a minimum 22 year age requirement. The case was settled.

**The Equality Ombudsman in Sweden** notes that in cases concerning harassment between minors, the Equality Ombudsman will not bring the case to court but seeks to use other tools to resolve the issues. In such cases, according to the Discrimination Act, the Equality Ombudsman investigates whether the school concerned has fulfilled its obligation to investigate and remedy the situation. It is felt that an investigation with a view to bringing a case to court would risk indirectly stigmatising a person as perpetrator. The defendant in such a case would not be this “perpetrator”, but the school for neglecting its obligations under the Discrimination Act. This could mean the person would not have his or her case properly heard.

**Positive duties** have stimulated a focus on equality and non-discrimination for specific groups of young people in targeted systems such as education. **The Ombudsman for Equality in Finland** promotes the obligation under equal treatment legislation on schools and other educational establishments to draw up equality plans. These plans are to support the promotion of gender equality in all activities of the school in a systematic manner. Equality work at educational institutions should create a shared understanding of what makes a school equal, what are the things promoting the implementation of equality, and what practices may be harmful in preventing equality from being fully realised. A handbook has been prepared for schools and other educational establishments to clarify their obligations under the Act.

## 7.2 COMMUNICATION

There are two strands to the communication work reported by equality bodies in relation to young people. The first

strand relates to **communicating with young people** about their rights. This is important in a context of **under-reporting** and lack of casework. The second strand relates to communicating with young people to promote a valuing among them of equality, diversity and non-discrimination. Young people are seen as a key audience in establishing the nature of the future society.

In seeking to communicate with young people about their rights, equality bodies have sought to develop materials in a manner that engages this target audience. Design and attractiveness are considered central in this work. There is a particular emphasis on the fields of employment, education, and clubs in this work.

**The Public Defender of Rights in the Czech Republic** has a special website for children and young people. **The Equality Ombudsman in Sweden** uses web-based information addressed directly to young people, in particular those at school. **The Ombud for Equal Treatment in Austria** has developed an application for smart phones, that enables reporting of discrimination, that is targeted at young people in particular.

**The Federal Anti-Discrimination Agency in Germany** developed flyers on admission to clubs targeting young people. The Ombud for Equal Treatment published a leaflet on the entrance policies of clubs and discotheques targeting young men and a leaflet on sexual harassment targeting young women. **The Defender of Rights in France** has published leaflets on 'Paris by Night without Discrimination' and on the rights of young people in accessing employment and a more general leaflet on young peoples' rights.

**Unia in Belgium** has run campaigns on age discrimination in employment and has participated in initiatives to prevent harassment in school. **The National Commission for the Promotion of Equality in Malta** developed posters and video clips for schools on the prevention of bullying and harassment. It has also brought a diversity of young people



together to discuss cases of discrimination and the causes and consequences of these. This was followed by a multi-media campaign on discrimination and young people.



Competitions have been a feature in the communication work of equality bodies to support a valuing of equality, diversity and non-discrimination among young people. **The Federal Anti-Discrimination Agency in Germany** has run school based competitions on anti-discrimination work. **The Commission for Citizenship and Gender Equality in Portugal** has organised a prize 'Youth for Equality' for best practices in gender equality in youth associations. **The Slovak National Centre for Human Rights** organises an annual competition on 'My Human Rights' for students that covers essay writing and drawing.

Creativity is evident in this awareness raising among young people. **The Commission for the Protection of Equality in Serbia** published comic books with adjusted anti-discriminatory content and organised an art exhibition for children on the theme 'We are all equal and we can live together'. **The Commission for Protection against Discrimination in Bulgaria** had a project involving young people in discussion and creative activities to improve their awareness of and engagement on discrimination.

**The High Commission for Migration in Portugal** promoted a national campaign targeting children aged 3 to 5 years in preschools. This involved a toolbox with a set of six colour pencils in different skin tones and a book with the story 'The Colours of the Grey City'. Children were invited to colour in the book and reflect on the messages in the story about new citizens bringing new colours, ideas and perspectives to the city.

Inter-generational work bringing young people and older people into dialogue with each other was run by the Office of the **Commissioner for Human Rights in Poland**. Both groups identify similar issues but there is a gap in the communication between them.



### 7.3 RESEARCH

Equality bodies have sought to uncover issues of structural discrimination through their research work. This has included a particular focus on education and employment. There is also a body of work being done to directly explore the experience of discrimination. This research work has also included an intersectional perspective.



**Unia in Belgium** published reports on young people not in education, employment or training (NEETs). The ground of age is examined in their Diversity Barometer on Employment and on Housing and there is a forthcoming Diversity Barometer on Education. **The Federal Anti-Discrimination Agency in Germany** published initial results from a study on discrimination experiences that includes a focus on young people. Their report on discrimination to parliament includes a focus on discrimination in education.



**The Latvian Ombudsman** has used research to assess the situation of children and young people in different settings. These have included a focus on various issues in education, care, and prison settings.



**The Equality Ombudsman in Sweden** inter alia published a 'Report on Discrimination on the Age Ground on the Swedish Labour Market' and a report 'Parts of a Pattern' with a focus on structural discrimination including in education. The **National Commission for the Promotion of Equality in Malta** published quantitative research on discrimination against young people and a qualitative study on violence, harassment and bullying in Schools.



**The Office of the Equal Opportunities Ombudsman in Lithuania** published research 'Bullying in School on Various Grounds of a Person's Identity' and research on 'Roma Children in Education: Case study of Vilnius and Ukmerge municipality'. The **Defender of Rights in France** published testimonies of young people from a migrant background. **The Office of the Commissioner for Human Rights in Poland** has



published research on work-life balance with a particular focus on young parents.

#### 7.4 PROMOTION

**Equality bodies reported a limited range of work in supporting good practice for young people.** This work has a particular focus on specific groups of young people and young people in specific settings. There is a particular focus on education settings. The provision of training is a feature of this work. There is a limited focus on advancing equality for young people as young people.

**The Latvian Ombudsman** has conducted monitoring visits to various different types of institutions where children or young people might be such as prisons, educational institutions, and child care institution. These visits are with a view to preventing any infringement of rights in the practice of these institutions.

**The Equality Ombudsman in Sweden** organised training and produced tools to be used in working against discrimination in the realm of education. **The Commission for Protection against Discrimination in Bulgaria** did similar work in a project 'Schools without Discrimination'. **The National Commission for the Promotion of Equality in Malta** provided training to teachers on non-discrimination and equality mainstreaming.

In a highly developed programme of action the **High Commissioner for Migration in Portugal** is responsible for the 'Choice Programme' that promotes social inclusion of children and young people from vulnerable socio-economic environments. This has a focus on education and training; employability and employment; participation, civic community rights and obligations; digital inclusion; and capacity building and entrepreneurship. In 2015, the 'More Leaders' project was developed to address the empowerment of young people. It enabled young people of Cape Verdian origin to discuss and reflect on democratic



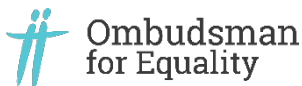
institutions, rights and duties, international conventions and justice, media literacy, and citizenship. In 2013 the 'Good Schools Grades Programme' aimed to raise awareness among Roma children, young people and families on the importance of school and among school communities about Roma culture and traditions.

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**The Ombud for Equal Treatment in Austria** made recommendations for a non-discrimination policy for clubs and discotheques and for a policy for driving schools on preventing sexual harassment. It has provided equality training and support for student organisations and networks representing young people. **The Commission for Citizenship and Gender Equality in Portugal** provided financial support to promote plans for equality in youth associations.



**The Ombudsman for Equality in Finland** has worked systematically to target children and young people from a gender perspective in order to promote anti-harassment work in schools and other educational institutions. A learning kit on sexual harassment was produced to promote anti-harassment culture in schools and other educational institutions and to promote the adoption of clear rules on how to intervene in harassment cases. The kit includes advice on how to recognise harassment and a questionnaire template for schools to use to map and monitor the prevalence of this issue. Training has been provided to teachers, school principals, curators, public health nurses, and psychologists. A website has been developed to support the work.



## 7.5 POLICY

Equality bodies reported work on a range of policy issues of relevance to young people including policy related to discrimination on the age ground.

**The Office of the Ombudswoman in Croatia** championed a focus on young people in the National Plan for Combating Discrimination. The **Defender of Rights in France** works to





remove maximum or minimal age requirements for access to certain public positions.



**The National Commission for the Promotion of Equality in Malta** contributes to the annual public consultation on the pre-budget document has made recommendations related to the budget allocations targeting young people. The **High Commission for Migration in Portugal** supported the 'New Citizens' project that brought together young people of different backgrounds to reflect on and propose concrete actions to meet the challenges facing new citizens in the country. **Unia in Belgium** is developing a focus on measures taken by the authorities to challenge radicalisation of some young people.



**The Ombudsman for Equality in Sweden** has an internal regulation to ensure the inclusion of a children's perspective when submitting official comments on certain legislative preparatory works.

## 8. FACTORS

Equality bodies pointed to factors that enable their work with young people:

- **Collaboration** with young people and organisations that represent young people.
- The importance attributed by equality bodies to **transitions** for young people and the long-term impact where these transitions are impeded by discrimination in education, employment and housing.
- **Cooperation** with other actors enabling transitions, particularly education establishments.

Equality bodies also pointed to a number of barriers to their work with young people:

- **Under-reporting** and low levels of complaints and casework.
- **Limited knowledge of their rights** and how to exercise them among young people.
- **Lack of data.**
- **Lack of adequately resourced youth organisations.**
- **Limitations in the scope of equal treatment legislation**, the mandate of the equality body and the level of resources available to the equality body.
- **A lack of understanding and awareness** in society of discrimination against young people.

## 9. FUTURE POTENTIAL

### 9.1 EQUALITY BODIES

There is a challenge to equality bodies to further develop the strategic spread of their work on equality and non-discrimination for young people. This could start with a **common endeavour** to trace out and agree what full equality in practice might mean for young people specifically on the ground of age and more generally in relation to the diversity of young people.

This endeavour and the development of initiatives out of this work could be pursued through an engagement with young people and their organisations. Equality bodies have developed some **good practice approaches** to this engagement that could be disseminated and more widely taken up by other equality bodies. This engagement could involve some support for these youth organisations to develop their capacity to engage effectively with issues of discrimination and equal treatment legislation.

The **strategic work of equality bodies** on young people and their situation of inequality could include an effective response to issues of structural discrimination. Casework alone, based on individual experiences, will not be adequate to meeting this challenge. A strategic mix of litigation, research, promotion of good practice, and supporting new understandings of and perspectives on young people is required. This could focus on the key areas that enable transition from dependence to independence and autonomy, namely the areas of education, employment, and housing. It could continue to encompass the intersectional approach developed by many equality bodies.

**Awareness raising** of rights and obligations under equal treatment legislation is important and required in a context of **under-reporting** and initiatives specifically targeted on and designed for young people are required. Equality bodies have developed some good practices approaches in this area

too that could be **more widely disseminated** and more widely taken up by equality bodies. The European Youth Forum has emphasised the need to raise awareness of current anti-discrimination law in a manner that is user friendly and targeted towards young people.<sup>17</sup>

## 9.2 EQUINET

Equinet could take initiatives to further build on the publication of this *perspective* so as to ensure it:

- **Contributes to more informed action** by equality bodies on equality and non-discrimination for young people.
- **Serves to stimulate further peer learning and exchange** by equality bodies on their current practice in this field.

## 9.3 EUROPEAN YOUTH FORUM

The European Youth Forum could continue and deepen its cooperation with Equinet. This could have a particular focus on the dissemination of and follow-up from this *perspective*. In this manner, the European Youth Forum would support its membership to engage more effectively with equality bodies at national level.

## 9.4 EU INSTITUTIONS

EU funding streams for work to advance the social inclusion of young people could be more explicit in their focus on equality, diversity and non-discrimination. The European Youth Forum has emphasised the need to **dedicate funding** to tackling age-based discrimination against young people.<sup>18</sup> These funding streams could identify and resource equality bodies as an actor in this regard.

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<sup>17</sup> Policy Paper on Equality and Non-Discrimination, European Youth Forum, Brussels, 2016.

<sup>18</sup> Policy Paper on Equality and Non-Discrimination, European Youth Forum, Brussels, 2016.

Equality bodies, with **limited resources**, have developed a body of practice in promoting equality for young people, building a knowledge base of the structural discrimination they experience, and challenging stereotypes of young people. This work could be built on by mobilising and resourcing a wider range of equality bodies to play such a role and by further deepening the role already being implemented by some equality bodies.

This *perspective* further underlines the need for European **standards for equality bodies** to ensure they are sufficiently resourced and empowered to adequately address equality and non-discrimination for young people. The European Youth Forum has also emphasised the need for such standards to ensure independence and adequate mandates and funding of equality bodies.<sup>19</sup>

The proposed **horizontal equal treatment Directive** with its coverage of the age ground outside the labour market is a necessary development at EU level. The enactment of this Directive would send a clear message about the unacceptability of age discrimination to service providers in the public and private sectors and about the importance of addressing age discrimination against young people.

## **9.5 NATIONAL LEVEL**

**National jurisdictions** could mainstream a focus on young people in policy strategies, in particular those seeking to address and improve the situation of other groups of people. This could involve **implementing an equality impact assessment** during the final design stages of such strategies and making provision for positive action targeting young people. National jurisdictions could also include a focus on equality, diversity and non-discrimination in their funding streams for the social inclusion of young people. An engagement with equality bodies and dialogue with young

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<sup>19</sup> Policy Paper on Equality and Non-Discrimination, European Youth Forum, Brussels, 2016.

people and their representative organisations would assist in achieving this mainstreaming in policy strategies and this focus in founding streams.

National jurisdictions do not have to wait for European standards to ensure equality bodies are adequately resourced and empowered to address age discrimination and inequality experienced by young people and could take steps in this regard.

**Data collection and analysis at national level** could be further developed to underpin and inform such interventions. This would involve data collection that addresses the diversity of young people and that explores discrimination, both individual and structural against young people.

## **Appendix: Survey questionnaire**

### **1. Respondent Details**

1.1 Name of respondent:

1.2 Contact details for respondent:

1.3 Name and location of equality body:

### **2. Perspective on Young People**

2.1 How does your legal mandate cover the ground of age? Does it cover employment, education, social protection, housing, and the wider provision of goods and services? Does it define the ground of age in any way?

2.2 How do you define young people in your work?

2.3 What are the key issues and areas of inequality and discrimination facing young people in your society?

2.4 How important is the focus on young people in your work? Why is this so?

2.5 What steps do you take to talk to young people and their organisations and to engage them in your work?

### **3. Action on Equality and Non-Discrimination for Young People**

3.1 Could you briefly identify key actions you have taken in the past five years to combat discrimination against and to promote equality for young people and give some assessment of their impact – covering enforcement and casework, communication and awareness raising, promoting systemic change and good practice by organisations, supporting policy making to improve the situations of young people, and research on young people and their issues?

### **4. Young People at the intersections**

4.1 What other grounds intersect with the ground of age for young people in your work? In what fields or issues do you find these intersections?

4.2 How and to what extent does the ground of age aggravate the experience of discrimination on these other grounds?

### **5. Key Casework on Young People**

5.1 Could you describe one key case on the age ground involving young people that you have worked on:

### **6. Good Practice on Equality and Non-Discrimination for Young People**

6.1 Could you describe one good practice action you have taken to combat discrimination against and promote equality for young people:

### **7. Issues in Promoting Equality for and Combating Discrimination Against Young People**

7.1 What are the factors that support you to take a focus on young people in your work?

7.2 What are the difficulties you face in trying to take a focus on young people in your work?

7.3 What future plans do you have or would you like to have to work on promoting equality for and combating discrimination against young people?

7.4 What steps would you recommend to be taken by the European Institutions, national authorities or other stakeholders to advance equality and non-discrimination for young people and to assist you in this work?



# EQUINET MEMBER EQUALITY BODIES

## ALBANIA

Commissioner for the Protection from Discrimination  
[www.kmd.al](http://www.kmd.al)

## AUSTRIA

Austrian Disability Ombudsman  
[www.behindertenanwalt.gv.at](http://www.behindertenanwalt.gv.at)

## AUSTRIA

Ombud for Equal Treatment  
[www.gleichbehandlungsanwaltschaft.at](http://www.gleichbehandlungsanwaltschaft.at)

## BELGIUM

Institute for the Equality of Women and Men  
[www.igvm-iefh.belgium.be](http://www.igvm-iefh.belgium.be)

## BELGIUM

Unia (Interfederal Centre for Equal Opportunities)  
[www.unia.be](http://www.unia.be)

## BOSNIA AND HERZEGOVINA

Institution of Human Rights Ombudsman of Bosnia and Herzegovina  
[www.ombudsmen.gov.ba](http://www.ombudsmen.gov.ba)

## BULGARIA

Commission for Protection against Discrimination  
[www.kzd-nondiscrimination.com](http://www.kzd-nondiscrimination.com)

## CROATIA

Office of the Ombudsman  
[www.ombudsman.hr](http://www.ombudsman.hr)

## CROATIA

Ombudsperson for Gender Equality  
[www.prs.hr](http://www.prs.hr)

## CROATIA

Ombudswoman for Persons with Disabilities  
[www.posi.hr](http://www.posi.hr)

## CYPRUS

Commissioner for Administration and Human Rights (Ombudsman)  
[www.ombudsman.gov.cy](http://www.ombudsman.gov.cy)

## CZECH REPUBLIC

Public Defender of Rights  
[www.ochrance.cz](http://www.ochrance.cz)

## DENMARK

Board of Equal Treatment  
[www.ast.dk](http://www.ast.dk)

## DENMARK

Danish Institute for Human Rights  
[www.humanrights.dk](http://www.humanrights.dk)

## ESTONIA

Gender Equality and Equal Treatment Commissioner  
[www.svv.ee](http://www.svv.ee)

## FINLAND

Non-Discrimination Ombudsman  
[www.syrjinta.fi](http://www.syrjinta.fi)

## FINLAND

Ombudsman for Equality  
[www.tasa-arvo.fi](http://www.tasa-arvo.fi)

## FRANCE

Defender of Rights  
[www.defenseurdesdroits.fr](http://www.defenseurdesdroits.fr)

## GERMANY

Federal Anti-Discrimination Agency  
[www.antidiskriminierungsstelle.de](http://www.antidiskriminierungsstelle.de)

## GREECE

Greek Ombudsman  
[www.synigoros.gr](http://www.synigoros.gr)

## HUNGARY

Equal Treatment Authority  
[www.egyenlobanasmod.hu](http://www.egyenlobanasmod.hu)

## HUNGARY

Office of the Commissioner for Fundamental Rights  
[www.ajbh.hu](http://www.ajbh.hu)

## IRELAND

Irish Human Rights and Equality Commission  
[www.ihrec.ie](http://www.ihrec.ie)

## ITALY

National Equality Councillor  
[www.lavoro.gov.it/ConsiglieraNazionale](http://www.lavoro.gov.it/ConsiglieraNazionale)

## ITALY

National Office against Racial Discrimination - UNAR  
[www.unar.it](http://www.unar.it)

## LATVIA

Office of the Ombudsman  
[www.tiesibsargs.lv](http://www.tiesibsargs.lv)

## LITHUANIA

Office of the Equal Opportunities Ombudsperson  
[www.lygybe.lt](http://www.lygybe.lt)

## LUXEMBURG

Centre for Equal Treatment  
[www.cet.lu](http://www.cet.lu)

## (FYRO) MACEDONIA

Commission for the Protection against Discrimination  
[www.kzd.mk](http://www.kzd.mk)

## MALTA

National Commission for Persons with Disability  
[www.knpsd.gov.mt](http://www.knpsd.gov.mt)

## MALTA

National Commission for the Promotion of Equality  
[www.equality.gov.mt](http://www.equality.gov.mt)

## MONTENEGRO

Protector of Human Rights and Freedoms (Ombudsman)  
[www.ombudsman.co.me](http://www.ombudsman.co.me)

## NETHERLANDS

Netherlands Institute for Human Rights  
[www.mensenrechten.nl](http://www.mensenrechten.nl)

## NORWAY

Equality and Anti-Discrimination Ombud  
[www.ldo.no](http://www.ldo.no)

## POLAND

Commissioner for Human Rights  
[www.rpo.gov.pl](http://www.rpo.gov.pl)

## PORTUGAL

Commission for Citizenship and Gender Equality  
[www.cig.gov.pt](http://www.cig.gov.pt)

## PORTUGAL

Commission for Equality in Labour and Employment  
[www.cite.gov.pt](http://www.cite.gov.pt)

## PORTUGAL

High Commission for Migration  
[www.acm.gov.pt](http://www.acm.gov.pt)

## ROMANIA

National Council for Combating Discrimination  
[www.cncd.org.ro](http://www.cncd.org.ro)

## SERBIA

Commissioner for Protection of Equality  
[www.ravnopravnost.gov.rs](http://www.ravnopravnost.gov.rs)

## SLOVAKIA

National Centre for Human Rights  
[www.snspl.sk](http://www.snspl.sk)

## SLOVENIA

Advocate of the Principle of Equality  
[www.zagovornik.net](http://www.zagovornik.net)

## SPAIN

Council for the Elimination of Ethnic or Racial Discrimination  
[www.igualdadynodiscriminacion.msssi.es](http://www.igualdadynodiscriminacion.msssi.es)

## SWEDEN

Equality Ombudsman  
[www.do.se](http://www.do.se)

## UNITED KINGDOM - GREAT BRITAIN

Equality and Human Rights Commission  
[www.equalityhumanrights.com](http://www.equalityhumanrights.com)

## UNITED KINGDOM - NORTHERN IRELAND

Equality Commission for Northern Ireland  
[www.equalityni.org](http://www.equalityni.org)

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 Equinet  
European network  
of equality bodies