



03

EU-MIDIS

European Union Minorities and
Discrimination Survey

English

2010



Data in Focus Report
Rights Awareness and Equality Bodies

Strengthening the fundamental rights architecture in the EU III

European Union Agency for Fundamental Rights (FRA)

EU-MIDIS

EUROPEAN UNION MINORITIES AND DISCRIMINATION SURVEY

WHAT is EU-MIDIS?

EU-MIDIS stands for the 'European Union Minorities and Discrimination Survey'.

It is the first EU-wide survey to ask immigrant and ethnic minority groups about their experiences of discrimination and criminal victimisation in everyday life. It also presents the first EU-wide data on minorities' awareness of their rights in the field of non-discrimination, including knowledge about Equality Bodies.

As many incidents of discrimination and victimisation go unreported, and as current data collection on discrimination and victimisation against minority groups is limited in many Member States, EU-MIDIS provides the most comprehensive evidence to date of the extent of discrimination and victimisation against minorities in the EU. In addition, it includes information on reporting rates for discrimination, and reasons for not reporting.

- **In total – 23,500 people with an immigrant or ethnic minority background were surveyed in face-to-face questionnaire interviews in all 27 Member States of the EU during 2008.**
- **The groups interviewed ranged from North and Sub-Saharan Africans, through to the Roma and Central and East Europeans (amongst others).**
- **Using the same standardised interview questionnaire in all 27 Member States, EU-MIDIS allows for a comparison of results between the different minority groups surveyed and between Member States.**
- **The survey employed the principles of random sampling to ensure that the results are as representative as possible for the groups surveyed in the locations where they were interviewed.**

FIND OUT MORE ABOUT THE SURVEY

The publication 'EU-MIDIS at a glance' provides an introduction to the survey; it includes:
some key findings, an explanation of the groups surveyed, the survey locations, and how people were surveyed.

The EU-MIDIS Main Results Report presents comprehensive results on all aspects of the survey.

See: <http://fra.europa.eu/eu-midis>

- A further 5,000 people from the majority population living in the same areas as minorities were interviewed in ten Member States to allow for comparisons of results concerning selected questions. Some questions are also directly comparable with Eurobarometer survey questions on the majority population.
- Each interview lasted between 20 minutes and one hour, and asked people a series of detailed questions.

The Third in a Series of 'Data in Focus' Reports

This report focuses on respondents' knowledge about their rights in the field of non-discrimination, including knowledge about Equality Bodies (and related organisations) in Member States. It is the third in a series of EU-MIDIS 'Data in Focus' reports to target specific results from the survey. The first Data in Focus report presented key findings concerning Roma respondents, and the second Data in Focus report explored results for all respondents who identified themselves as Muslim.

EU-MIDIS 'Data in Focus' reports provide only an introductory 'snapshot' of the full results from the survey, and are intended to introduce the reader to some core findings.

DATA IN FOCUS REPORT 3 – KEY FINDINGS ON RIGHTS AWARENESS AND EQUALITY BODIES

Awareness of anti-discrimination legislation

- 57% of all survey respondents were either unaware or unsure about the existence of legislation covering three different areas of non-discrimination on the basis of racial or ethnic origin.
- 25% of all survey respondents with an ethnic minority or immigrant background said they knew about anti-discrimination legislation in all of the following areas: employment, goods and services, and housing.
- Respondents were more likely to know that non-discrimination legislation exists in relation to employment than in relation to the areas of goods and services, and housing. 39% of all survey respondents knew of anti-discrimination legislation in the area of employment, whereas 30% knew about such legislation in the area of goods and services, and 31% in the area of housing.
- Individual minority groups generally display the same level of knowledge or lack of knowledge about the existence of anti-discrimination legislation when asked about different areas where the law might apply (employment, goods and services, and housing). For example, minority groups in France tend to be more aware of anti-discrimination legislation in different areas, whereas minority groups in Spain tend to be less aware across different areas.

Awareness of the Charter of Fundamental Rights of the EU

- In 19 out of the EU's 27 Member States, minority respondents indicated more often than respondents from the majority population that they had never heard of the Charter.

Knowledge about Equality Bodies

- 80% of all respondents could not think of a single organisation that could offer support to victims of discrimination – be this government-based, an independent institution or authority, such as an Equality Body, or an NGO.
- When given the name of an Equality Body (or equivalent organisation) in their Member State, 60% of respondents indicated that they had never heard of them.

Reporting and reasons for not reporting discrimination

- On average: 47% of all Roma respondents, 41% of all Sub-Saharan African respondents, 36% of all North African respondents, 23% of Central and East Europeans, 23% of Turkish respondents, 14% of those with a Russian background and 12% of former Yugoslavians experienced personal discrimination because of their ethnic minority, national minority, or immigrant background at least once in the last 12 months; of these:
 - 82% of all those who were discriminated against in the past 12 months did not report their most recent experience of discrimination anywhere.
 - 36% of all victims of discrimination did not report their most recent experience because they did not know how to go about reporting or where to report.
 - 21% of victims of discrimination did not report their most recent experience because of the inconvenience and bureaucracy involved, or the amount of time it would take.

THE SURVEY

The bulk of survey questions in EU-MIDIS covered the following themes:

- questions about respondents' perceptions of different types of discrimination in the country where they live, as well as questions about awareness of their rights and knowledge about Equality Bodies in their Member States, and where to make complaints about discriminatory treatment;
- questions about respondents' personal experiences of discrimination because of their minority background in nine different areas of everyday life, and whether they reported discrimination;
- questions about respondents' personal experiences of being a victim of crime, including whether they considered their victimisation happened partly or completely because of their minority background, and whether they reported victimisation to the police;

The questionnaire for EU-MIDIS is available at:
http://fra.europa.eu/fraWebsite/attachments/EU-MIDIS_Questionnaire.pdf

- questions on encounters with law enforcement, customs and border control, and whether respondents' considered they were victims of discriminatory ethnic profiling practices.

With respect to the above, respondents were asked about their experiences of discrimination and victimisation in the last five years and the previous 12 months.

SAMPLE

All 27 Member States of the European Union were included in the survey.

Between one and three minority groups were interviewed in each Member State, with a minimum sample size of 500 respondents per group. This means that between 500 and 1,500 respondents were interviewed in each Member State in total. For example: in Italy, North Africans, Albanians and Romanians were interviewed.

To find out more about the survey methodology, sampling and fieldwork see the 'EU-MIDIS Technical Report' at:

<http://fra.europa.eu/eu-midis>

THE IMPORTANCE OF RIGHTS AWARENESS AMONG MINORITIES: Part of the fundamental rights architecture in the EU

2010 is a significant year for the European Union in the field of fundamental rights. With the adoption of the Treaty of Lisbon at the end of 2009, we are witnessing the emergence of a new 'fundamental rights architecture' in Europe as the EU accedes to the European Convention on Human Rights, and the Charter of Fundamental Rights of the European Union becomes legally binding after ten years since its inception. At the same time, the EU has a new Commissioner responsible for fundamental rights.

Alongside these building blocks for fundamental rights, 2010 is the year in which the Commission will assess the implementation of the Racial Equality Directive 2000/43/EC as a legal instrument for confronting discrimination on the grounds of racial or ethnic origin across the EU. The Directive requires the establishment of Equality Bodies in Member States, which can process individual complaints concerning discrimination on the grounds set out in the Directive.

The FRA has been requested to contribute to the Commission's review of the Racial Equality Directive's implementation with the publication of a number of reports on the impact of the Directive on the ground; including a report on 'The impact of the Racial Equality Directive: Views of trade unions and employers in the European Union', which is published alongside this Data in Focus report, and

a forthcoming comparative legal study on the impact of the Directive. EU-MIDIS survey results and this specific Data in Focus report on 'Rights Awareness and Equality Bodies' form part of the Agency's input concerning the Directive. This report focuses on results from the survey that looked at minorities' rights awareness and knowledge about where to report discrimination. A particular finding from the survey is minorities' lack of awareness of the existence of Equality Bodies in a number of Member States.

The report presents a stark picture of the difference between the existence of legislation 'on paper' and its impact on the ground, which reflects the reality that many minorities are not aware of their rights and do not know where to report discrimination when it occurs.

The report should be read alongside two others by the Agency that explore the situation concerning other 'institutions' in Member States that form part of the fundamental rights architecture in the EU; namely, National Human Rights Institutions (NHRIs), some of which also operate as Equality Bodies, and National Data Protection Authorities. The message from this report and the other two is that there is significant scope for improvement with respect to how these institutions – Equality Bodies, NHRIs, and data protection authorities – function in many Member

States, and that the public's awareness of and recourse to these institutions, where applicable, needs to be enhanced.

Ethnic minorities and people with an immigrant background, as well as EU citizens moving within the EU, are an important and growing population in the Member States, and their knowledge of their rights and access to redress

mechanisms, to uphold these rights, needs to be ensured. The same applies to other groups that are vulnerable to discrimination; as identified, for example, in the FRA's reports on homophobia and discrimination on grounds of sexual orientation and gender identity. Equality Bodies present a key component in this, and are a central part of the fundamental rights architecture in the EU.

WHAT DID THE SURVEY ASK?

The survey asked respondents a series of questions about their awareness of their rights, and of Equality Bodies that have been established under the Racial Equality Directive to protect their rights and to receive complaints about discrimination. The survey then went on to ask respondents a series of detailed questions about their personal experiences of discrimination on the basis of their immigrant or ethnic minority background (the results of which are reported in the EU-MIDIS Main Results Report (December 2009)), and whether they reported discrimination and their reasons for not reporting.

Awareness of legislation against discrimination

KNOWLEDGE ABOUT LEGISLATION

The survey asked respondents a set of three questions about their awareness of legislation, under the Racial Equality Directive, which prohibits discrimination on the grounds of racial or ethnic origin. The three areas asked about were:

Employment: the example was given of applying for a job.

Goods and services: the example was given of when entering or in a shop, restaurant or club.

Housing: the example was given of renting or buying a flat.

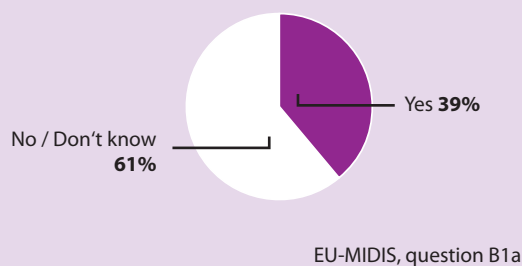
Anti-discrimination legislation: employment

Figure 1 indicates the overall results for all 23,500 EU-MIDIS interviewees concerning their awareness of legislation forbidding discrimination on the grounds of race or ethnicity when applying for a job. The findings indicate that 61% of respondents either said that no legislation exists in this area or were unsure about its existence, while 39% of survey respondents said that legislation does exist.

Figure 2 indicates the percentage among different ethnic minority, immigrant and national minority groups in each Member State who did not know about the existence of anti-discrimination legislation when applying for a job. The results present a wide range of legislative awareness among different groups and across Member States. For example: in France, the two groups surveyed – North Africans and Sub-Saharan Africans – are amongst those most aware of legislation, while the three groups interviewed in Spain

Figure 1

Is there a law that forbids discrimination against people with an ethnic minority background when applying for a job?



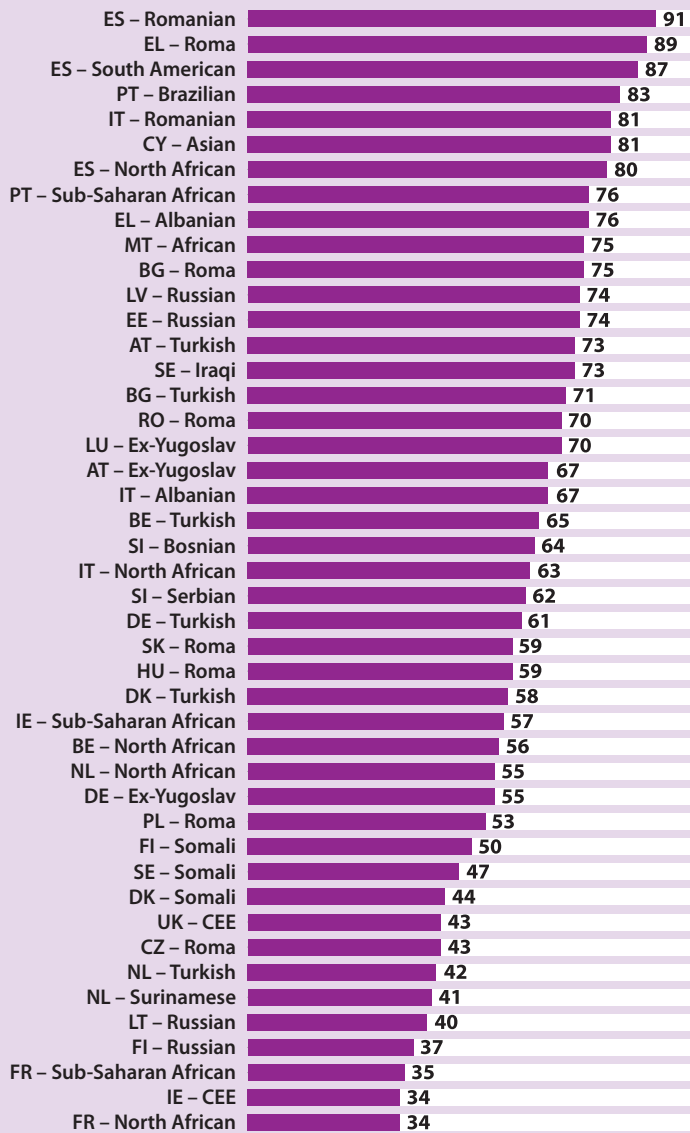
– North Africans, South Americans and Romanians – are amongst those least aware of legislation.

In some countries, as in the case of France and Spain, levels of knowledge are similar between the different groups surveyed. However, in some Member States very different levels of legislative awareness are apparent between groups; for example: in Ireland, 34% of Central and East European respondents were not aware of anti-discrimination legislation when applying for a job, whereas 57% of Sub-Saharan Africans were unaware.

Looking at a breakdown of the results according to gender, a notable difference in awareness of anti-discrimination legislation when applying for a job was found between male and female interviewees with a Turkish background (encompassing six Member States where Turkish respondents were surveyed). That is, whereas 42% of all Turkish male respondents said that there was legislation in this area, only 34% of Turkish female respondents thought that such legislation exists. In consideration of age, the results show the clearest relationship between age and knowledge about the existence of legislation in this area with respect to Turkish and former Yugoslavian interviewees – with awareness of legislation declining progressively as respondents get older. In sum, 16-24 year olds in these two groups are most aware of anti-discrimination legislation in the area of employment, while those aged 50 and above are least aware. These results point to the need for targeted information campaigns among specific groups, such as women and older people, within different minority populations.

Figure 2

Percentage of respondents who do not know of a law against discrimination on the basis of ethnicity when applying for a job



EU-MIDIS, question B1a

Anti-discrimination legislation – goods and services

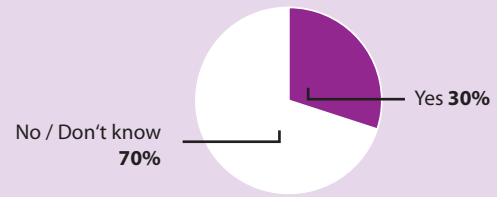
Respondents were also asked about their awareness of anti-discrimination legislation in relation to the area of goods and services; with the question specifically asking about their awareness of such legislation in relation to incidents when entering or in a shop, restaurant or club.

In comparison with awareness of legislation in relation to employment, Figure 3 shows that more respondents either thought that there was no legislation covering goods and services or were unsure about its existence (70%); whereas only 30% indicated that they thought such legislation exists.

When comparing the results between different groups in different Member States, a similar pattern emerges with

Figure 3

Is there a law that forbids discrimination when entering or in a shop, restaurant or a club (%)



EU-MIDIS, question B1a

respect to knowledge about anti-discrimination legislation in the area of employment and in relation to goods and services; in other words, minority groups who tended to be aware of the existence of legislation in the area of employment also thought that such legislation exists in relation to goods and services.

Anti-discrimination legislation – housing

The survey also asked respondents about the existence of legislation forbidding discrimination on the basis of ethnicity when renting or buying a flat. Again, the findings show a very similar pattern to the responses given to the survey question about anti-discrimination legislation in relation to the area of goods and services (as above) – with 31% indicating that legislation does exist, and 69% saying that none exists or at least being unsure about its existence.

Looking at the responses for particular minority groups in Member States, a similar pattern emerges as with knowledge of anti-discrimination legislation in the areas of employment and services. However, the results across the three areas of anti-discrimination legislation indicate that people are slightly more aware of legislation relating to employment, and therefore awareness campaigns could address gaps in knowledge that are more evident in the areas of goods and services, and housing.

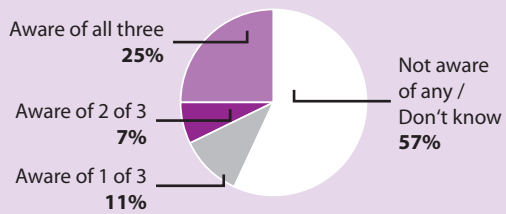
Overall awareness of anti-discrimination legislation under the Racial Equality Directive

Figure 4 summarises the survey’s findings with respect to the three questions about awareness of anti-discrimination legislation, under the Racial Equality Directive, which were asked about in relation to employment, goods and services, and housing (as above). Overall, 57% of all respondents either indicated that no legislation exists or were unsure about its existence, and 43% said that they knew about the existence of legislation at some level; of which, 11% knew about one of the three areas of anti-discrimination legislation asked about, 7% knew about two of the three areas, and 25% said they were aware of all three areas.

The results show that only 1 in 4 of all survey respondents – 25% – were aware of anti-discrimination legislation on the grounds of race and ethnicity in relation to the areas of employment, goods and services, and housing. This indicates

Figure 4

Awareness of laws that forbid discrimination on the basis of ethnicity in any of the three areas asked about (%)



EU-MIDIS, questions B1a-B1c

that work needs to be done to ensure that the remaining 75% of ethnic minority and immigrant groups become fully informed about their rights.

The results in Figure 5 generally underline the survey findings for individual areas of legislative awareness; that is – the same groups tend to indicate the same level of knowledge across different areas of legislation. For example, in general, respondents with an immigrant or ethnic minority background in France are among those most aware of anti-discrimination legislation, while minorities in Spain are among those least aware. In this regard it is evident that awareness campaigns about the existence of anti-discrimination laws need to be targeted in certain Member States at particular minority groups.

In sum, the results in figures 4 and 5 indicate that the majority of ethnic minority and immigrant respondents in EU-MIDIS are either of the belief that no anti-discrimination legislation exists or are at least unsure of its existence. This result can be looked at in the light of the Racial Equality Directive, which includes an article on 'dissemination of information' that states (article 10):

'Member States shall take care that the provisions adopted pursuant to this Directive, together with the relevant provisions already in force, are brought to the attention of the persons concerned by all appropriate means throughout their territory.'

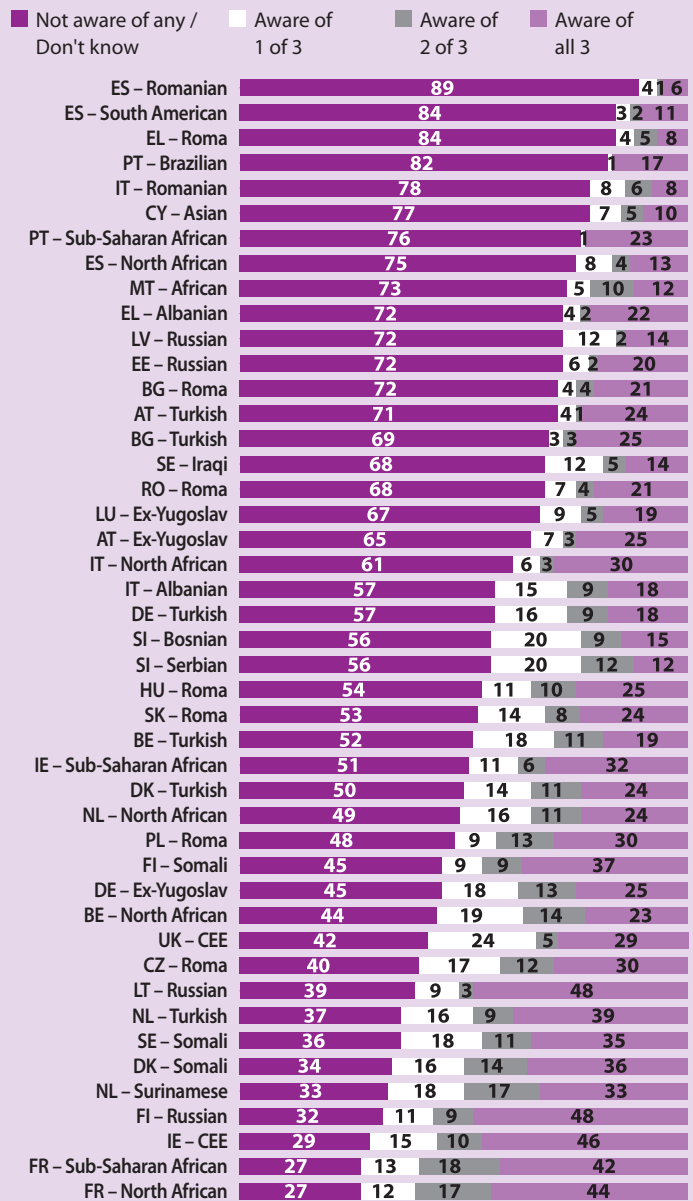
The evidence from EU-MIDIS makes it apparent that the potential victim groups for whom this legislation is intended, namely minorities who are vulnerable to discrimination on the grounds of race or ethnicity, are not sufficiently aware of its existence. In 2010 the FRA will release a comprehensive report on knowledge about and implementation of the Directive by employers and trade unions, based on a series of interviews, which will address the need for renewed efforts to ensure that implementation and dissemination of knowledge about this Directive are enhanced at Member State level.

Awareness of the Charter of Fundamental Rights

In an effort to gauge more generally respondents' knowledge about fundamental rights, all respondents were asked

Figure 5

Percentage of respondents who do not know of a law against discrimination of immigrants and ethnic minorities in any of the three situations



EU-MIDIS, questions B1a-B1c

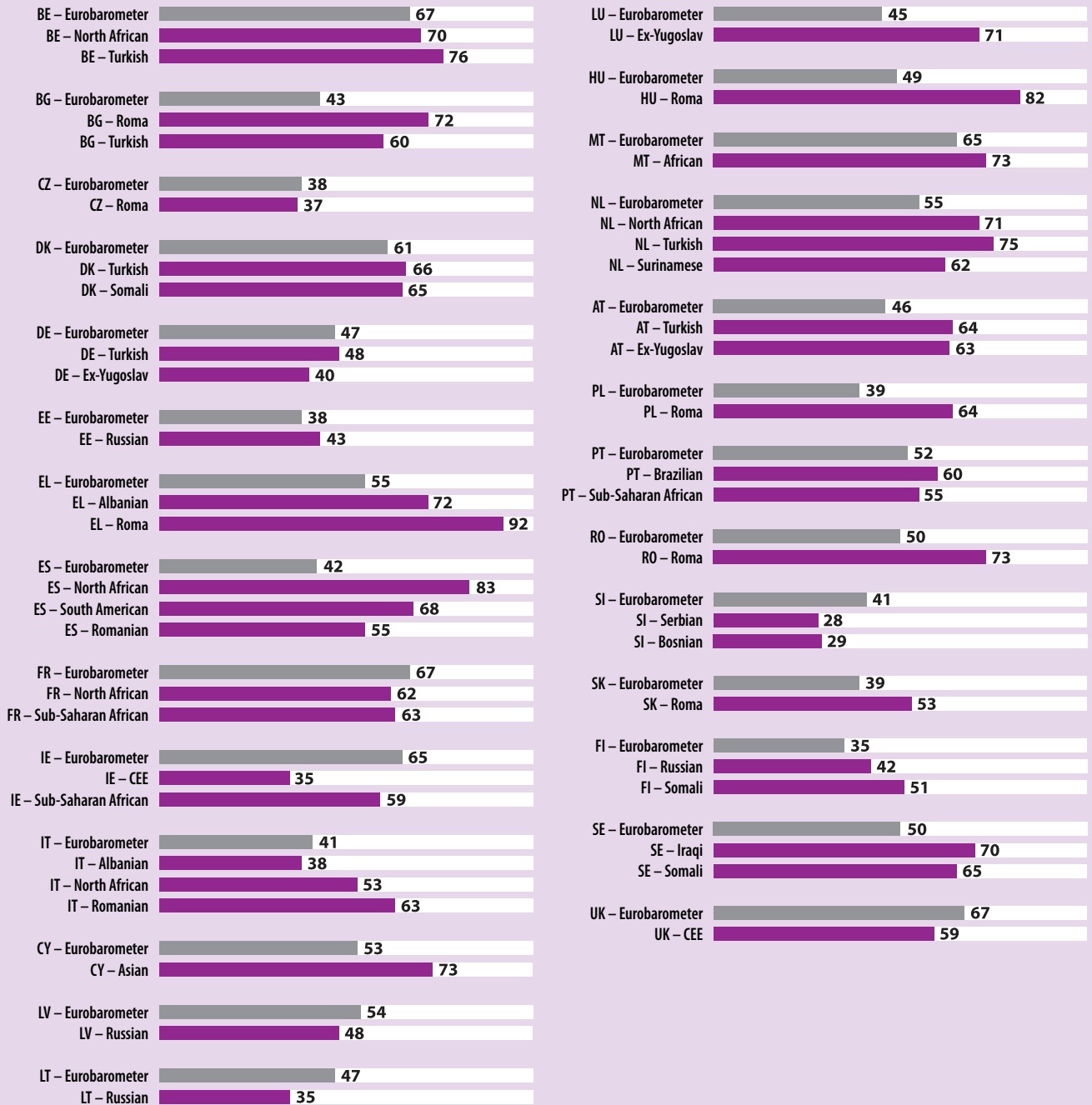
whether they knew about the Charter of Fundamental Rights of the European Union.

EU-MIDIS replicated a question from Flash Eurobarometer 213 (published in 2008), which asked 'Are you familiar with the Charter of Fundamental Rights of the European Union?'¹. The question in the Flash Eurobarometer survey was asked as part of a telephone interview with approximately 1,000 respondents per Member State who were predominantly from the majority (non minority) population. Figure 6 compares the percentage of Eurobarometer respondents and different respondent groups in EU-MIDIS, per Member State, who answered that they had never heard of the Charter.

1 In Flash Eurobarometer 213, the question continued '... which also guarantees fundamental rights to European Union citizens'. In EU-MIDIS a shorter wording was used, as quoted above.

Figure 6

Percentage of respondents who had never heard of the Charter of Fundamental Rights of the European Union



EU-MIDIS, question B3, and Flash Eurobarometer 213, question Q5

Figure 6 shows that in 19 of the EU's 27 Member States, minority respondents indicated more often than respondents from the majority population that they had never heard of the Charter of Fundamental Rights. For example; in Sweden, 50% of the majority population in comparison with 65% of Somalis and 70% of Iraqis had never heard of the Charter; and similarly in Austria, 46% of the majority population in comparison with 64% of Turkish and 63% of former Yugoslavians did not know about the Charter.

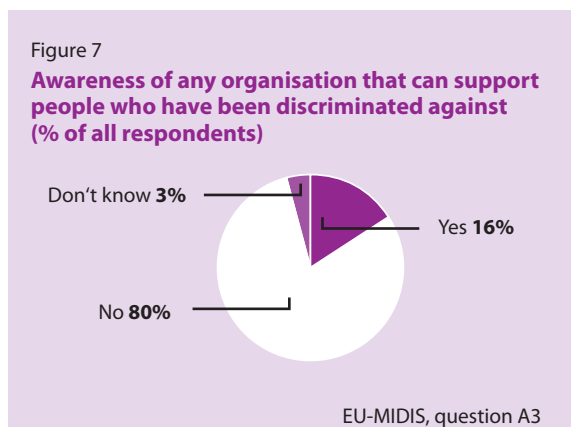
In all Member States where the Roma were interviewed, with the exception of the Czech Republic (where not knowing about the Charter showed a 1% difference between the Roma and majority population), Roma interviewees were far more likely not to have heard of the Charter. In comparison, EU-MIDIS respondents with a Russian background in Latvia and Lithuania indicated a higher level of awareness of the Charter than respondents in the Flash Eurobarometer survey.

Alongside the survey's findings on low levels of awareness of specific anti-discrimination legislation, these results indicate that minorities are generally less aware than the majority population of legislation that has been developed to uphold fundamental rights; including the fundamental rights of some of the most vulnerable groups in the EU.

Knowledge about Equality Bodies

Knowledge of any organisation – including Equality Bodies

The survey asked respondents a general question about their awareness of any organisation in their Member State that can offer support or advice to people who have been discriminated against – for whatever reason. The results in Figure 7 show that the overwhelming majority of survey respondents, 80%, could not think of a single organisation – be this government-based, an independent institution or authority (such as an Equality Body), or an NGO – that could support victims of discrimination. Only 16% were able to think of an organisation offering support to people who have been discriminated against.

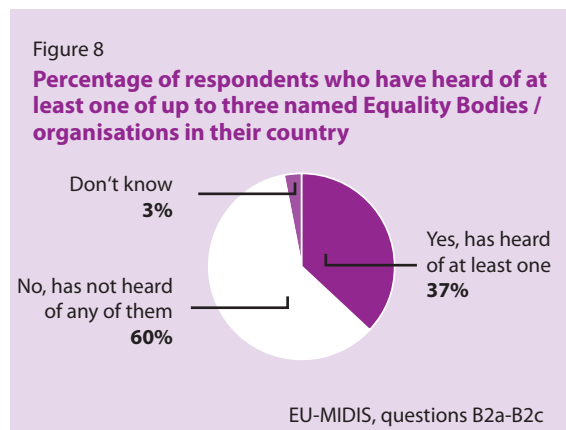


Knowledge specifically about Equality Bodies

Article 13 in the Racial Equality Directive, which explicitly addresses the need for 'Bodies for the promotion of equal treatment', states:

'Member States shall designate a body or bodies for the promotion of equal treatment of all persons without discrimination on the grounds of racial or ethnic origin.'

The survey went on to prompt respondents by reading out to them the name of an Equality Body or the equivalent organisation (or organisations) in their Member State, and asked whether they had heard of them. In some Member States more than one Equality Body (or organisation) was named to reflect the situation in the country at the time of the survey interviews (2008), and therefore the results have to be carefully interpreted as particular to the situation and timing of interviews in each country.



Having been prompted with the name or names of Equality Bodies (or equivalent organisations) in their Member State – on average, 37% of all 23,500 survey respondents said they had heard of the Equality Bodies or equivalent organisations named by the interviewer. However, the majority of respondents – 60% – had never heard of them (see Figure 8).

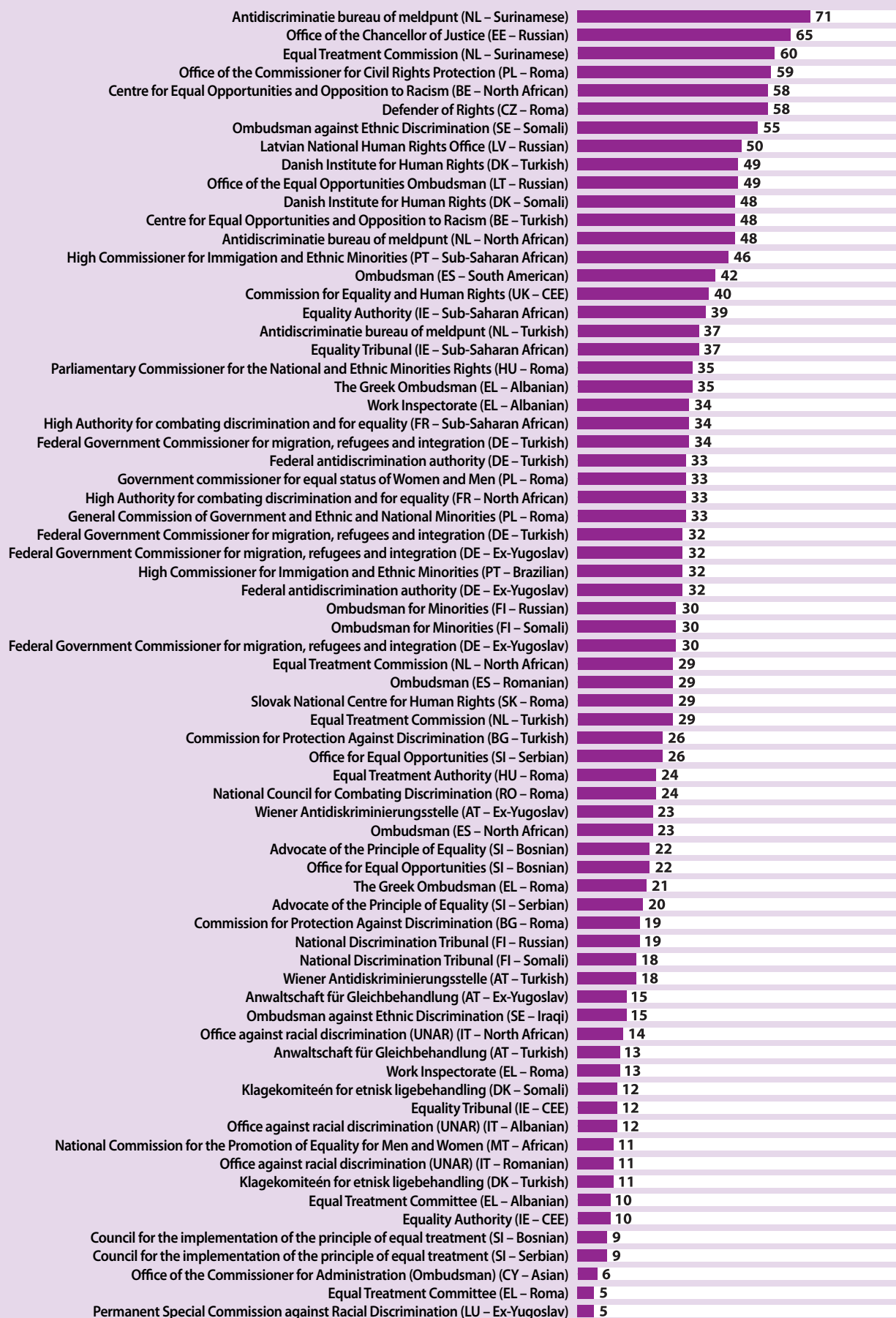
Figure 9 presents results according to knowledge of named Equality Bodies (or equivalent organisations) among the different minority groups surveyed in each Member State. The results show that knowledge about the existence of Equality Bodies (and their equivalents) can vary between different ethnic minority and immigrant groups, where more than one group was interviewed in the same country; for example, in Ireland, 37% of Sub-Saharan Africans and 12% of Central and East Europeans had heard of the Equality Tribunal. In those countries where more than one Equality Body or equivalent organisation was asked about, differences in levels of awareness about separate named organisations was sometimes found; for example, in Greece only 5% of Roma respondents had heard of the Equal Treatment Committee, while 21% had heard of the Greek Ombudsman.

Figure 10 shows the results in a slightly different way – without identifying the Equality Bodies it shows the percentage amongst different minority groups who had not heard of the named Equality Body or Bodies in each Member State. Over 80% of the following minorities had not heard of Equality Bodies or equivalent organisations in their Member States; namely: 94% of former Yugoslavians in Luxembourg, 85% of Albanians in Italy and Asians in Cyprus (encompassing people from the Indian sub-continent), 82% of Romanians in Italy, and 81% of Africans in Malta and Central and East Europeans in Ireland. In comparison, only 18% of Surinamese in the Netherlands had not heard of an Equality Body or equivalent organisation in their Member State, whereas the next lowest level of unawareness was 30% amongst Russian respondents in Estonia.

These findings tell us that knowledge about the existence of Equality Bodies (and their equivalent organisations) is patchy across the EU. To some extent this reflects the relative youth of some of these organisations, a number of which were established as a result of the Racial Equality Directive, or the fact that some Bodies acquired a new identity and name in the last years as a reflection of changed mandates – such as the Commission for Equality and Human Rights in the UK.

Figure 9

Awareness of Equality Bodies (or equivalent organisations) %



Some notable results emerged with respect to gender and age, and awareness of Equality Bodies

Looking at responses by aggregate respondent groups (for example, all Turkish respondents surveyed), more Turkish and Roma men (46% and 42%, respectively) had heard of named Equality Bodies than Turkish and Roma women (37% and 34%, respectively); while more North African women (39%) had heard of named Bodies than men (34%). In turn, the results indicate that age can also play a factor in awareness levels, with results differing between aggregate groups. Among Sub-Saharan Africans, older respondents are more likely to have heard of named organisations than young respondents; while the opposite is true among Turkish respondents where almost half of the 16-24 year-old respondents said they had heard of at least one national Equality Body in their Member State (where more than one was named), whereas under one-third of older respondents (50+) said the same.

Here, the results indicate that targeted responses to increase awareness of Equality Bodies need to be directed not only at different minority groups, but also at different groups within minority groups according to characteristics such as gender and age.

Discrimination and non-reporting

EU-MIDIS asked respondents about their discrimination experiences on the basis of ethnicity or immigrant background across nine areas of everyday life – ranging from employment through to housing. Figure 11 shows the average discrimination rate in the last 12 months for aggregate respondent groups – which combines findings for groups with a similar ethnic minority or immigrant background across Member States. The findings range from a high of 47% of all Roma having experienced at least one incident of discrimination on the basis of their ethnicity in the last 12 months, through to a low of 12% amongst former Yugoslavians.

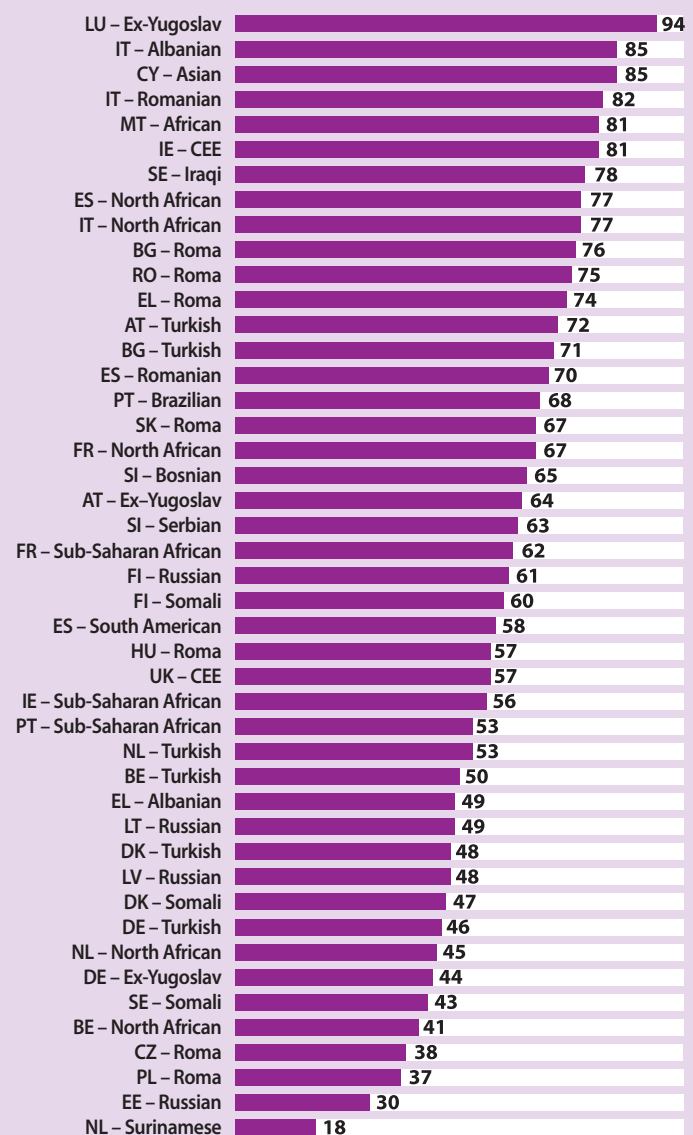
The survey went on to ask those respondents who indicated they had been discriminated against, because of their immigrant or ethnic minority background, whether they had reported their discrimination, and if not – why?

Non-reporting because of lack of knowledge and inconvenience

The EU-MIDIS Main Results Report presents detailed findings in consideration of experiences of discrimination across the nine domains tested, and the rates at which victims reported discrimination. In general, looking at the results for aggregate respondent groups, the data reveals very high levels of non-reporting of discrimination; for example: in relation to their last experience of work-related discrimination on the basis of their ethnicity, the rate of non-reporting ranged from a ‘low’ of 82% among respondents with a Sub-Saharan African origin through to 91% amongst former Yugoslavians.

Figure 10

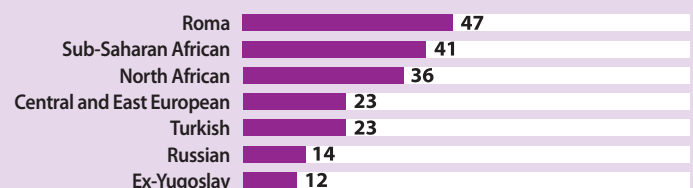
Percentage of respondents who have not heard of any of the Equality Bodies or equivalent organisations (up to three) in their country



EU-MIDIS, questions B2a-B2c

Figure 11

12-month discrimination prevalence rate
Aggregate groups, % discriminated against at least once in any of the nine domains tested

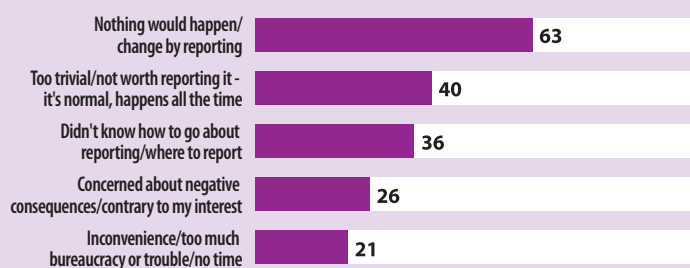


EU-MIDIS, questions CA2-CI2

Figure 12

Reasons for not reporting the most recent incident of discrimination – top 5 reasons (multiple responses possible)

In the past 12 months, all respondents (%)



EU-MIDIS, questions CA5-CI5

Rates of not reporting discrimination generally remain very high independent of the area of discrimination tested, and the reasons for not reporting are generally consistent across the different groups surveyed and the area of discrimination tested. The survey asked respondents to explain their reasons for not reporting discrimination, and the findings are important in consideration of what they reveal about knowledge of where to report and the ease with which victims are able to report.

When asked about their reasons for not reporting discrimination, the results, which are expressed as an average for all victims of discrimination in the survey, indicate that lack of knowledge about where to report and inconvenience are central barriers to reporting – see Figure 12.

These results are indicative that Equality Bodies and other organisations, where complaints about discrimination can be made, need to make vulnerable minorities aware of how to go about making a complaint, and need to make the process more convenient, accessible and less time consuming.

The importance of ethnic data and surveys to address discrimination

Respondents were asked the question: 'Would you be in favour of or opposed to providing, on an anonymous basis, information about your ethnic origin as part of a census, if that could help to combat discrimination?'

Given that data collection on ethnicity continues to be a contentious subject in a number of Member States, and is often connected to questions in consideration of privacy and personal data protection, the survey decided to ask minorities *themselves* for their opinion on ethnic data collection. To date there has been no EU-wide survey that has targeted minorities in sufficient numbers to gauge their opinion about an area of data collection that would directly impact on them; rather the subject is typically addressed as a 'top down' approach to deciding what can and cannot be done in legal terms. As ethnic data collection is often presented in a negative light, the EU-MIDIS question clarified that data on ethnicity can be collected anonymously (as aggregate statistical data), and can be collected for the purpose of combating discrimination.

The results indicate that the majority of survey respondents were willing to provide anonymous information about their ethnicity as part of a census, if that could help to combat discrimination: in general, 65% of all respondents said that they would be willing to do so; a result that is taken up further in the Agency's forthcoming Guide on Ethnic Profiling, which looks at ethnic data collection. Given that article 13 in the Racial Equality Directive states that Member States shall ensure that the competencies of Equality Bodies include 'conducting independent surveys concerning discrimination', then the results from EU-MIDIS support the collection of such data in two ways; namely:

- Minorities indicate that they would be willing, in principle, to provide data on their ethnicity.
- EU-MIDIS, as the first EU-wide survey that sampled people on the basis of their ethnicity, is evidence itself that it is possible to conduct these kinds of surveys in all Member States.

In sum – awareness of fundamental rights in the field of non-discrimination and access to justice, for example through Equality Bodies, are essential components of the European Union's fundamental rights architecture. Surveys that establish the extent to which minorities are aware of their rights and are able to access them are an essential tool for Member States to be able to monitor the implementation and effectiveness of legislation on the ground.

SOME CONSIDERATIONS FOR POLICY DEVELOPMENT

The findings in this Data in Focus Report point to a number of issues for policy makers and practitioners at EU and Member State level in consideration of legislation that has been established to uphold the rights of vulnerable groups in society, and with respect to the institutions that have been mandated to uphold their rights; namely:

- **Need for increased awareness of anti-discrimination legislation**

Minorities for whom anti-discrimination legislation was developed are frequently unaware of its existence. Lack of awareness of legislation, as set out in the Racial Equality Directive, severely hinders the implementation of this legislation on the ground as minorities will not identify their experiences as illegal – which is the first stepping stone to reporting discrimination. This situation needs to be addressed by policy makers at EU and Member State level to ensure that awareness of the Racial Equality Directive is raised amongst those groups that could benefit from it, which calls for targeted interventions with specific groups within different minority populations – such as women.

- **Need for raised awareness of the Charter of Fundamental Rights among Europe's minorities**

In most Member States the profile of the Charter of Fundamental Rights needs to be raised among ethnic minority and immigrant groups, including the Roma, as the survey data indicates that the majority population tends to be more informed about its existence. Promotion of awareness about the Charter amongst minority communities should be seen within the overall context of promoting rights awareness – with the need to target campaigns with minority groups that are particularly vulnerable to abuse of their rights in areas such as discrimination.

- **Need for increased knowledge about complaints channels and Equality Bodies**

Knowledge about organisations where complaints about discrimination can be made needs to be significantly enhanced throughout the EU. In particular, Equality Bodies that have been mandated to receive complaints about discrimination should have the means and resources to be able to undertake this task in practice. Herein there is a need to review the current and planned provision of resources to Equality Bodies so that they are able to address the needs of members of the public who can report incidents of discrimination to them. In addition, Equality Bodies need the resources to undertake campaigns to advertise their existence.

- **Need to make complaints channels more accessible for the public**

The survey's results indicated that a main reason given by minorities for not reporting discrimination was the inconvenience, bureaucracy and time involved in making a complaint. Action needs to be taken to identify ways in which the system of reporting and registering complaints can be made easier for the public. Examples of 'good practices' can be identified and shared between Member States, and regular feedback from minority communities needs to be undertaken (including surveys at Member State level) to identify problems and solutions in this area. When complaints channels are made more accessible, victims of discrimination will be encouraged to report incidents and Equality Bodies and equivalent organisations in Member States will receive an increased workload. To this end, Equality Bodies and other organisations need to have the capacity to effectively manage and respond to complaints received.

Abbreviations used for the Member States

Belgium	BE	France	FR	Austria	AT
Bulgaria	BG	Italy	IT	Poland	PL
Czech Republic	CZ	Cyprus	CY	Portugal	PT
Denmark	DK	Latvia	LV	Romania	RO
Germany	DE	Lithuania	LT	Slovenia	SI
Estonia	EE	Luxembourg	LU	Slovakia	SK
Ireland	IE	Hungary	HU	Finland	FI
Greece	EL	Malta	MT	Sweden	SE
Spain	ES	Netherlands	NL	United Kingdom	UK
Central and East European		CEE			

These four reports by European Union Agency for Fundamental Rights (FRA) look at closely related issues, institutions, and EU legislation, which contribute to the overarching architecture of fundamental rights in the European Union. The building blocks of this fundamental rights landscape are the data protection authorities and national human rights institutions (NHRIs), as well as Equality Bodies set up under the Racial Equality Directive (2000/43/EC).



This report relates to article 21, non-discrimination, as enshrined in the Charter of Fundamental Rights of the European Union.

European Union Agency for Fundamental Rights
EU-MIDIS
European Union Minorities and Discrimination Survey
Data in Focus Report 3:
Rights Awareness and Equality Bodies

Design: red hot 'n' cool, Vienna

2010 - 16 pp. - 21 x 29.7 cm

ISBN-13: 978-92-9192-385-4

TK-78-09-590-EN-C

A great deal of information on the European Union Agency for Fundamental Rights is available on the Internet. It can be accessed through the FRA website (<http://fra.europa.eu>).

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ISBN 978-92-9192-385-4



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