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**OHCHR study on youth and human rights
Equinet’s input**

**About Equinet and national equality bodies**

Equinet is the **European Network of Equality Bodies**. We bring together 46 equality bodies from 34 European countries.

**Equality bodies** are independent public institutions set up across Europe to promote equality and tackle discrimination on grounds of gender, race, **age**, sexual orientation, religion and belief, disability or other grounds. Their role is defined in accordance with EU equal treatment legislation requiring Member States to set up equality bodies to combat discrimination based on race and ethnic origin, as well as gender. However, many Member States have gone beyond these requirements and ensured that equality bodies can also deal with discrimination based on the other grounds mentioned above.

The full list of **Equinet members** is available [on our website](http://www.equineteurope.org/-Members-Directory-).

**Equinet** promotes equality in Europe through supporting national equality bodies to be independent and effective as valuable catalysts for more equal societies. More information on our activities is available [here](http://www.equineteurope.org).

**Input**

Equinet’s written input is based on the **report** [**“Opening up the issue. Equality bodies combating discrimination against and promoting equality for young people”**](http://www.equineteurope.org/IMG/pdf/young_people_perspective_web.2.pdf) published in 2016. A summary of the report is available [here](http://www.equineteurope.org/IMG/pdf/two_page_summary_in_sheet_designed.pdf).

The report is based on a survey of the Equinet members, to which 19 equality bodies contributed based on their on-the-ground experience.

* **Challenges faced by young people in your country.**
1. **Domains of inequality identified by equality bodies**

In the report, equality bodies have identified **four domains of inequalities** faced by young people.

1. **Economic domain** and issues of access to resources

In particular, equality bodies emphasised the economic domain and issues of access to resources:

* **High levels of unemployment and precarious employment** are pointed as main challenge and source of inequality by several equality bodies, including Unia (Belgium) and the Office of the Ombudswoman (Croatia).
* Equality bodies in Sweden (Equality Ombudsman) and Luxembourg (Centre for Equal Treatment) raised issues related to **age limits in collective agreements.**
* The French Defender of Rights emphasized young peoples’ **search for one internship after another and their enduring a continuous period of precariousness** with temporary contracts before finding a job as a source of inequality.
* The Latvian Ombudsman identified the specific issues of **inclusive education** for children with disabilities.
* The Equality Ombudsman in Sweden highlighted **requirements in terms of income and of permanent forms of employment** that bar many young people from buying or renting a flat and which prevent them from leaving their parent’s home.
1. **Political domain** and issues of representation and access to influence and decision-making.

The **absence of the voice of young people in decisions** that impact on them was viewed by equality bodies 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.

1. **Cultural domain and issues of recognition and access to standing and status**

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 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.

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

1. **Social domain** and issues of respect and access to relationships of care and solidarity.

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.

1. **The issue of legislation and age limits**

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, protection is not harmonized across Europe:

* **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.
1. **Intersectional and multiple discrimination**

Age is seen by equality bodies as an **aggravating factor** and as increasing the vulnerability of the person experiencing discrimination on another ground.

* 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** were mentioned by respondents.
* **Age and property status** and **age and social status** are also raised as relevant intersections.

A focus on intersectionality has provided a valuable entry point for equality bodies to addressing discrimination against and promoting equality for young people.

* **Examples of discrimination against young people in the exercise of their rights.**

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.

This low level 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 can also explain the subsequent lack of casework.

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**.

* 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.
* In **Greece**, cases focused on young migrants, young Roma, disabled young people, and young trans people in schools.
* 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.
* 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 **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.

* **What measures at international level would facilitate/support the realisation of young people’s rights;**
* Promoting **national comprehensive legislation** to protect young people against discrimination;
* Promoting the **use of positive actions** at national level in order to achieve full equality in practice for young people;
* **Setting up equality bodies** as specialised, expert institutions to promote equality and challenge discrimination, including against young people.
* **Supporting national equality bodies** to ensure they are sufficiently independent, resourced and have the necessary powers to make an impact;
* Promoting **data collection and research** on discrimination against young people. 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 would involve data collection that addresses the diversity of young people and that explores discrimination, both individual and structural against young people.

**For more information**

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