

Discrimination of immigrants and minorities in the EU – New awareness and old ignorance

John Wrench

Norwegian University of Science and Technology

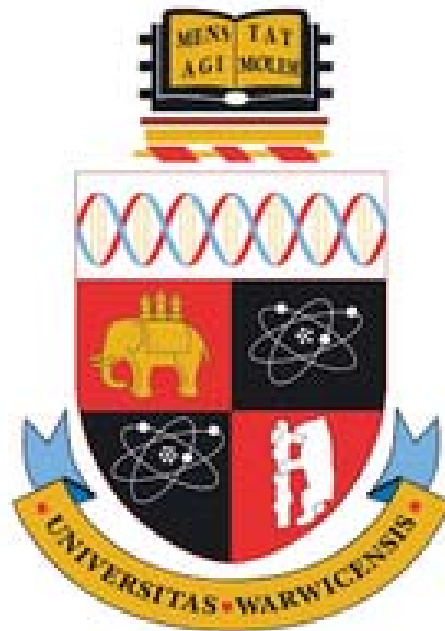
Antidiskriminierungsstelle Steiermark

Graz, 28 March 2017

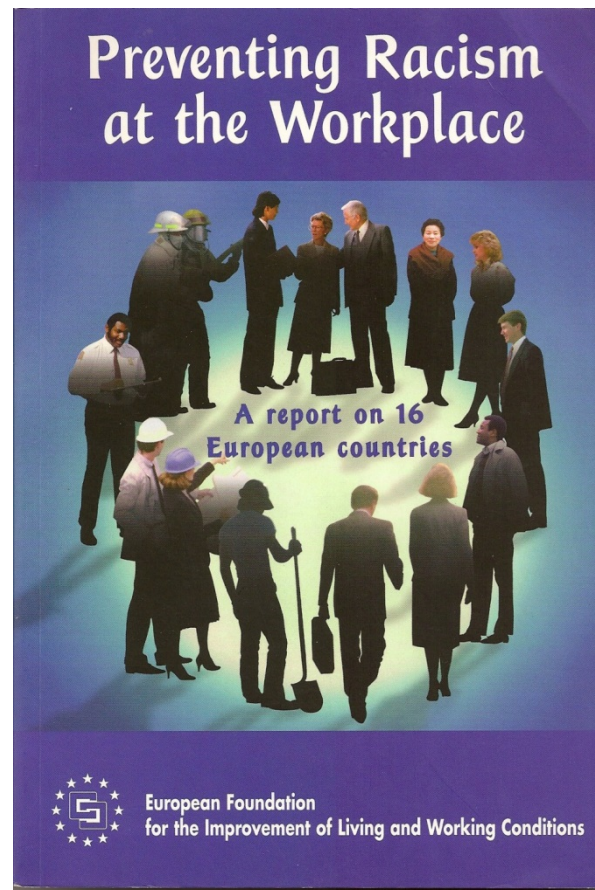
Ethnic discrimination in the field of employment

- Developments over 30 years in EU context
- Changes over time in awareness of the problem of discrimination
- Misunderstandings about the nature of racial/ethnic discrimination

University of Warwick Centre for Research in Ethnic Relations



Preventing Racism at the Workplace Eurofound, Dublin 1996



”Racial discrimination is not a problem in our country

- because we have never been a colonial power (Sweden)
- because the revolution built us on liberty, equality & fraternity (France)
- because we are a country of emigration and understand the problems of migrants (Spain)
- and many others

‘No problem here’

1. The ‘invisibility’ of discrimination
2. A ‘common sense’ misunderstanding of ethnic discrimination:
“Ethnic discrimination is caused by racism, and is carried out by racists.
We ourselves are not racist, so obviously we can’t be the perpetrators of discrimination.”

Recommendations: Eurofound 1996

Empfehlungen seitens Eurofound 1996

- An EU directive prohibiting racial discrimination in employment
- Anti-discrimination legislation in all EU member states
- More awareness raising, information provision and research

Racial Equality Directive (2000/43 /EC)

Richtlinie zur Anwendung des Gleichbehandlungsgrundsatzes ohne Unterschied der Rasse oder ethnischen Herkunft

prohibits:

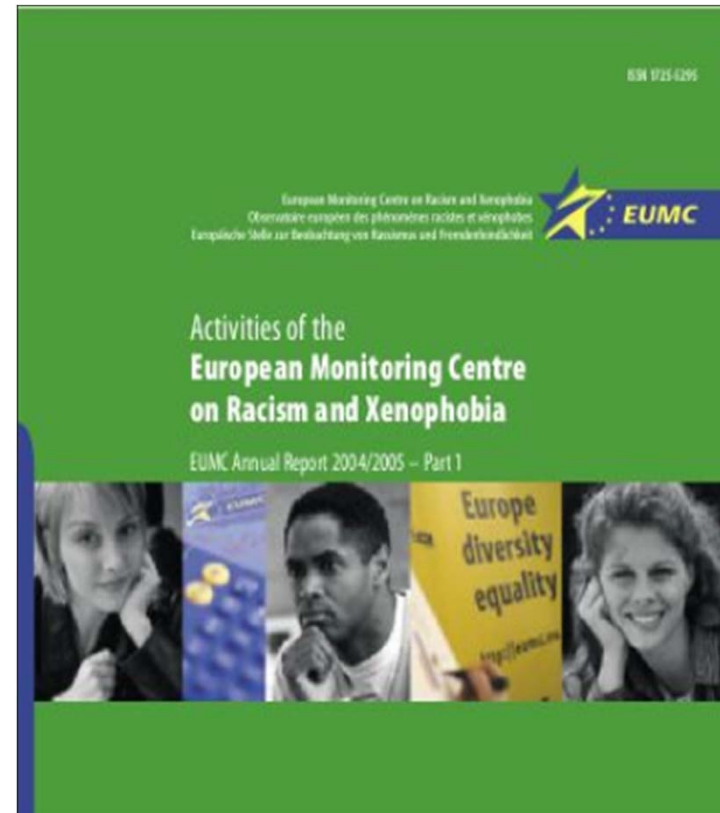
- direct discrimination
- indirect discrimination
- harassment
- instruction to discriminate

on grounds of racial or ethnic origin,

in employment and training, (as well as education, social security, healthcare, housing, access to goods and services)

European Monitoring Centre on Racism and Xenophobia, 1998

Europäische Stelle zur Beobachtung von Rassismus und Fremdenfeindlichkeit



One of the EUMC's prime objectives:

zu deren Hauptzielen zählt...

to provide the Community and its Member States with objective, reliable and comparable data at European level on the phenomena of racism and xenophobia.

EUMC data from each member state, each year:

- Statistics (official and NGO)
- Legal developments
- Racist incidents, complaints, crimes & court cases
- Research findings & opinion polls (academic, journalists, etc.)
- Positive initiatives against racism and discrimination

Danish Centre for Migration and Ethnic Studies

DANSK CENTER FOR MIGRATION
OG ETNISKE STUDIER



Cases of racial/ethnic discrimination in employment put forward for legal consideration, 1997

1997: Fälle rassistisch/ethnisch motivierter Diskriminierung in der
Beschäftigung, welche juristisch geprüft wurden

- Sweden
- France
- UK

Cases of racial/ethnic discrimination in employment put forward for legal consideration, 1997

1997: Fälle rassistisch/ethnisch motivierter Diskriminierung in der
Beschäftigung, welche juristisch geprüft wurden

- Sweden 0

- France 4

- UK 3 173

The importance of research into employment discrimination

Informationsquellen in Bezug auf rassistisch/ethnisch motivierte Diskriminierung in der Beschäftigung

- ‘Ethnic penalty’ surveys (indirect evidence)
- Surveys of migrants’/minorities’ experiences
- Surveys of employers’ attitudes & practices
- Field experiments/discrimination testing

'Ethnic penalty' surveys

- Even when taking into account other variables such as age, sex, education, skills, etc.
migrants and their descendants still perform less well in the labour market than their majority peers.
- The conclusion is that this inequality is the result of discrimination.
- These patterns of inequality constitute *indirect* evidence of discrimination

Surveys of migrants' & minorities' experiences

Erhebungen unter MigrantInnen & Angehörigen von Minoritäten

Reported in one year (2006) :

- Russian speakers in **Estonia**, Turks in **Germany**, Russians, Estonians & Vietnamese in **Finland**, immigrants in **Denmark**, immigrants and their descendants in **France**, all reported subjective experiences of discrimination
- Of 1000 Turks in **Germany**, 56% experienced discriminatory treatment at the workplace

Types of problems reported:

..... racist insults, harassment and 'mobbing'; unequal treatment regarding wages and conditions of work; inequality in access to training and promotion; unfairness in selection for dismissal and redundancy

Investigations of employers' attitudes and practices

Nationale Erhebungen unter ArbeitgeberInnen

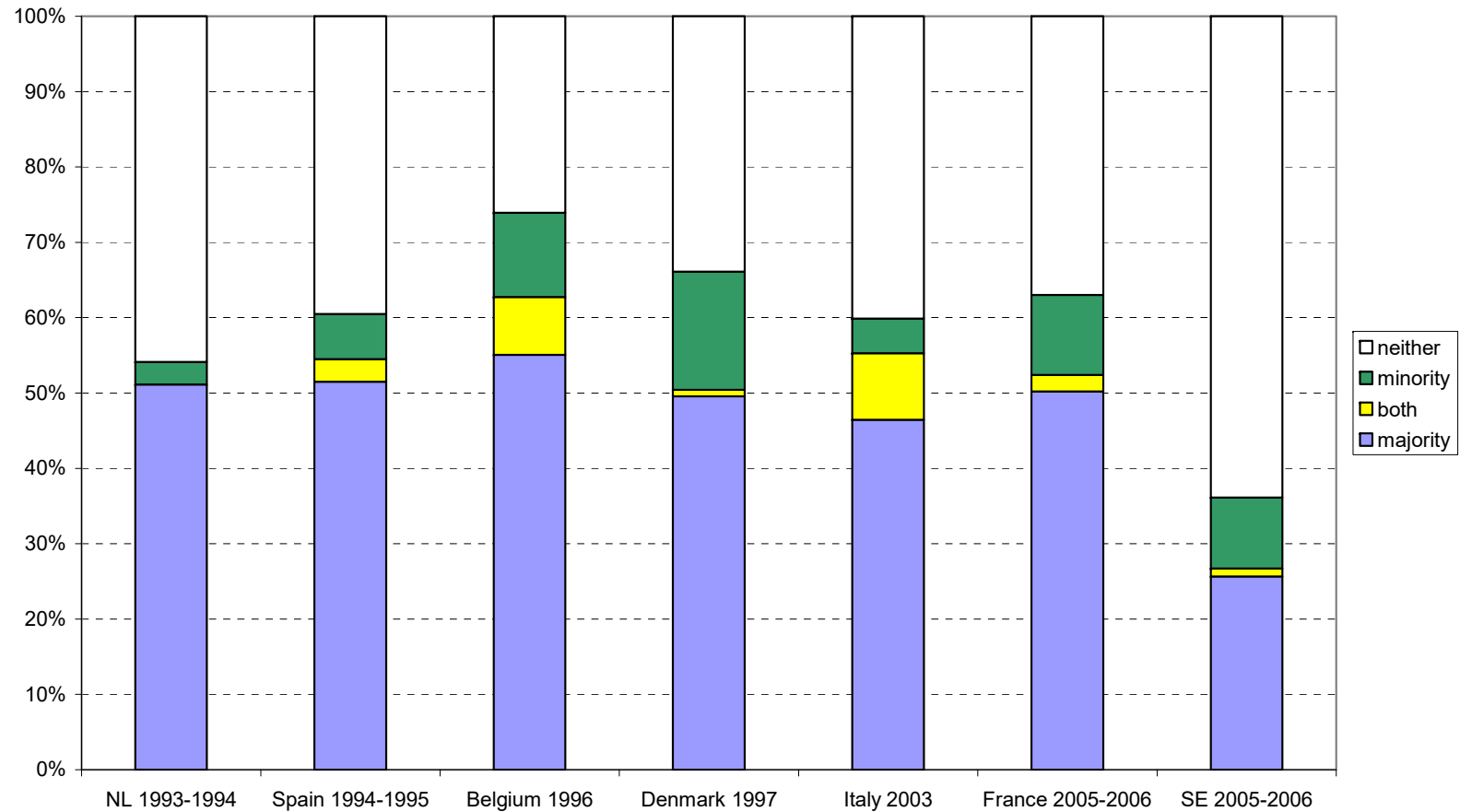
- **2000 Denmark** of 1200 private sector employers, 25% would not hire an immigrant or refugee under any circumstances
- **2007 Belgium** 80 % of employers (small/self-employed) would never hire an immigrant
- **2012 Belgium** 29 % of Temporary Employment Offices accept requests from employers not to send them migrants

BBB: Blanc-Bleu Belge



“Situation testing”: discrimination in access to employment based on ILO methodology, Lisa Simeon, Patrick Taran & August Gächter, ILO 2010

In 100 applications by young males for unskilled and semi-skilled jobs - who got preference?



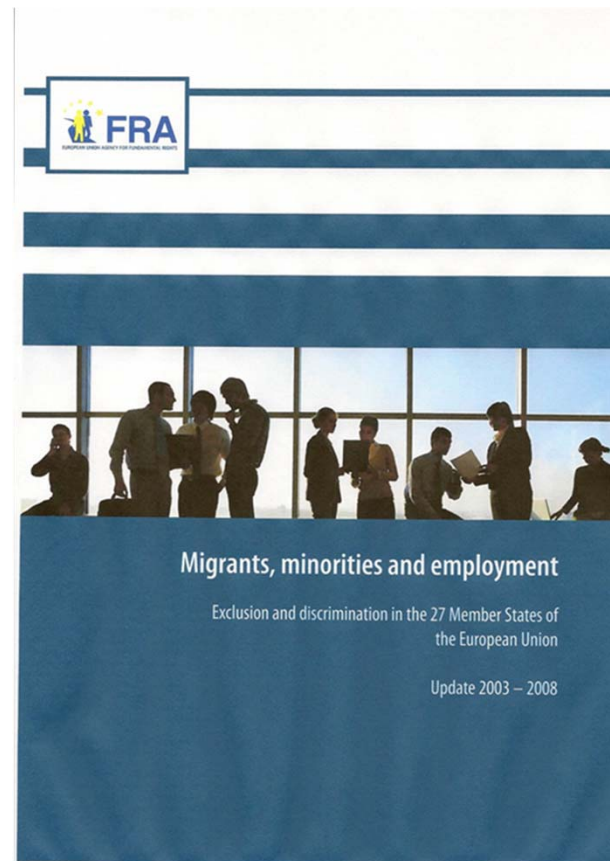
ILO Situation Testing

Internationale Arbeitsorganisation-ILO Situations Tests
zur Erhebung von Diskriminierung

- Minority candidates need to make 3 - 5 times more attempts to achieve a positive response
- In one local situation they needed to make 17 times more attempts

Migrants, Minorities and Employment: Exclusion and Discrimination in 27 Member States of the European Union, 2010

MigrantInnen, Minoritäten und Beschäftigung: Ausgrenzung und Diskriminierung in den 27 Mitgliedsstaaten der EU 2010



‘No problem here’

1. The ‘invisibility’ of discrimination
2. A ‘common sense’ misunderstanding of ethnic discrimination:
“Ethnic discrimination is caused by racism, and is carried out by racists.
We ourselves are not racist, so obviously we can’t be the perpetrators of discrimination.”

Types of discrimination

Direct/intentional discrimination

1. Racist discrimination
2. Statistical discrimination
3. Societal discrimination

Structural discrimination

4. Indirect discrimination
5. Past-in-present discrimination
6. Side-effect discrimination

1. Racist discrimination

The 'least misunderstood' form of discrimination:

- the people who perpetrate it do it *consciously*.
- it consists of the exclusion of an individual from opportunities because of *group-based characteristics* to which the discriminators attach negative meaning

Racist discrimination - examples

- In 2004 a Hungarian hotel manager told a receptionist, when faced by a Roma job applicant, “I do not hire Gypsies here, I hate them all” (EUMC 2005: 40).
- In 2007 in Malta two African men were refused a job in a poultry-processing factory. The factory owner stated that “African people are not hygienic enough to handle poultry.”

2. Statistical discrimination

Actions which are based *not* on personal *racism* or on *prejudices* about a particular social group held by the discriminator,

but on perceptions of the group as having certain characteristics which will have *negative consequences* for the organisation

Statistical discrimination - example

- In the UK, researchers interviewing the staff of a national public sector employment agency were told about an employer in the clothing industry who instructed the agency that she didn't want to be sent any Indians or Pakistanis, because

“If we trained Asians they would go off and start their own business”.

3. Societal discrimination

Actions based on the fact that although a person may be free of hostility or prejudice, he or she is aware that *other people* have negative attitudes towards members of a social group

Societal discrimination - examples

- In 2004 the manager of a security firm in Hungary refused a job to a certificated Roma security guard, telling him that his clients would not accept Roma staff (EUMC 2005: 40).
- In 2006 in Italy, a black Italian young woman filed a complaint for racial discrimination against the owner of a restaurant who refused to employ her, saying that her skin colour could “disturb” some of his customers (FRA 2007: 53).

Structural discrimination

- Group-based patterns of disadvantage and inequality that are *not* the consequences of an identifiable individual's actions or bias against the group.
 - Indirect discrimination
 - Past-in-present discrimination
 - Side-effect discrimination

4. Indirect discrimination

when apparently 'neutral' recruitment practices or work routines which can in practice *inadvertently* discriminate against members of an ethnic group

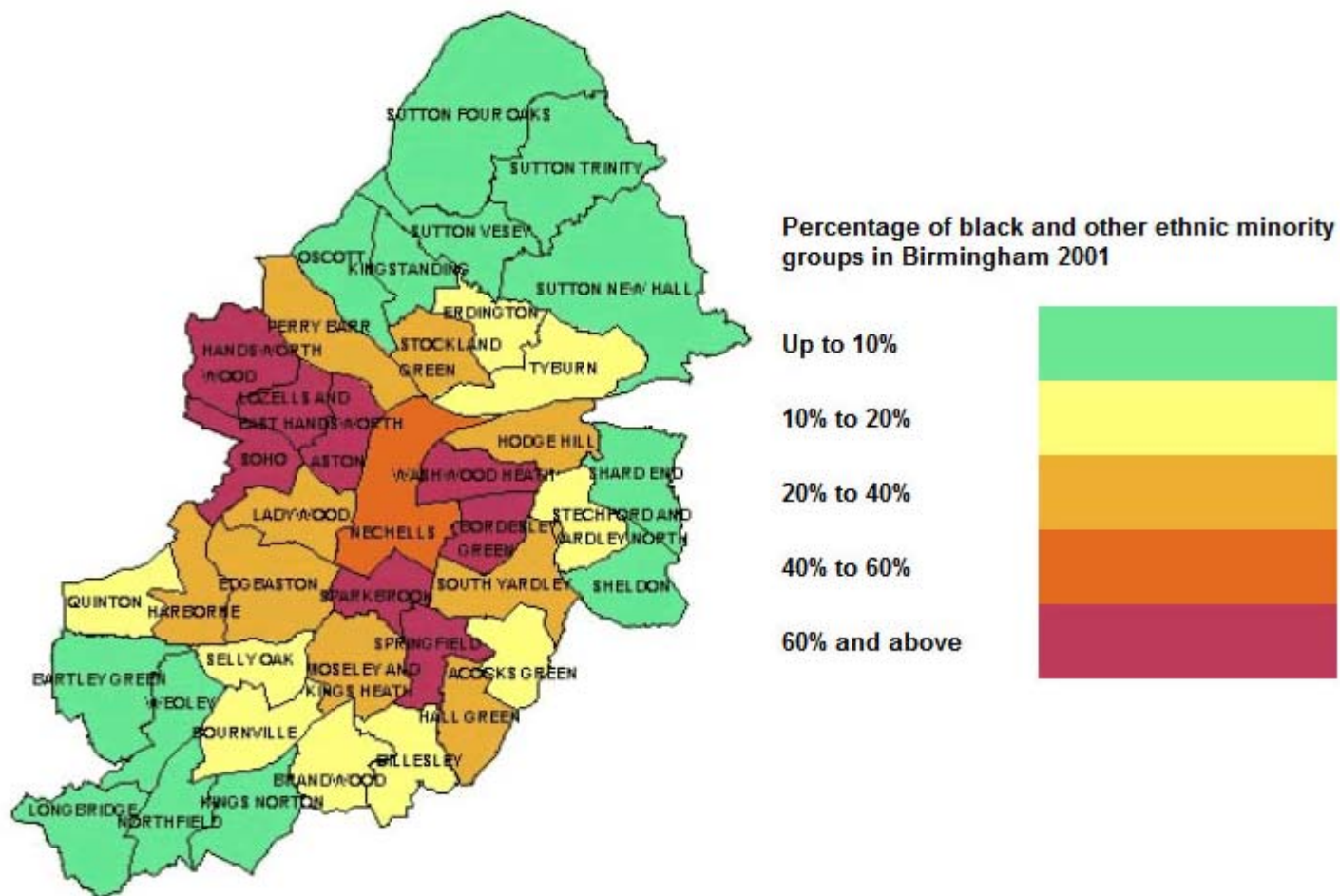
Indirect discrimination - examples

- In a British survey of apprentice recruitment, many firms were found to rely significantly on the family members of existing employees for recruitment.

Employers talked of the benefits to the firm in terms of family loyalty and a parental link with young workers.

Thus, in a largely white workforce, this disproportionately excluded ethnic minorities.

Ethnic concentration in Birmingham 2001



5. Past-in-present discrimination

when 'neutral' practices have greater negative impact on a minority group because of *historical*, rather than current, intentional discrimination

6. Side-effect discrimination

when discrimination in one social sphere (e.g. education, housing) will generate inequality in another social sphere, (e.g. employment) even when there is no discrimination in the second sphere

Past-in-present & side-effect discrimination: the Roma in Europe



Types of discrimination

Direct/intentional discrimination

1. Racist discrimination
2. Statistical discrimination
3. Societal discrimination

Structural discrimination

4. Indirect discrimination
5. Past-in-present discrimination
6. Side-effect discrimination

‘No problem here’

1. The ‘invisibility’ of discrimination
2. A ‘common sense’ misunderstanding of ethnic discrimination:
“Ethnic discrimination is caused by racism, and is carried out by racists. We ourselves are not racist, so obviously we can’t be the perpetrators of discrimination.”

New book: Danes are not racists

[Uniavisen](#), University of Copenhagen, 16 January 2017

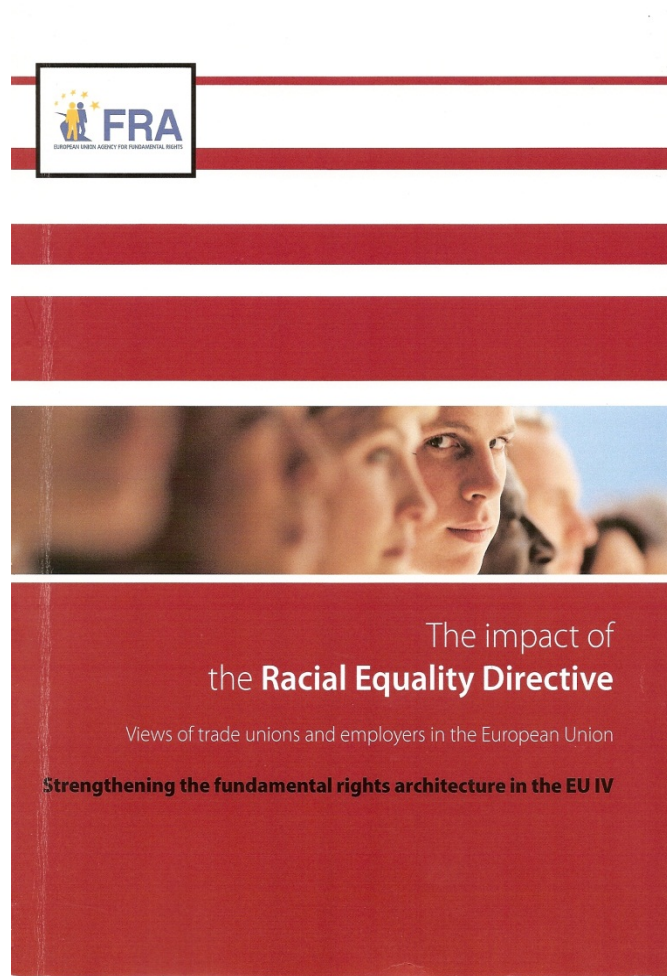


Danes are said to be xenophobic and racist. But the claim that Danes are actually, particularly, racist is not supported by scientific evidence, claims a Copenhagen sociologist



On 1st March 2007 the European Monitoring Centre on Racism and Xenophobia (EUMC) became the European Union Agency for Fundamental Rights (FRA)
 Agentur der Europäischen Union für Grundrechte (FRA)

The Impact of the Racial Equality Directive: Views of trade unions and employers in the European Union (FRA 2010)



300 + interviews with trade unions & employers in 27 EU countries: levels of awareness and response

Untersuchung der Einstellung der Sozialpartner zur EU-Richtlinie zur Rassengleichbehandlung: Ausprägung des Problembewusstseins und Reaktionen

- Are they aware of the Racial Equality Directive and their own national anti-discrimination legislation?
- Are they aware of their national Equality Body (if one exists)?
- Have they adapted their policies and practices to include combating racial/ethnic discrimination?
- How committed are they to combating racial/ethnic discrimination?

Employers' and trade unionists' awareness and response scores, 27 EU countries

Problembewusstheit und Bewertung der Reaktionen

Country	Score
Sweden	6.0
Ireland	5.7
Finland	5.5
UK	5.2
Germany	5.1
Denmark	5.0
Belgium	5.0
Netherlands	4.7
Austria	4.6
Portugal	4.5
Spain	4.5
France	4.5
Italy	4.2
Greece	4.0
Luxembourg	3.8

Country	Score
Cyprus	3.7
Slovenia	3.6
Slovakia	3.5
Malta	3.4
Romania	3.3
Poland	3.3
Lithuania	3.3
Hungary	3.3
Czech Republic	3.2
Bulgaria	3.2
Latvia	3.0
Estonia	2.8

'No problem here' – employers

"Wir haben kein Problem" – ArbeitgeberInnen

- **Romanian employers' organisation:**
- "All in all, I do not consider that there are racial problems in Romania."

- **Bulgarian employers' organisation:**
- "Working people from the minorities... do not feel oppressed or discriminated against."

- **Latvian employers organisation:**
- "Maybe there have been problems in Germany historically - we know that with the Jews. But in Latvia we have never had anything like that. Ethnic discrimination is not a problem, it has never been here. Never!"

'No problem here' – trade unions

"Wir haben kein Problem"- Gewerkschaften

- **Trade union, Czech Republic :**
- "The racial discrimination issue is marginal."

- **Trade Union Confederation, Estonia:**
- "I think that racial discrimination in the workplace is missing in Estonia."

- **Trade union, Latvia:**
- 'The EU non-discrimination law is seen as something forced on the country from the outside, and non-essential'.

1997: Cases of racial/ethnic discrimination in employment put forward for legal consideration

- Sweden 0
- France 4
- UK 3 173

2009: Complaints of racial/ethnic discrimination made to equality bodies

- Sweden 2 409
- France 3 009
- UK 4 983

