

IGLYO ON INTERSEC- TIONALITY

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INTRO

IGLYO's key thematic area for 2014 has been intersectionality.

This has involved a wide range of activities including four thematic roundtables on socioeconomic statuses, genders, (dis)abilities and racial and ethnic identities, a position paper, toolkit, and the “Crossing Paths: Exploring Intersections within the Diversity of LGBTQ Communities” conference. This issue of IGLYO On continues to explore this concept and its vital importance for activism.

The issue starts by discussing intersectionality as a tool to analyse interconnected power structures in societies to scrutinize multiple discrimination and broaden the view of how diverse issues are connected. From a UK context, the next article discusses the presumption of heterosexuality for disabled people and how the UN Convention on the Rights of Persons with Disabilities reinforces the stereotype of disabled people having no sexuality. Our next contributor presents insights into the trans exclusionary movements, looking at two different types of exclusion. The next article introduces the issue of homelessness in the LGBTQ sphere and the need to develop a network between different organizations.

This is followed by an interview with an Armenian trans activist who discusses how certain privileges/disadvantages make people more or less likely to experience discrimination within the diverse sphere of the LGBTQ community. In the next article, successful intersectional projects that reflect the wide range of sexual orientations and gender identities of people with disabilities are discussed. The final contributor looks into intersectionality in the European legal framework and stresses the need for NGOs and activists to continue to educate policy makers on the need for intersectional approaches to be embedded in legislation. IGLYO gives our thanks to all those people who worked on this issue and hopes you find these articles thought provoking and useful to further your activism.

In solidarity

Ani Giorgadze
Board Member

INTERSECTIONALITY: A INTRODUCTION TO THE CONCEPT

Gisela Janis, RFSL Ungdom, Sweden

Intersectionality can be described as the study of intersections between systems of discrimination, oppression, or domination. It can be used as a tool to analyze and break down asymmetrical power structures within a society. It can also be described as a way of studying collaborating norms, where a norm is understood as an unwritten rule within the social sphere.

Different norms in combination with each other, for instance based on sexuality, gender, functionality, ethnicity and socio-economic status, give some people more privileges than others. Breaking a norm in society often leads to social exclusion, discrimination, harassment or violence.

Intersectionality as a term is often understood as the study of multiple discrimination. Although, intersectionality aims to analyze the structures that create problems, multiple discrimination mainly focuses on how to use legal instruments to solve issues of discrimination, where two (or more) different components are the reasons for discrimination to occur. The importance of this is to highlight the fact that a person can become a victim of discrimination on multiple grounds. An important difference is that multiple discrimination studies what has already happened. However, intersectionality is about studying the structures. Therefore intersectionality gives you tools to study various power structures that are the cause to many different problems at the same time.

Intersectionality is about looking at an individual from different perspectives in various contexts. It is about focusing on the needs and requirements of an individual by realizing that there are many oppressive systems within a society that affect people in different ways. For example, depending on an individual's identity, this person will be judged based on their identities and treated accordingly, depending on how well they fit into societal norms or not.

A person has multiple identifying factors within a society and how that person identifies themselves may not coincide with how society sees them. A person also has multiple needs, which have to be recognized as different for each individual. Intersectionality can be used as a method to study diversity among individuals and to dismantle oppressive structures that affects people negatively in different ways.

For organizations working with human rights, intersectionality is a vital tool to broaden the view and show how different issues are connected. It is important to recognize that different power structures are collaborating and that many human rights issues overlap.





A RIGHT TO SEXUALITY: THE SILENCE OF THE UN CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES

Joshua Hepple, Independent Activist, UK

Sexuality and disability are very rarely two concepts that are considered together and when they are, there is a presumption of heterosexuality for the disabled person¹. These presumptions have huge implications for LGBTQI disabled people who are often marginalised due to their sexual orientation and their impairment.

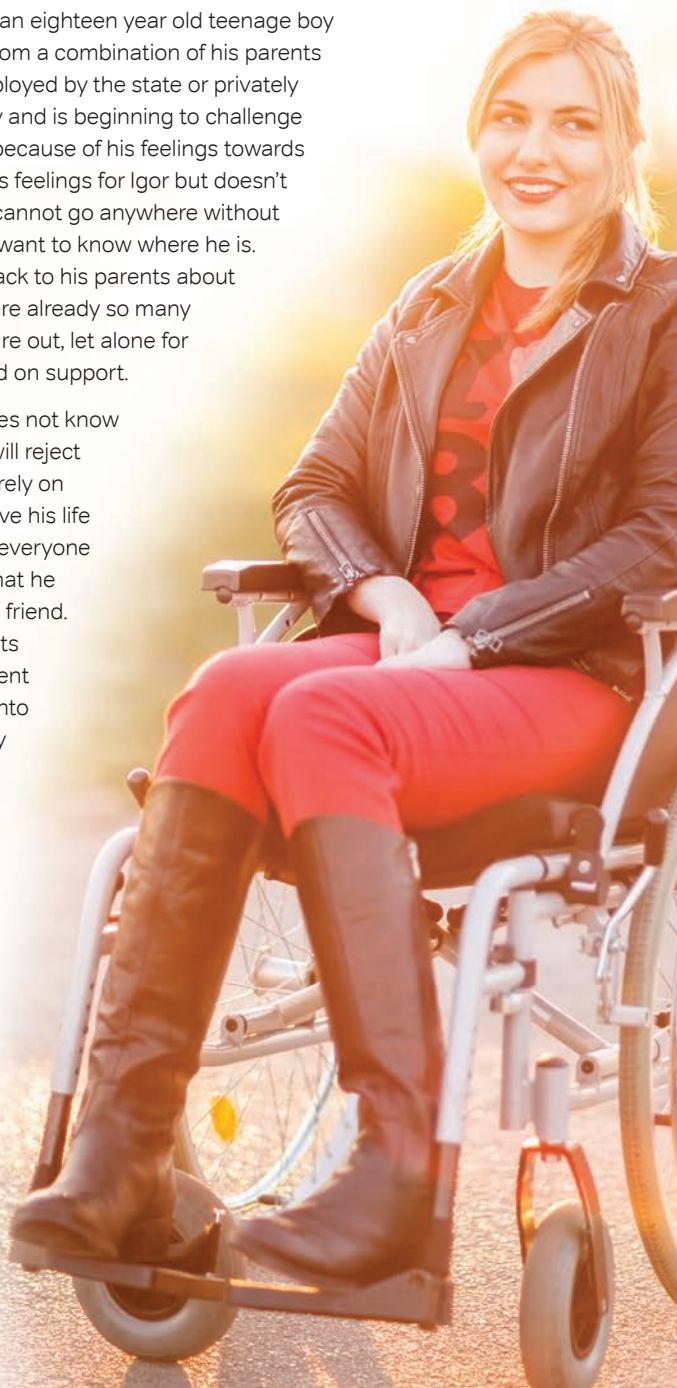
On an international level, the United Nation Convention on the Rights of Persons with Disabilities came into force on 3rd May 2008 and was seen as a universal step forward for providing equality for disabled people. In many areas this is correct and the Convention is undoubtedly very thorough in its remit. However, due to this thoroughness, the document only reinforces the perceptions of disabled people having no sexuality as it falls silent in this area. There is not one mention of sexuality.


On a much more local and personal level, nightlife for disabled LGBTQI people is difficult. Clubs and bars very rarely have wheelchair access. The issues felt by disabled LGBTQI people are vast and difficult for many people who are not disabled to even consider.

Take for instance Igor from Poland, an eighteen year old teenage boy who relies on 24 hour assistance from a combination of his parents and different caregivers, either employed by the state or privately through his parents. Igor is very shy and is beginning to challenge his previously conceived sexuality because of his feelings towards one of his classmates, Ivan. Ivan has feelings for Igor but doesn't want anyone else finding out. Igor cannot go anywhere without assistance and his parents always want to know where he is. His support staff regularly report back to his parents about what he has done that day. There are already so many issues for LGBTQI teenagers to figure out, let alone for those who are disabled and depend on support.

Igor really wants to see Ivan but does not know what to do. He knows his parents will reject him and wishes he did not have to rely on other people's approval for him to live his life independently. He decides to lie to everyone who supports him and tells them that he is going to study for exams with his friend. After some time one of his assistants accidentally reads a text Ivan has sent to Igor which the assistant relays onto his parents. Igor's parents are angry and instruct all of Igor's assistants to not allow him to see Ivan again. Due to Igor's reliance on other people he now has no way to see someone he loves.

This scenario may be fictional but it is not uncommon for very similar situations to happen over Europe. Some of the more progressive schools for disabled teenagers





have encouraged relationships between pupils, however should one pupil display a sense of attraction towards another pupil of the same sex, this behaviour is deemed as challenging and results in disciplinary action. It is here that the challenges of intersectionality come into full light; though these progressive schools recognise the sexuality of disabled people, they still stigmatise the nonconventional sexual orientations and gender identities or expressions of LGBTQI people.

Throughout human rights law, intersectionality is rarely mentioned. Occasionally, women will be mentioned alongside another minority group, for example Article 6 of the Disability Convention mentions that women who are disabled may be subjected to multiple forms of discrimination. As already stated, the Convention does not however mention sexual orientation.

While the Convention is silent, there are many elements of the Convention which may help Igor's and Ivan's relationship. Similarly to other human rights conventions, there is a right to privacy. Igor should have the right to keep his sexual orientation private and be able to form intimate relationships without his parents' knowledge. Dignity and integrity are also mentioned throughout the Convention. Ideally Igor's assistants should have the integrity to respect his privacy.

One way for this to happen is through support provided by the state rather than privately. State-provided assistance would ensure that the help Igor receives is independent and is led by him, rather than by his parents.

If Ivan and Igor decided they wanted to go out and explore the nightlife, they would also be covered by many areas of the Convention. Firstly, there is a large emphasis on the right to equality which can also be applied throughout Igor's life. There is also pressure from the Convention to make sure buildings and transport are as accessible as possible to allow disabled people to live their lives on an equal level to those who are not disabled.

In this way, Igor can use the rights embodied in the Convention to help realise his sexual orientation. Ideally, the Convention should mention sexual orientation explicitly along with a right to express it within the boundaries of the law. The current silence is only perpetuating the perceived desexualisation of disabled people, along with the taboo stigma that surrounds disability and sexuality.

THE INTERSECTIONS OF GENDER IDENTITY AND EXPRESSION, SEXUAL ORIENTATION AND GENDER: WHAT CAN BE LEARNED FROM TRANSGENDER EXPERIENCES

Wiktór Dynarski, Trans-Fuzja Foundation, Polandactivist, UK



Trans-Fuzja Foundation, an NGO working on transgender advocacy and for the benefit of the Polish transgender community, would like to bring your attention to some of the key intersecting aspects of transgender and cisgender issues which come together under the umbrella of gender, especially when thinking in the scope of gender equality, which is often restricted to empowering cisgender women only.

To realize how important it is to frame transgender individuals in anti-misogynist and general feminist work, one must first realize that there is no possible way of 'doing gender wrongly.' Gender in all aspects is what shapes our social structures, what defines relationships between human beings and what – in many ways – is being misused to restrict us from searching for a comfortable place in this world of rules and oppression based on generalized ideas of how femininity and masculinity should present or be expressed.

What should first be acknowledged when speaking about the intersections of identities and expressions related to gender, sex and sexuality is that bodies and experiences are diverse. When one tries to define gender based on binary ideas of sex and body, a large part of the world's population is being forgotten and ignored.

We have seen changes on the European level, especially in a general attitude towards discrimination based on gender, now aimed to include transgender people and the issue of mistreatment based on someone's gender identity or gender expression, whether perceived or actual. We still feel, however, as if only a tiny fracture of the transgender population actually benefits from these changes. Trans-Fuzja Foundation seeks purports that there are specific areas of women's rights where transgender people are still forced to fight for recognition both in general society and women's rights movements. With this statement, we seek to underline some of the issues we find important and worth mentioning.

When speaking about violence against women, it is important to acknowledge how trans women (and particularly those trans women who are affected by other features – trans women of color, trans women with disabilities, coming from marginalized communities or otherwise socially excluded) are affected by misogyny and aggressive attitudes towards femininity. As if it wasn't enough that they often have to fight for the recognition of their identity within the broader society. In many places they are restricted from feminist spaces, as if their oppression was not legitimate. The reasons behind this exclusion vary from place to place, but in general the sentiment seems to be rooted in a misunderstanding of what makes a person a woman or how different bodies and identities can express femininity. Trans-Fuzja firmly believes that opening women's spaces to transgender women will increase a mutual understanding of how womanhood becomes a human issue and not just a question of cisgender status.

Reproductive health aspects, framed in the gender binary and outside of a diverse spectrum, often fail to recognize that trans* people are very often those who fight for their possibility to become parents. Many countries in Europe still favor forced sterilization and castration as a condition for gender recognition and expect their citizens and residents to give up their bodies so they can be recognized as either male or female by the legal system. At the same time, countries not forcing this attitude still do not recognize and ignore transgender people's possibilities to become parents by not safeguarding their family right, access to fertility care and general pregnancy-related healthcare for trans men. Very often trans* people are forced to choose between their gender identity and the possibility to become a biological parent. Their issues and needs are not addressed or even understood in movements aiming to change the shape of local attitudes towards reproduction in general.

Giving these two examples of how and where a common understanding of cisgender feminist and transgender interests can be acknowledged and achieved, Trans-Fuzja Foundation hopes that through mutual understanding, our struggles will be overcome.



UNA STRADA DIVERSA: A PROJECT ON LGBT HOMELESSNESS IN BOLOGNA, ITALY

Costantino Giordano, Avvocata di strada, Italy

An eighteen year old lesbian girl, adopted by Italian parents, received a violent reaction when she came out. A sixty-two year old gay man cannot afford to pay his rent anymore after being fired. A thirty-two year old jobless transgender woman wants to complete her transition far away from her little village in southern Italy.

A Pakistani 28 year old gay male flees his country and seeks asylum in UK, but he is stuck in Italy because of the Dublin regulation. What do these people have in common? Besides their non-straight sexual orientation, they are at high risk of becoming homeless. That was exactly what happened to all of them, indeed, real people in need of legal protection that are currently defended by 'Avvocato di strada,' an organization of lawyers defending homeless people rights in Italy. Born in 2000 in Bologna, Italy, the association is made of volunteer lawyers, practitioners and law students. Avvocata di strada is now active in thirty-eight cities all over the country. Out of the 2000 cases per year, it is difficult to pinpoint exactly how many people end up living on the streets because of their sexual orientation or gender identity, but the lawyers have been registering more and more cases during the last years of activity.

While the USA, Canada and some EU countries are campaigning for reducing the occurrence of LGBT homelessness, there is almost no discussion and there is currently no data about LGBT homelessness in Italy. In 2011, the Minister of Interior, with the collaboration of Caritas and other NGOs, carried out for the first time a national census on homelessness, registering about 50.000 homeless people all over the country. The study investigated their family and work conditions, but sexual orientation and gender identity were not even mentioned in the survey. Nevertheless, despite the difficulty to gain numbers, it is well

acknowledged among social workers that recently LGBT people, often quite young, are accessing reception centres, shelters, and social services for the homeless. Discrimination, integration, health and safety issues may arise from such an interaction between LGBT homeless people and others, as well as between the LGBT homeless and the social workers themselves.

In order to promote a discussion among governmental institutions, social workers and LGBT activists, Avvocato di strada is promoting a project called “Una strada diversa – Homelessness e persone LGBT”. The project, founded by the Waldesian Church, is aimed at protecting the rights of LGBT people living in extreme poverty, as well as investigating the relations between homelessness and sexual orientation or gender identity. Moreover, the project wishes to encourage the development of a network between the different organizations dealing with social exclusion or LGBT issues by providing a team of lawyers, educators and volunteers to ensure an adequate response to the special needs of individuals. The project will also examine protection against multiple discrimination based on both sexual orientation and homelessness.

These are the foreseen project's actions:

- Mapping and investigating the condition of LGBT people living by the streets or in shelters in Bologna;
- Training of lawyers, social workers and volunteers; in particular, the project aims at training social workers dealing with homelessness on LGBT issues and, vice-versa, LGBT activists on homelessness issues, with the purpose of exchanging skills and good practices;
- Free and qualified legal assistance to LGBT homeless people;
- Raising awareness among citizens and institutions through a public debate and a video campaign in order to recognize, deconstruct and overcome stereotypes, prejudice and discrimination.

An intersectional approach will lead the project throughout its several challenges: there will be a special focus on migration issues, given the fact that, firstly, the great majority of the homeless people living in Italy are foreign. Given the additional issues arising from being a foreign LGBT homeless, such as stigma based on migrant status, often involving lack of documents, risk of trafficking, sexual and labour exploitation, creates an even harsher reality for these people.

Through an intersectional approach, we hope to address the risk of homelessness for all people, with a special focus on LGBT people in Italy.

www.avvocatodistrada.it/attivita/progetti/una-strada-diversa/

INTERSECTIONALITY IS MORE THAN THEORETICAL CONCEPT: AN INTERVIEW WITH AN ARMENIAN TRANS ACTIVIST

Zara Shushanyan, We For Civil Equality, Armenia

I knew K. years before he underwent gender reassignment. As a keen human rights activist, K. has always showed interest in exploring the intersectional approach to gender equality work, and we've had many informal discussions about how intersectionality works in everyday life.





To show what the incorporation of intersectional approach into trans advocacy means, K. discussed the concept on his own example as a young Armenian trans man living in a patriarchal society where transgender people still face complex social situations and multiple discrimination. Instead of discussing his current situation, K. suggested talking about his “positionality” in the Armenian society.

Q: What does the term “intersectionality” mean to you and why do you think there is no Armenian equivalent to this word?

A: The answer is simple: the term does not exist in Armenian because it would be difficult to translate this long word into Armenian (he says, laughing). In reality, the reason is that our society is more prone to talking about multiple discrimination, thus putting a demarcation line between the so-called “privileged” and “non-privileged”, “victims” and “perpetrators”, “the powerful” and “the socially vulnerable”, “sexual majorities” and “sexual minorities”, and so on. It is probably easy to polarize social phenomena and see the world in black-and-white. However, this approach doesn’t consider the complexity of life and various experienced of people.

For me, intersectionality means acknowledging multiple identities of each individual and admitting the fact that these identities intersect. For example, my rights can be violated not only because of my “non-traditional” gender identity or gender expression, but also because I am young and I am currently unemployed, because trans persons in Armenia face multiple discrimination in employment. In addition, I do not look like a “standard” Armenian guy, as I refuse to accept macho behaviour which is still a norm for heterosexual Armenian men.

If I have to refer back to the question of my gender identity, then I have to admit that under the social, cultural and historical norms and traditions in Armenia, my male identity gives me certain privileges in Armenian society. My “positionality” would be different if I were a trans woman, or, if I was from an ethnic minority. Also, my geographic location determines my position in society. I was born and raised in downtown Yerevan - the capital and main administrative area of Armenia. If I was coming from a smaller village or a more conservative town, then, perhaps, I would face more complex issues in my family and environment. In other words, my identities of a white, Christian, urban, middle-class Armenian man with higher education gives me certain privileges, whereas other facets of my identity make me highly vulnerable to discrimination and stigma.

Q: How do you think intersectional approach can solve these complex problems?

A: It is definitely wrong to think that intersectionality is the recipe to “cure” society from homophobia or transphobia, or that it is a new approach that needs to be adapted and implemented by all LGBTQ and feminist organizations. In fact, intersectionality is more than a theoretical concept coined by critical feminist thinkers. For me, intersectionality is a fundamental principle of acknowledging diversity of LGBTQ communities. For trans advocacy, an intersectional approach means recognition of transgender persons, by simply admitting that we are all diverse and that “one-size-fits-all” interventions to tackle discrimination on the grounds of gender identity and gender expression do not improve the lives of trans people. Work on intersectionality is my choice as a transgender activist, because it also allows me to better understand the complex situations that trans individuals, with all their diversity, face. Therefore, my advice to organizations and networks working on sexuality and gender is to move beyond the single-category protection of the rights of LGBTQI individuals and focus more on the intersections of various social, cultural, political and economic structures that oppress or privilege certain identities.

Q: How would you recommend IGLYO approaches the issue of intersectionality?

A: I believe that each organization under IGLYO's umbrella has a unique approach and capacity to use intersectionality as a tool to embrace diversity of LGBTQ youth. As an international LGBTQ youth and student organization, IGLYO should first of all collect and showcase the experiences of its members in the field of intersectionality. As to the member organizations, they should first of all increase access of identity groups they work with, instead of being preoccupied with the issues of identity.

MAKING A START: DISABLED LGBT ACTIVISM

Nathan Gale, Equality Network, Scotland




As a disabled queer and trans* activist, it is my experience that LGBT activism which is inclusive of disabled people and disability activism which is inclusive of LGBT people is still very much in its infancy at both national and European levels. Activism specifically around disabled LGBT people is therefore at an even early stage.

In terms of LGBT and disability equality organisations, the Equality Network, based in Scotland, is unique in having a funded post specifically working on policies concerning disabled LGBT people. A number of disabled people's organisations, such as Inclusion Scotland and Glasgow Disability Alliance, have engaged in joint work with the Equality Network. These organisations are certainly beginning to develop their practices to take into account the fact that disabled people have as wide a range of sexual orientations and gender identities as nondisabled people. From the service delivery side, the LGBT Centre for Health and Wellbeing are also making great strides to work intersectionally. They now run both an LGBT Age project and a project for LGBT people with learning difficulties.

While there are these excellent examples of intersectional projects it is less common to see LGBT organisations in the UK generally reflecting the fact that some LGBT people are also disabled. At a most basic level, it is still common to see events held in inaccessible venues. Although most organisations are aware of some of the needs of LGBT people, they often don't prioritise either budgets for access or materials which are reflective of the diversity of LGBT communities.

On a European level, in the past year LGBT organisations have started to turn their attention to disabled LGBT equality. Transgender Europe's strategic plan, agreed at their general assembly in May, includes an aim to work on issues concerning trans people with intersectional identities and particularly mentions disabled people. ILGA-Europe is also currently carrying out research into the situation of disabled LGBT people.

As far as disabled activism and disabled people's organisations are concerned, it feels at the moment as if they are simply working against the dramatic regression in attitudes which is occurring as a result of current centre right government policies.



This is particularly true in the UK but can be discerned in other European settings as well. Given that many now have to put their efforts into advocating for disabled people to have access to the most basic human rights, it is perhaps not surprising that organisations have been unable to prioritise working intersectionally.

The most prominent LGBT activism of the past few years in the UK has focussed on equal partnership rights. In Scotland, the equal marriage campaign was visibly inclusive of disabled people due to the fact that my partner and I were willing to do a great deal of the publicity for the campaign. We are both disabled, which meant that one of the couples most often featured in news items and campaign imagery just happened to be disabled. This provided an excellent opportunity to raise public consciousness of people with intersectional identities. However, had I not worked for the organisation leading the campaign, I think it is unlikely that this would have been the case.

In the UK at least, grassroots LGBT groups are much more likely to be seen providing for members of their community who are also disabled. BiCon, which holds the UK's largest gathering of bi people and their allies, is extremely inclusive and provides as a matter of course for people with a range of access requirements. It is worth noting that many of those individual activists involved in organising BiCon are themselves disabled. TransBareAll is a trans health and wellbeing organisation which runs residential retreats. Although it works on an extremely low budget, the organisation works hard to meet the access needs of anyone who wants to attend. It is perhaps not surprising that such organisations are doing better on disability inclusion given the higher prevalence of mental health difficulties, chronic illness and disability amongst bi and trans people when compared to the rest of the LGBT community.

There is also a growing movement of individual disabled LGBT people, more often identifying as trans* and/or queer, working specifically to further the rights of people with such intersectional identities. Much of this activism is grounded in the arts, and can be seen in events such as Cachin Cachan Caching Queer and Trans* Cabaret.

As far as the majority of Scottish, UK and European wide disability and LGBT organisations are concerned, they remain at the stage of having to make progress on becoming inclusive of people with intersectional identities. As for progress specifically on disabled LGBT activism, it seems for the moment this remains in the hands of grassroots community groups and individual activists.



WHY DO WE NEED THAT THE EU ANTI-DISCRIMINATION LAW AND POLICY GO INTERSECTIONAL?

Barbara Giovanna Bello, University of Milano & Project Manager of ASGI Anti-discrimination Service

Intersectionality is not just an intellectual and theoretical sophistication. In fact, Kimberlé Crenshaw used this approach in 1989 to analyze the difficulty of the US case-law to acknowledge that intersectional discrimination affecting black women made their experience of discrimination qualitatively different from the experiences of both black men and white women.



In Europe, intersectionality increasingly raised legal scholars' and activists' attention since the adoption of the EU anti-discrimination Directive 2000/43 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin and Directive 2000/78 establishing a general framework for equal treatment in employment and occupation and banning discrimination based on religion or belief, sexual orientation, age and disability. None of them explicitly mention intersectionality, but the preambles (which are not binding) of both recommend that, in implementing the principle of equal treatment irrespective of the grounds covered by the Directives, "the Community should... promote equality between men and women, especially since women are often the victims of multiple discrimination". None of the anti-discrimination Directives on gender (Directive 2004/113 and Directive 2006/54) even mention multiple discrimination.

Let's take a stock of the situation and assess what we have and what we need to tackle intersectional discrimination in the EU legal scenario. Let's start by saying that what we have is not very much: the current EU secondary anti-discrimination legislation bans discrimination on a closed list of grounds (racial or ethnic origin, religion or belief, sexual orientation, age, disability, and gender). The extension of the law beyond employment and occupation is limited to just racial or ethnic origin and, partially, gender. The proposal for a Horizontal Directive extending the protection from discrimination based on religion or belief, sexual orientation, age and disability to other fields than the labor market (the access to goods and services, including housing; education; and social protection, such as social security, healthcare and social advantages) was presented by the European Commission on 2 July 2008 and approved by the European Parliament on 2 April 2009, but has yet to be adopted. The text of the proposal, which defines multiple discrimination, raised many criticisms because: it concerns multiple discrimination resulting from ethnical or racial origin and religion or belief, sexual orientation, age and disability, but does not include gender; the gaps of protection concerning gender discrimination in the field of education, media and advertising are not filled in; the definition of multiple discrimination provided refers to the areas outside the employment and occupation and does not include multiple discrimination based also on gender; the text leaves the existing legal gaps (e.g. suitable comparator, burden of proof, justification, remedies) unsolved. At the moment, it seems easier to litigate cases of harassment based on the interplay between discriminatory grounds, since the legal definition of harassment does not require any comparison between the 'discriminated person' and a 'suitable comparator'.

At the national level, member states could have dealt with these uncertainties in the transposition of the EU anti-discrimination law into their national systems, by overcoming the minimum standards set by the Directives. Austria, Bulgaria, Croatia, Germany, Greece, Italy, Poland, Romania, Spain, United Kingdom make a reference to multiple discrimination, but most of their legislation do not provide any specific discipline. Furthermore, they do not distinguish between multiple and intersectional discrimination.

There have been few cases where the issue of multiple discrimination has been raised directly.

In the EUCJ case 'Meister', the plaintiff (Ms. Meister) claimed that she had been discriminated on the grounds of her sex, age and ethnic origin. Neither the national court nor the ECJ had any problem considering discrimination on grounds of age, gender and ethnicity next to each other, but they dismissed Ms. Meister's claim.

At the national level, in the Danish case 'Føtex', the Danish Supreme Court acknowledged that the plaintiff ('Muslim woman' wearing a hijab) was indeed victim of a differential treatment on the basis of religion, ethnic origin and gender, but it found that the fact was justified and did not amount to discrimination. Notwithstanding this, the court opened up the possibility to consider multiple discrimination in future cases. In Norway, in the case 'B. v. Thon Hotel Opera' the Oslo Equality Tribunal held that the claimant and her girlfriend were refused a room at the hotel because of the combination of genders and ethnic background (Asian). Some other cases can be found in France, Germany, Sweden and in the United Kingdom.

This short overview shows that we need to take some steps forward in order to successfully litigate cases of intersectional discrimination. Youth NGOs can support the extension of the EU anti-discrimination Directives through lobbying and advocacy actions on the basis of: the Charter of Fundamental Rights of the European Union of 2000, which has a binding effect since the Treaty of Lisbon (1 December 2009) and prohibits discrimination on a longer - though exhaustive - list of grounds (sex, race, color, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation) than the EU anti-discrimination Directives so far; the European Convention of Human Rights (ECHR) of the Council of Europe (CoE), whose art. 14 covers an open-ended list of grounds (sex, race, color, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status) and whose Protocol 12 to the ECHR extends the protection from discrimination

beyond the objective scope of the ECHR (at least for the 18 member states of CoE that are bound to it).

Besides, NGOs can: embrace the intersectional approach when advising policy-makers about planning and evaluating programs, positive measures, policies and legislation; run awareness-raising initiatives and trainings for lawyers, practitioners and people at risk of intersectional discrimination; and plan strategic litigations to tackle intersectional discrimination.

All these actions ultimately have a common core: to make the EU and national anti-discrimination law and policy responsive to the needs of 'all' people at risk of discrimination and to provide protection from discrimination for the "whole person".



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