



Contract No. 028545-2

QUING

Quality in Gender+ Equality Policies

Integrated Project

Priority 7 – Citizens and Governance in a knowledge based Society
7.1.2. Gender and Citizenship in a Multicultural Context

Deliverable No. 45: Conceptual framework of inclusive equality policies, including good practices

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Due date of deliverable: 30.04.2009

Actual submission date: 30.04.2009

Start date of project: 01.10.2006

Duration: 54 Months

IWM Vienna

Project co-funded by the European Commission within the Sixth Framework Programme (2002-2006)		
Dissemination Level		
PU	Public	X
PP	Restricted to other programme participants (including the Commission Services)	
RE	Restricted to a group specified by the consortium (including the Commission	
CO	Confidential, only for members of the consortium (including the Commission Services)	

ALL COUNTRIES GOOD PRACTICE ON INTERSECTIONALITY

AUSTRIA. 'Good practice' example for addressing intersectionality Karin Tertinegg, IWM team

Criteria for choice:

- introduction of new inequalities in a policy field
- explicit recognition of gender+
- gender understood in a wider sense
- Has resulted in an improved de facto situation for persons discriminated against on gender+ grounds (to be decided)

Context

The policy context is employment in the private sector and the need to implement EU anti-discrimination and equal treatment directives following a procedure by the EU Commission, regarding failure to implement EU directives. The directives were 'Race'-directive 2000/43/EC, 'Framework'-directive 2000/78/EC, and 'Equal-treatment-directive as amended 2000/773/EC. Prior to this policy change; gender was the only recognised ground of discrimination for this policy field, there was no provision for other forms of discrimination, and no possibility to fight discrimination on grounds of gender in addition to another ground. There was no legal provision for gender-based harassment, and sexual harassment was defined more narrowly.

Description of policy text

2005 'Federal Law on the Equal Treatment Commission and Equal Treatment Lawyer',
AT/EqualTreatmCommission_law2005

- introduces ethnicity, religion or belief, age and sexual orientation as own grounds of discrimination in employment in addition to gender
- introduces ethnicity as ground of discrimination in access to goods and services, education, social protection
- Regarding the inequality gender, the law introduces gender-based harassment as discrimination (previously only sexual harassment was discrimination)
- Discrimination on grounds of marital status (married or not) and family status (having a child or not) is introduced, and understood as gender
- The law provides that cases of 'multiple discrimination' are possible (gender and another of the above grounds) and that in such cases, the body responsible for gender decides on the case.

Explanation

Positive aspects

- Introduction of several unrecognised inequalities (ethnicity, age, religion or belief, sexual orientation) as grounds of discrimination in employment
 - ▶ institutionalisation (specific bodies) plus mechanisms for sanctioning and remedy
 - ▶ ethnicity also covers discrimination in other areas
- intersection of gender with each of the above grounds recognised ('multiple discrimination')
 - ▶ institutionalisation (gender body!) plus mechanisms for sanctioning and remedy
 - ▶ persons who did not have any legal way of addressing discrimination/harassment on gender+ ground before now have this option in principle.
- Extension of gender to cover marital status, family status, gender-based harassment

Negative aspects

- different levels of protection
 - ▶ ethnicity highest

- ▶ Gender, sexual orientation, age, religion or belief do not enjoy protection against discrimination apart from employment¹
- ▶ disability in separate law, lower level of protection
- ▶ intersection of gender and disability can not be legally addressed at all
- Effective protection regarding gender+ discrimination?
 - ▶ Only very few cases in practice!

Suggestions to avoid the negative aspects

- maximum protection, redress for persons discriminated against on gender+ ground (individual level)
- what needs to be done to make structural changes happen (structural level)

BELGIUM. SETTING THE STAGE FOR INTERSECTIONALITY

Saskia Martens, Radboud University QUING team

Context

- Belgium: federal state - has more than 1 government.
- The QUING-project focuses on the federal government.
- BUT: differences between the governing levels -> interesting starting point to analyse the absence/presence of intersectionality!
- On federal level: difficult to find 'good practice' of intersectionality.
 - ▶ if intersectionality appears: accompanied by lack of expertise or knowledge on what the intersection of various inequalities looks like.
 - ▶ if people/groups are named on the basis of more than 1 inequality: inequalities add up (cf. 'multiple discrimination')
 - ▶ general gender+ equality policies are fragmented
 - ≡ separate gender law (as part of anti-discrimination legislation)
 - ≡ Institute for the equality of women and Men (vs. Centre for Equal Opportunities and Opposition to Racism)

Description good practice

- Can be derived from a practical problem of fragmented equality bodies.
 - ▶ Institute deals with gender / Centre with 'all the other inequalities'
 - ≡ THEN: Where can migrant women turn to?
- Centre proposes in *Discrimination and Diversity. Annual Report 2007*:
 - ▶ The system for filing complaints has weak spots.
 - ▶ Complaints are classified as 1 form of discrimination.
 - ▶ There is no jurisprudence for 'multiple discrimination'.
 - ▶ THUS: intersectionalist approach needed.

Why a good practice?

- The stage is set for intersectionality on a federal level:
 - ▶ inarticulate use of intersectionality (no knowledge/expertise)
 - ▶ practical problems of fragmentation -> intersectionalist approach needed
- What is role of for instance Flemish government?
 - ▶ Flemish *Policy Plan Equal Opportunities*: peppered with intersectionalist theory and practice: 'identities are always on the crossroads of various inequalities'. Gender and the other inequalities are not fragmented but mutually constitute each other.
 - ▶ Flemish Minister has same target groups as Federal Minister.

¹ In this policy document – however, a 2008 amendment introduced protection against discrimination on grounds of gender in access to goods and services. This protection, however, is much smaller in range compared to the definition for ethnicity and access to goods and services (notably education is not covered for gender!).

- ⊆ Flemish government thus proves that intersectionalist approach is possible (and actually needed?) in Belgium.
- In past: Flemish policy introduced gender mainstreaming first. Federal government followed. Perhaps same will happen with intersectionality?

BULGARIA

Elena Stoykova, CEU Budapest team

Context

During the EU accession of the country, the debates on the issue of violence against women and domestic violence in particular have been intensified due to the indispensable effort of the non-government organizations who supported the drafting the Law Against Domestic Violence and lobbied for its submission to the National Assembly. The Law on Protection against Domestic Violence was adopted on 16 March 2005. After its adoption started the process of implementing its regulations and providing the financial and structural support. The Institute for Social Policy and Social Work (ISPSW) project “Development of integrated practices to address violence against women and girls with disabilities”, funded by the UN Trust Fund put a focus on the specific issues which has been invisible for both the civil society organisations (working on one ground of discrimination (women’s NGOs; NGO of people with disabilities; Roma NGOs) and the State Departments at the Ministry of Labour and Social Policies (Social Assistance Agency, Agency for Child Protection) and Ministry of Interior.

The ISPSW published the first national analytical report which outlined the need of visibility to the intersectionality of gender, age, disability and ethnicity at a regional context in respect to the violence against women issues.

The example

“The Violence against Women and Children with Disabilities” [“Насилието срещу жени и деца с увреждания”] 2008. Analytical report published by The Institute for Social Policy and Social Work (ISPSW). Sofia, Bulgaria.

The change in the level of victim empowerment in the period of report was revealed in their participation in the training, counselling and the wish to start self-help. It was demonstrated as well by the wish of over 20 disabled women with sensory disability who participate in the project to become computer users to enlarge their access to information and communication. The ISPSW published a comprehensive guidebook consisting of contact information to access experts (psychologist, special pedagogical staff, social workers, doctors and lawyers) public awareness materials who support women and children with disabilities victims of violence for two Bulgarian Districts (Pernik and Kujstendil).

Why a good practice?

Previously to the ISPSW project implementation and analytical report, the special needs of women and children with disabilities victims of violence were not addressed by the stakeholders, neither in their activities and programmes, nor in the proposals for the legislation amendments. The change in the participation and contribution of professionals to the research was demonstrated through share of evidence, thoughts, attitudes and existing practices in the field. The need for public recognition was demonstrated by the fact that the relevant agencies have collected, processed and provided data needed for the analysis. Proposals to responsible actors have been discussed as a basis for action plan in the project area — particularly by the Department of Family and Demographic Policies and Equal Opportunities of the Ministry of Social Policy and Social Work and the Agency of People with Disabilities. The ISPSW continues its follow-up work with the Ministry of Justice, Child Protection Agency, Ministry of Interior, nationally represented NGOs with local structures as Union of Disabled, Union of Blind, Union of Deaf and others.

CROATIA. Good practice example: Law on the Elimination of Discrimination (*Zakon o suzbijanju diskriminacije*)

Ana Frank, Ljubljana team

Context and example

In July 2008 the Croatian parliament has passed the Law on the Elimination of Discrimination (Zakon o suzbijanju diskriminacije),² which promotes equality as one of the highest values in Croatian constitution, promotes equal opportunities and prohibits all kinds of discrimination on the basis of race, ethnic origin and skin color, sex, language, religion, political or other belief, national or social origin, property, membership in trade unions, disability, genetic inheritance, birth - gender, expression, or sexual orientation (art. 1(1)).

The Law foresees a general body for equality (People's Ombudsperson) and specialised bodies. The body responsible for elimination of discrimination is the People's Ombudsperson (art. 12), which can be interpreted as »Equality Body« according to the directive 2000/43/EC. Besides that the Law foresees the establishment of special bodies for equality, like the Gender Equality Ombudsperson. In October 2003 already, the parliament nominated the first independent institution of Gender Equality Ombudsperson pursuant to art. 19 of the Gender Equality Act.

Why a good practice?

An important novelty is that the Law on the Elimination of Discrimination goes beyond the demands of the EU directives and states that systematic and forced segregation on any basis as described in art.1 of this law also represents discrimination (art. 5). The Law introduces legal terms such as 'grievous forms of discrimination' (teži oblici diskriminacije art. 6), a part of which is also discrimination against a person on basis of different personal inequality strands (e.g. multiple discrimination).

As reference to intersectionality the most important change was actually the fact that People's Ombudsperson has got important powers in terms of elimination of discrimination of other inequalities. The People's Ombudsperson has gained powers in terms of considering cases of discrimination in public and private sphere on the basis of all inequalities included in the Law (art. 8), which is an important step forward including other inequalities in machinery institutions. Furthermore the law confers to the People's Ombudsperson more powers that he has according to the institution (art. 92 of the constitution).

CYPRUS

Manina Kakepaki, Athens team

Context

Until the beginning of Cyprus' EU accession process, gender equality policies were not systematically designed, pursued or integrated in the process of modernization and nation state building. Harmonization with EU legislature has been the major force behind many equality policies during the pre-accession period. The algorithmic and legalistic harmonization with the Acquis has promoted legal reform but failed to promote effective implementation of gender equality policies and public awareness.

It is hard to answer about the way intersectionality is conceptualized and about the different versions and forms of intersectionality in Cyprus since it is largely absent from public debate, therefore there is hardly any intersectional attention in policy or civil society texts. Usually intersectionality is simply a reference and not central to the policy.

Example?

For instance, in the National Action Plan for employment, singular references are made to the following kinds of intersecting inequalities, but no problems are diagnosed and no policies are proposed:

- Gender/age: "problematic access" to labour market among women in the age group 45-60 because they have limited contact with labour market and also "because of other problems and discrimination".

² Official Gazette of the Republic of Croatia, no. 85/08.

- Gender/special needs. Women carers of persons with special needs benefit less than men from family.
- Goals characterized by “thin intersectionality”: To improve the living conditions and quality of life of women who belong to different and «vulnerable» social groups (single-parent families, elderly women, migrant women, women refugees. etc., who are exposed to “poverty risk”)

CZECH REPUBLIC: Good practice of Intersectionality?

Ingrid Röder Ljubljana team

Context

- Intersectionality in general is not very apparent on the policy level in the Czech Republic.
- In the selected 49 documents, intersectionality is rarely referred to, but different inequalities were present. 15 out of 49 documents do not refer to any intersectionality axis.
- The focus on intersectionality is largely ephemeral in all 4 issues. The intersectionality axis which is considered the most often is marital/family status. The other axes are rarely taken into consideration.
- The main intersectionalities are gender/employment status and gender/ethnicity.
- Inequalities are dealt with separately. There is the Minister of Human Rights and Minorities who is also responsible for gender equality but who deals with the different equality issues separately.

Example

»The National Strategy of the Czech Republic for the European Year of Equal Opportunities for All (2007) - Towards a Just Society and Priorities for the European Year« from 2007:

The strategy outlines what is being proposed as activities in 2007 during the European Year for Equal opportunities.

Why it is a good example?

- Among the 13 policy texts in the area of general gender equality this one shows the most intersectionalities.
- The text talks about the following intersectionality axes: ethnicity, religion, sexual orientation, age, disability, nationality/migrant status. It does not include discrimination based on class or discrimination based on marital/family status.
- It mentions: »Combination of multiple discriminatory bases is seen in respect of women from the most disadvantaged groups – in the Czech Republic these include in particular women of Roma origin.« (p.8)
- Intersectionality is apparent in the document: »Roma women«, »Roma girls«, »Women with disabilities«
- Emphasis on the importance of both public institutions and civil society.

DENMARK

Malin Ronnblom and Maria Carbin, Umea team

Context

The most important intersecting category in Danish gender equality policies is ethnicity. Ethnicity has been one of the focus areas of the yearly gender equality plans from 2001 up until 2007. “Ethnic women” or “ethnic minority women” are included as a specific target group in general gender equality. The headlines have been “Ethnic minorities and gender equality” or “integration and gender equality”. This means that since the very beginning of the 2000s gender equality has

included a discussion of immigrants as separated from the Danes and as separated from the other activities of gender equality.

The text

In the action plan from 2007 ethnic minority women are not singled out as a specific group, instead ethnic minorities are discussed under the headline of "Multiple talents". The goal of the plan is to use all talents without considering to ethnicity, age and gender. Focus is on many categories and the importance of ethnic minorities as a threat to Danish gender equality might have been downplayed. Nevertheless, ethnic minorities are the target group for several activities and are seen as carriers of gender prejudices.

Create more attention to gender barriers facing men and women with another ethnic background than Danish in education, work life and in organisations (Our translation. perspectives and action plan 2007)

Men and women with another ethnic background are in this quote seen as facing gender barriers, not barriers related to race/ethnicity.

Why "good"?

Our conclusion is that the Danish case could be used as an example of how an intersectional approach could go wrong. Intersectionality is not on the agenda in Denmark. That is, the concept is not used and the concept of double oppression is not used either. However, differences within the category of women are articulated to a large extent. Thus, in Denmark the government policy is not about "inequalities" but about diversity, differences or pluralism. It is interesting to note that race/ethnicity is on the agenda both within gender equality policies as well as within policies on non-employment and violence. However, race/ethnicity has entered the agenda in Denmark within a discursive shift from tolerance towards hostility. When ethnicity/race is articulated in gender equality policies "the Other" is constructed as the problem of gender equality. For example immigrant women and men are blamed for not living up to the Danish gender equality standards. This means that many of the policies are in themselves discriminatory. Thus, we argue that this way of including an intersecting category in gender equality policies should be regarded as not meeting the ambition of an intersectional policy, a policy we understand it need to regard gender and other inequalities as intersecting dimensions of power.

ESTONIA

Martin Jaigma, Ljubljana Peace Institute

On January 26th, 2006, Development Plan for Combating Trafficking in Human Beings 2006-2009 was approved by Estonian government. The Plan was guided by the definition of human trafficking as determined by the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, which supplements the United Nations Convention against Transnational Organized Crime and Council Framework Decision 2002/629/JHA of 19 July 2002 on combating trafficking in human beings.

The Plan mentions the presence of trafficking in human beings as the main problem, where Estonia features both as a source and transit country for trafficking. According to reports, Estonia still has a long way to go to effectively combat the trafficking but it makes increasing efforts. Decisions on governmental level have been taken to tackle the problem, likewise Estonia has agreed to binding international treaties and protocols that pursue the same objectives.

The general goal of the development plan was to improve the fight against the trafficking in human beings. This general objective is linked to more concrete sub-actions that include forming a precise overview of the problem, thus enabling to take up further actions as awareness campaigns, better cooperation between institutions and organizations, improving help for victims and responding effectively to crimes related to trafficking. Implementers of the plan were a number of ministries but also NGOs.

Directly connected with the abovementioned Development Plan for Combating Trafficking in Human Beings, a special network was established since 2007, which unites people working in the field of

fight against trafficking for the purpose of better cooperation. (The Plan foresaw that necessary services can be provided to the victims of trafficking, prostitutes and to the ones wanting to leave prostitution). Target groups included women, victims of sexual exploitation, returning to Estonia; women who are involved sex trade but want to get out of the circle; but also migrant women who have trafficked into Estonia for the purpose of prostitution and want to get out of it.

Since 2007, Estonia has a shelter which is exclusively meant for victims of human trafficking.

Conclusion: clear case of intersectionality is addressed – migrant women as victims of trafficking. Good practice reveals itself in the concrete outcome (establishment of the special network and a shelter dealing with the victims of trafficking) pursuant to the policy text.

FINLAND Intersectionality and Best Practices

Hannele Harjunen, Umeå Team

Context

Although gender equality legislation, policies, structures and machinery that support and implement it have been in place for thirty to forty years, and legislation that prohibits discrimination on other grounds has existed for a number of years, discussion on intersectionality, “multiple discrimination” or other “inequalities” as gender is relatively new and so far undeveloped in Finland in academic world, legislation, and in policy-making respectively. This means that firstly, the principles or practices concerning multiple discrimination have not yet been transferred into legislation or policies to any significant degree.

As Timo Makkonen, a Finnish expert in non-discrimination legislation, notes in his report from 2007, so far, Finnish legislation does not explicitly address multiple discrimination, nor has this issue been addressed in case law. So far, there has been a tendency in Finnish research, legislation and policy-making to view different “inequalities” separately. Although the situation is slowly changing, this tendency to compartmentalize issues is strongly reflected in the STRIQ report.

The lateness in adoption of the concept, lack of appropriate legislation that would take into account the possibility of multiple discrimination together with general lack of knowledge concerning mechanisms of multiple discrimination in the governmental bodies are reflected in the comparatively meagre number of sampled documents that mention multiple discrimination or intersectionality. For the most part talk of multiple discrimination or intersectionality is absent. This was also very likely to some degree due to the selection of sub-issues: some sub-issues that would possibly have more mentions of intersecting inequalities such as “family reunification” were left out of the sample. More intersectionality would probably also have been present if such documents that focus on ethnic minority groups or sexual minorities, for example those that directly address these groups’ position in working-life had been selected. Now this was not the case.

Example: Violence against immigrant women

Most intersectionality, although the concept itself is not used, can be found in research and policy development concerning immigrant women. Violence against immigrant women in Finland has increasingly been on the agenda or research that aims at developing better policies and services for immigrant women (Hartikainen, Miira, and Michele Andrew 1999 : Kyllönen-Saarnio, Eija, Reet Nurmi et al 2005) Violence against immigrant women became visible in Finland, when in year 2000 it was reported that 14% of all customers in battered women’s shelters were immigrant women. Monika -Multicultural women’s association in Finland has provided help for immigrant women through a help-line, empowerment centre and making the problem visible in immigrant and professional arenas. The project is sponsored by Ministry of Welfare and Health. The project prepared a manual (Haarakangas, Ollus, and Toikka. 2000) for social and health care in order to make interventions and prevention of violence against immigrant women more effective. The manual addresses such forms of violence as intimate partner violence, honour-related violence, forced marriage, genital mutilation of girls, discrimination, and racist violence.

However, research and subsequent supportive policies are mostly designed to focus on immigrant women as a separate group. There is of course obvious benefits and dangers in this kind of approach. For example, it is good that specified services exist, however, it is perhaps not recommendable that certain problems become identified with certain groups, and thus perhaps provide a ground for prejudice and negative stereotypes. Discussion around immigration in the Finnish society is at the stage where problems immigrant women face, have begun to be made visible and solutions to these problems are being planned and increasingly implemented.

FRANCE How to address intersectionality? An example of a good practice

Julie Jarty, Radboud team Nijmegen

Context

- Very few intersectional attention in a policy environment in which all discriminations are treated as isolated the ones from the others, even at the civil society level.
- A tendency to 'slide' from equality to diversity, with the risk of neglecting the gender variable.
- A progressive consideration of intersectionality with the influence of the EU in the field of gender-based violence and non-employment, mainly through the gender, class and race/ethnicity social markers.

Example: IN-PRO-VIC 2005-2008 and Pro-victima experimentation

'For the professional insertion of victims of violence, including women victim of domestic violence'

Context: Employment pattern unfavorable to women, particularly to low-educated women; Interactions between the problem of professional insertion of women and domestic violence.

Objective: Economic autonomy of vulnerable women vis-à-vis her partner.

Actors responsible: Ministry of Justice; INAVEM (National Federation of Help to Victim and Mediation); FNSF (National Federation Women Solidarity); CNIDFF (National Centre of Information on Women's and their related Rights)

3 Phases between 2005 and 2008:

1. Elaboration of Diagnosis

- Networking of local actors in the sectors of help to women victim of violence, professional reinsertion, justice
- Diagnosis of existing initiatives between the different local actors
- Collective reflection concerning the needs and expectations of the different local actors

2. Implementation of 21 supervising committees

- Conduced in partnership between the different local actors
- Conceiving working tools that consolidates partnerships and facilitates the accompaniment of vulnerable women
- Sensitizing all the stakeholders via the Regional Delegation for Women's Rights and Equality

3. Valorization and diffusion

- Organization of meetings
- Elaboration of propositions for the government and the EU to facilitate the professional insertion of vulnerable (low educated or migrant) women victim of violence

Preparing the ground for doing intersectionality

- This example contributes to reduce a larger set of inequalities, mainly based on gender and social class (and to a minor extend on race/ethnicity).
- It shows that intersectionality starts to be apprehended at the local level.

- It transforms the professional practices of workers and introduces the problematic of gender+ equality in trainings for workers in the field of employment, justice and help to victims.
- It formalizes and extends partnerships between workers that used to work on one type of discrimination (based on class or race/ethnicity in the field of professional reinsertion, on gender in the field of domestic violence).

GERMANY Intersectionality - Good Practice Example
Doris Urbanek, IWM team

Context

- government coalition of the Social-democratic Party and the Alliance90/The Greens (1998-2005)
- important developments in gender equality policies (also reaching out to alien law) and equality policies for persons with disability and same sex partnerships (sexuality)
- early gender mainstreaming initiatives
- intersectional: sensitisation to gender and its intersections, especially in GBV
- pillarised: disability (later on gendered), sexuality

Example: The National Action Plan to Combat Violence against Women (NAPCVW 1999)

- violence against women - structural and individual factors
- vulnerable sub-groups of women are explicitly identified
- combat violence against women at societal and at the individual level → concerted strategy
- gender equality policies as part of concerted strategy

Why a good practice?

Inter-categorical and/or intra-categorical approach to define sub-groups:

- gender and age
- gender, citizenship status and age (young and elderly)
- gender and disability
- age (children)

Conceptualisation - additive or mutually constitutive?

Criticisms by the Shadow Report to the CEDAW (2003)

1. The use of the term 'domestic violence' covers the fact that it is a gendered form of violence of mostly men against women.
2. Financial dependence and lacking resources (class) to escape violence must not be forgotten in the combat of violence against women.
3. Need to address influential policy fields such as child care (infrastructure, all day schooling), tax and reconciliation policies
4. The funding of counselling centres and women shelters must be secured.
5. Specialised counselling and support centres for female migrants and women with disabilities are needed.
6. The work with perpetrators must be intensified.
7. Respective judges must be sensitised for all forms of violence against women. Cultural relativism in sentences must not be accepted.

GREECE Best practices for intersectionality?
Maro Pantelidou Maloutas, Athens team

Context

To produce a report analysing intersectionality in gender equality policies for Greece is not an easy task. The first thing to note is that there is no systematic attack on social inequalities in Greece today, because politically the Right is in power and promotes a neo-liberal program in its Greek version. If anything, there is an attack on social rights and attempts to pass the cost of an economic crisis to the less privileged. Gender policy follows EU directives but without conviction and targets mainly at the “modernisation” of traditional gender roles. In order to speak in terms of intersecting inequalities and to promote intersectionality policies against social inequalities means that we think in a specific (subversive) way about identity, equality and power. It requires that we focus on complexity, dynamic processes, and the structures that define access to rights and opportunities, rather than on defined categories or isolated issue areas. This is not the Greek case. Gender equality is mainly perceived as same treatment for two pre-constructed gender categories, with preferential measures for the “weaker”. The prevalent essentialist perception of women and gender in Greek society forms a major obstacle to intersectional policies.

HUNGARY

Budapest CEU team

Context

Intersectionality analysis has shown that intersectionality in relation to gender equality is present though marginal in Hungarian policy debates. Intersectionality in more or less ambitious meanings is particularly present in texts by civil society organizations and texts created upon closer international influence. The NGO sector though predominantly organized around inequality grounds in the case of groups and coalitions working for gender equality seems to show an increasing awareness of intersectionality which is manifested in intersectionally minded coalitions, alliances and intersectional framing to wider or narrower extent, depending on the issue.

In the report we differentiated between three types of naming intersectionality. First: a complex understanding of intersectionality in which all grounds may intersect with all other grounds, and all of these intersections are seen to shape what inequality means. This concept is not necessarily shaped by its depth but rather by its inclusiveness in terms of categories seen to intersect and the absence of any hierarchical relations between these grounds in the way the concept is constructed. It is this kind of complex intersectionality concept that a merged approach to inequalities seems to favour. Nonetheless, despite the prevalence in Hungary of a merged treatment of all or several inequality grounds this kind of conceptualization of intersectionality only occurs once in the documents analyzed, in a policy document of relatively low impact and written upon close international impact: the National Strategy and Priorities for the European Year of Equal Opportunities.

The second approach to intersectionality is one which looks at intersectionality through the lenses of some specific inequality ground and by this establishes a hierarchy between grounds. This approach seems to be the direct emanation of increasingly complex understanding of the complexity of different specific inequalities in case of some of the most debated and recognized inequality grounds.

The third approach to intersectionality that occurs in Hungarian documents most frequently is the most limited one. It focuses on a specific group at intersection and its social problems without challenging the meaning of inequality in general or on any specific inequality ground. This is the one that occurs most frequently.

Example and explanation

As a good practice we have chosen an NGO text which stands for the second approach. The text is a major NGO commentary to the core legislative piece in Hungarian equality policy: the Act on Equal Treatment written by the main umbrella organization of NGOs working for gender equality. The text was written in 2003. The Women’s Lobby document recognized the mutually constitutive nature of gender and other inequality axis, and explicitly discusses the qualitatively different problems of multiply disadvantaged women that cannot be explained by an additive approach. The specific groups at intersection the problems of which are explicitly addressed are Roma women, disabled women, immigrant women, single mothers and lesbians. While the document provides a

general level definition as well, going beyond the specific groups problems, even in that definition gender can be as constructed at a hierarchically higher level. It is clear that while a hierarchical relationship is established between the grounds, and the inequality ground in focus is privileged by the respective document, intersectionality adds to the understanding of the nature and complexity of gender inequality so its inclusion is clearly transformative.

IRELAND

Jo Armstrong, Lancaster team

Context: child care in Ireland

Several commentators (e.g. Murphy-Lawless 2000) point out that in Ireland the poor provision of childcare has been, and continues to be, one of the main barriers to increasing female participation in employment. As Murphy-Lawless notes, there has been extensive lobbying by social critics and feminist activists demanding funding, facilities, training and support for women with childcare costs. Over the time period considered there has been a series of initiatives to increase number of childcare places and extend hours available, particularly in disadvantaged areas. However, in the midst of various state projects and proposals, there appear to have been insufficient resources allocated to the development of childcare (Murphy-Lawless 2000).

Example

The selected text has been produced by the Services, Industrial, Professional and Technical Union (SIPTU). According to SIPTU the problem is the lack of suitable and affordable childcare with demand exceeding supply, high costs, and the changing needs of parents and children (for school age and flexible care). SIPTU points out that while there have been substantial improvements in the form of increases in the number of places available (e.g. with the Equal Opportunities Childcare Programme), successive governments have failed on demand side (i.e. not adequately assisting parents with the costs of childcare). SIPTU point to a number of factors that have increased demand for childcare over recent years: increased rate of women's employment; relatively high fertility rate (relatively young population with large number of women in child-bearing age group); economic growth; and other factors- including increased property prices meaning more women need to work outside the home; increase in number of lone parent families; increase in grandparents' labour force participation; increase in immigration. They note that it is difficult to be accurate in assessing the extent of demand (due to lack of reliable and comprehensive statistics) plus there is the likelihood of latent demand (e.g. migrant workers who have been forced to leave children in their own countries; grandparents who are minding their grandchildren but who would like to be in labour market). SIPTU foresees problems in the future if the issue is not acted upon because demand exceeding supply will contribute to, for example, rising childcare costs with growing frustration amongst parents. In the text, concrete recommendations for change are proposed; the main message is that there needs to be more, and more affordable, childcare.

Why a good practice?

This text has been selected since it encompasses a more intersectional approach than the policy documents. Whilst the text does in part 'de-gender' childcare (thereby limiting the direct intersectionality of gender with other inequalities) it does so strategically, and in the context of a consideration for other inequalities. It thus lays the ground work for good practice. The document emphasises that childcare needs to be seen not as 'only a women's issue' but as a crucial social and economic issue. Implicit throughout the text is the expectation of childcare as a norm and as an entitlement for all workers. The impact of a lack of provision of affordable childcare on various groups in society is discussed, including: low earners; lone parents (whose labour market participation is limited); migrant workers (many of whom in the domestic work sector are performing childcare functions alongside other household duties but whose own childcare needs are often not being met, with migrant workers leaving children in their home country due to the high cost of childcare in Ireland or the impossibility of bringing their partners and children with them); and grandparents (who may be providing childcare for adult children who cannot afford to purchase formal childcare whilst at the same time as wishing to be in employment themselves). The text also

places its suggestions for improvements for childcare alongside other interconnected changes that can be seen as aiming towards the transformation of gender relations (e.g. recommendation of the introduction of paid paternity leave).

ITALY

UCM Team, Madrid

An example of good practice: The National Plan for the European Year 2007: Strategies and Priority

Context

Intersectionality appears to be predominantly *embryonic, inarticulate and volatile* in Italy. The results concerning the Italian case indicate that while 'new' axes of inequalities – namely those of citizenship status, ethnicity and sexual orientation – are rapidly entering the political debate and begin to be regulated by Italian legislation and machinery, an intersectional approach towards them is often missing or at best embryonic. When it is present it is mainly framed in terms of 'multiple discrimination', it is institutionalised through unitary and separate approaches and it can only be timely, contextual and thus reversible. The use of intersectionality, in particular, largely depends on the actors that are drafting and implementing policies. The way in which equality bodies work and the type of programs, policies and activities they favour, in fact, very much reflect the general political context and the positions of the Government.

- In the four QUING subissues intersections are mainly operated only between two axes of inequality. *Class* is, in absolute terms, the inequality which is more often intersected with gender. This result mirrors both cultural and structural patterns in Italy. On the one hand, the concern with class-related issues strongly permeates large part of Italian political culture (it represents the legacy of over 40 years presence of a strong Communist Party in the political spectrum). On the other hand, Italy is also a society marked by a low degree of social mobility. Its predominant family-based structure, the weakness of the Welfare State and the presence of a vast sector of informal economy, indeed, largely affect economic development and have deep consequences also on gender relations within and outside the labour market. *Age* is the other inequality which is more often mentioned cross-issue and in many cases intersected with both class and gender. Also in this case, the result mirrors structural developments: the demographic aging of Italian society which introduces the need of differently regulating pensions, social services, etc.; and, in the other direction, the increasing problem of work precariousness of young Italian workers which has fully entered in very recent years the political debate.
- Age and class are followed by *citizenship status, ethnicity and sexual orientation* as major intersecting sources of inequalities. These intersections are more often operated in the issues of intimate citizenship and gender based violence and can be constructed in very different terms. The intersection between gender and ethnicity, in particular, is often built instrumentally to stress the problem of the cultural clash between Italian and foreigners (the presence of relevant flows of migration is a rather recent phenomenon in Italy and it is hotly debated)
- The strong influence of a *familistic* approach is in the background in all the four subissues and more visible in those of intimate citizenship and gender based violence. Right wing Governments and political actors tend to frame gender equality mainly in terms of economic development and as a strategy rather than as a vision or goal in itself. Law 40/2004 on assisted reproduction, the debate about same sex-marriages, several measures implemented by the Berlusconi Government in the field of non-employment, moreover, tend to re-affirm the centrality of the 'normative family' and to reinforce the vision of women as mothers. Left-wing Governments and voices, even if depending on the deputy who is speaking in the case of parliamentary debate documents, are generally framing gender equality in terms of goal in itself. A questioning of the 'ideal family' and traditional distribution of roles, moreover, emerges in particular with regard to domestic violence. Also the way in which ethnicity and citizenship status are framed and intersected is remarkably different in the political spectrum with left-wing

deputies raising, in some cases, the issue of global chain work and framing the issue of citizenship status in terms of problematic inequality. Major convergence is to be found in the issue of non-employment especially regarding more general measures and plans where a gendered perspective seems not to have fully entered Italian debate and legislation, as it shows the fact that in important debates, such as that on pension reform, age and class seem to be de-gendered or played against gender.

- In general, Italian legislation on gender equality *barely includes intersectional* approaches. The selected Italian laws and Governmental plans lack articulated diagnoses on the sources of intersected but also often of single inequalities. In their prognostic parts, moreover, the attempts of introducing more comprehensive regulations are very recent. Also Italian machinery is only now starting to introduce offices or bodies dealing with different inequalities. The creation of UNAR (National Office against Discriminations), of the Commission against female mutilations, of the Commission for Rights and Equal Opportunities for Lesbians, Gays, Bisexuals and Transgender are very recent. These different agencies tend to address the issues separately thus suggesting the implementation of a rather separate and unitary approach to inequalities in Hancock's terms (Hancock 2007). Moreover, the general strength of the Ministry for Equal Opportunities (which has no financial autonomy) is largely changeable and depending on the general political context and on the type of Government.
- With regard to legislation, a 'bipartisan' trend emerging from the analysis of the documents and of the broader context is that toward the *de-gendering* of the policies and the debate when new 'strong' inequalities enter the debate and are regulated. This phenomenon seems to occur, in particular, when the issues of sexual orientation and race are tackled.
- With regard to *civil society* the analysis suggests that these type of actors are usually better at 'doing intersectionality'. The documents concerning in particular gender based violence, general legislation, immigration and intimate citizenship are often based on more omni-comprehensive and articulated discourses and tend to push institutional actors to adopt more "holistic" and complex approaches towards inequalities. Again, also civil society actors tend to reproduce the traditional Italian ideological fractures. In this vein, in the QUING period, the relationship between civil society organisations and institutional actors has continuously changed according to the colour of the party in Government. Under the Berlusconi Governments the tendency was and is that of 'closing the doors', in particular those of the Ministry for Equal Opportunities, for femocrats and those civil society organisations which at most tend to foster a gendered approach toward equality and tend to intersect gender with other issues. Left-wing Governments, on the contrary, tend to favour more the dialogue with civil society actors and to even formally include representatives in the machinery.

Example: The National Plan for the European Year 2007: Strategies and Priority

The document we selected as an example of "good practice" in Italy is the National Plan for the European Year for Equal Opportunities for All drafted in 2007 under the centre-left Government (2006-2008) led by Romano Prodi. The voice speaking is that of the Ministry for Equal Opportunity – Barbara Pollastrini - and the Department for Rights and Equal Opportunities (that supports the Ministry's activities).

The text does not contain many references. The vast majority of those that are present, however, address the European level and refer either to the transposition of European directives or to the transnational civil society organization ENAR. The references thus suggest that the European level played an important role in giving the legitimate basis for the proposed interventions.

Diagnosis

The first part of the document is called *The National context: the challenges to be faced* and provides a definition of the issues at stake. The diagnosis is very rich, well documented and based on the use of statistical data. The text considers first discriminations based on gender, focusing in particular on the labour market and on reconciliation. The subsequent part is devoted to migrants and to those discriminations based on ethnicity, religion and culture which are seen to occur

especially in the labour market and housing realms. The question of disability and the discriminations from which disabled persons are suffering are further addressed: again the focus is on the labour market but the problem of multi discriminations is also raised. Sexual orientations and gender identity are subsequently taken into consideration as source of discriminations followed by a section on discriminations based on age. Finally, the document explicitly analyses the problem of multi-discriminations stressing the fact that their effects go beyond the mere sum of the “disvalues of single forms of discrimination”.

Prognosis

The prognosis is contained in two different parts of the document. The first is called *The National strategies and priorities*. In it the general principles driving the Governmental action are introduced. The Italian Government, in particular, aims at proposing a “deal to citizens so that freedom, social justice and full citizenship could be vectors of economic growth and civil living together”. As the specific goals the Italian Government follows those indicated for the European Year: rights, representativeness, recognition and respect.

As to the working method the documents quotes two main goals: “achieve a full integration between actions and levels of governance (central and local)” and “introducing ‘good practice’ able to better the efficiency of public action even if in presence of rather scarce available resources.” It is interesting to note here that the label ‘good practice’ is explicitly used.

More specifically, the document addresses six priority areas of intervention:

- rules, norms and human rights;
- inclusion, work and enterprise;
- innovation, training and research;
- communication, culture and sports;
- health and environment;
- network system.

The specific interventions for each of the six areas are listed in a further section of the document called *Implementation of National priorities and strategies for the Year*. The proposed actions mainly regard the promotion of studies, the gathering of information, the dissemination of results through campaigns, the organization of seminars and conferences aiming at achieving a global anti discriminations awareness and a cultural change.

One interesting action concerns the organisation of a seminar in order to predispose the creation of the *National Observatory on gender based violence and violence because of sexual orientation*. In this case the document refers to the Observatory as “a good practice which can be exported to the European level”.

Institutions, social partners and civil society

An entire section of the document – called *Consultation of civil society and of stakeholders* – is devoted to the description of the process which has led to the drafting of the document and of the actors involved.

As to the latter, many different actors are mentioned:

- social partners: trade unions (CGIL, CISL, UIL, UGL) and entrepreneurial organisations (Confindustria, Confartigianato CNA, Confagricoltura, Associazione Bancaria Italiana and others)
- civil society associations and NGOs dealing with anti-discriminations and anti-racism
- public institutions (Ministeri del Lavoro, della Solidarietà Sociale, della Difesa, delle Politiche Giovanili, dello Sviluppo Economico, dell’Economia, della Salute, della Famiglia, della Pubblica Istruzione, dell’Università e Ricerca, dell’Ambiente, delle Comunicazioni, delle Infrastrutture, delle Politiche Comunitarie, l’Associazione Nazionale dei Comuni d’Italia, l’Unione Province Italiane, l’Unione delle Comunità Montane, le Regioni, le Province autonome di Trento e Bolzano)

As the text states the preparation work has been carried on by means of three tools: direct consultation, inter-ministerial technical round-tables and organisations of specific workshops. Finally, the results of the process have been gathered and organised in a database aimed at sharing “the positions and proposals of everyone”.

Why a good practice (and why only a “good attempt of good practice”)

The text can be considered an example of good practice from several points of view:

- Inclusiveness: it is the only selected document in the Italian case where a significant number of axes of inequalities are considered (gender, racial or ethnic origin, religion or belief, disability, age and sexual orientation) and intersected
- Naming the problem: the text explicitly refers to “multiple inequalities” and mentions examples of them: migrant women, homosexual foreigners, disabled elderly etc. The fact that the label “multiple inequalities” and that specific situations are mentioned as an example opens the possibility of raising awareness about these issues.
- Level of articulation: the Plan devotes a paragraph to the analysis and importance of “multiple inequalities”. Whilst the paragraph is short and not well articulated it still represents an attempt of analyzing the issue.
- Consultation: the document has been drafted following the consultation and interactions of different actors including civil society ones. In the text, moreover, consultation is valued as fundamental.

The text is also the first one in Italy which addresses Italian legislation together with the socio cultural background as one of the causes of discriminations. The recognition of a legislative gap is important since it alludes to the need of changing norms and rights.

Yet, the Plan also exhibits some relevant “weaknesses”. On the one hand, very often ethnicity can be substituted with race, religion or belief, and it is not possible to understand from the text which kind of relations exists among them. Moreover, the use of the word race has a rather racist nuance in Italian and does not belong to Italian political vocabulary. The use of race could derive from the European level, which, however, means that the term was introduced in the Italian document without taking into consideration the domestic interpretation of it.

Whilst the document, is balanced in terms of diagnosis and prognosis, some inconsistencies emerge with regard to discriminations based on age: in the diagnosis, indeed, the Plan mainly refers to young people, whereas in the prognosis the goals address rather old people and just one policy action regards young exploited or trafficked minors.

Finally, even if the analysis of the socio-cultural roots of the different discriminations is rich, there are no evaluated past policy and - apart from sexual orientation - no causality. This lack of attribution of institutional and legislative responsibilities is mirrored in the prognosis where very general measures aimed at achieving cultural change are listed but no structural, all-encompassing action is foreseen.

LATVIA

Aivita Putnina, CEU Budapest team

Context

Looking at the legal texts, intersectionality as a list of prohibited grounds for discrimination can be found in documents that were adjusted to EU demands – Labour Law and Social Support law. Similar trend can be observed in other EU related policy documents – National Lisbon programme mentions several inequalities (The document uses the structure of EU plan) – age and disability being most explicitly and extensively stressed. Gender, however, is completely missing from its diagnosis part and is implicitly present in prognosis making a reader guess about possible intersection. However, even inequalities that obviously have a potential to intersect, this does not happen in the document. Clearly named gender intersection (with age and class) is present in the Programme for implementation gender equality, 2007 speaking of social inclusion of women of

particular excluded groups. However, it is less prominent in prognosis part as social inclusion is guided by other policy direction without a stress on gender equality.

Despite the small number of documents, non-employment issue is the most productive context for voicing intersectionality in Latvia. In care work gender intersects with class, when speaking of position of women in labour market and opportunities for childcare. Parliamentary debates also do not mention intersectionality. Due to heteronormativity rather than gender perspective homosexuality intersects with masculinity when voicing homophobic argumentation. It is rather implicitly clear that debate is around male homosexuality rather than female one. Age intersects with gender in case of pension reform debates but this intersection again is statistical and is not perceived as axes of inequality.

Civil society texts rarely use intersectionality most comprehensively but in most cases when writing reports to international organisations. Most often women's disadvantages in labour market and gender pay gap are addressed. The potential intersection is never developed further.

The example

One of the reports is selected as an example of a good practice as it clearly delineates several intersections in its diagnostic part and combines aspects reoccurring in several documents produced later. This is the Shadow Report to The Combined Initial, Second, and Third Periodic Report of Latvia on The Implementation of Convention of 18 December 1979 On Elimination of All Forms of Discrimination against Women in The Republic of Latvia, 2004.

Why is it a good practice?

- There is a minor reference to ethnicity speaking of women coming from ethnic minorities and care facilities intersecting women, regionality and class in availability of those services.
- Document addresses double discrimination of disabled women and rural women as specific passive actors.
- Class intersects with gender in the context of women's disadvantages in labour market and gender pay gap.

LITHUANIA

Vilana Pilinkaite, CEU Budapest team

Context

In Lithuania's context it is difficult to discuss issues of the intersection of multiple inequalities because the problem of multiple discrimination is hardly recognised and rarely discussed at the national level, including the policy, academic, and civil society sectors. The government, the majority of social scientists, and civil society leaders focus separately on the different types of discrimination, such as discrimination due to gender, age, disability, ethnicity/race, and sexual orientation. The analysis of policy and civil society documents on gender+equality in the QUING project indicates that civil society actors have a limited interest in the intersectionalities of these inequalities. The main intersections occur along gender and class, gender and age, and gender and marital/family status. These intersections are evident in general gender equality, non-employment, intimate citizenship, and gender based violence. The government of Lithuania treats different types of inequalities separately in national policy action plans. The National Program on Equal Opportunities for Women and Men mainly has addressed the issues of women's unemployment, the reduction of women's vulnerability, and economic-social exclusion due to pregnancy, maternity, and child care duties. Intersection within the gender equality action plan mainly occurs along class, age, and marital/family status. The National Antidiscrimination Program 2006-2008 covers such inequalities as ethnicity, age, disability, religion, and sexual orientation in gender-neutral terms. Only one civil society text (out of 69 analysed documents) addresses intersectionality along gender and ethnicity by posing a problem of possible double discrimination of ethnic minority women within the context of structural inequalities in the labour market. Intersectionality along gender and sexuality continues to be a contested issue for both policy actors and civil society. Some women's rights activists NGOs argued that as long as women's issues remain unresolved, other inequalities

cannot be addressed. (Their statements particularly targeted sexual minorities' rights). Some women MPs in the early 2000s opposed expanding the office and mandate of the Ombudsperson of Equal Opportunities to cover gender, ethnicity/race, disability, age and religion. Their opposition stemmed from the concern that women's rights and gender equality issues would be ignored if other forms of discrimination were included in the Ombudsperson's portfolio.

Example

Intersectionality along gender and class and age and marital/family status is most evident in the National Program on Equal Opportunities for Women and Men 2005-2009. In this document, the government states its commitment to gender mainstreaming and includes all spheres of public life (economy and polity) and governmental institutions as responsible actors. Women, as passive actors and the target group, are treated as a homogenous category in terms of ethnicity and citizenship status. Women are differentiated in terms of age (employment of elderly women) and marital status (single mothers, pregnant women, women with children). In a few cases, gender and disability intersect, but most frequently disability is addressed in gender-neutral terms.

Intersectionality of gender and class are interwoven in the discussion of existing structural gender inequalities in society that create the conditions for the growth of women's poverty (particularly single mothers) and their social exclusion. The issues at this intersection of gender and class are connected to the general problems of economic development; vertical and horizontal segregation in the labour market along gender lines; gender pay gap; the welfare state; and competitiveness in a globalised world. Though specific problems are identified in the intersecting level between gender and class and age and marital status in the diagnosis, no specific policy actions are identified in the prognosis.

Why a good example?

This document shows a good example of government's commitment to gender mainstreaming in policy. It covers all spheres of public life (economy, polity and to, some extent, civil society). It also analyses the problems of gender inequality from economic (unemployment, unequal distribution of resources, pay gap), political (unequal representation in power structures), social (poverty) and cultural (gender stereotypes, care obligations) perspectives. Finally, it sets objectives that encompass a wide range of activities, from combating discrimination to gender mainstreaming. The document emphasises the norms of equality and equal treatment, indicating that it adopts a specific policy approach that takes into account the intersection along gender and class and age and marital/family status. However, it should be noted that the practical implementation of these policy mechanisms could be limited due to the lack of resources, lack of political will, and limited staff competences.

LUXEMBOURG

Sophie Lauwers Radboud team Nijmegen

Context: Gender equality policy and intersectionality

In general, the attention for intersectionality and inequality axes other than gender is rather low in the analyzed texts for Luxembourg. Intersectional groups are sometimes mentioned, but the modality of intersectionality is then often inarticulate, meaning that the texts do not contain information on why and how the intersection between two or more inequalities is relevant. Equally often the relationship is of an additive nature. There are some rare cases (only in IC and GBV issues) where inequalities are seen as mutually constitutive; two times in an opposition voice in a parliamentary debate (sexual orientation and marital status in debate on partnership law, and a range of inequalities in debate on trafficking) and once in the civil society text on divorce (gender and marital status). So, while there are some first signs that can be regarded as preparing grounds for addressing intersectionality, at this moment intersectionality is quite marginal to Luxembourg gender equality policies.

The Ministry of Equal Opportunities only focuses at gender, whereas the other inequalities are treated by other Ministries. This could be one explanation of the relative absence of attention for intersectionality. Moreover, the country has a fairly young academic background, with a University

that was only established in 2003. There is an interest in gender and women's studies but this is also very young. Hence, one can not expect that intersectionality would be put on the Luxembourg agenda by feminist academics.

Gender is the most prevalent inequality axis to receive attention. Inequalities that receive attention besides gender seem foremost family/marital status and age, and sexual orientation. Disability and ethnicity receives far less attention. And citizenship status, religion and class are almost absent.

What characterizes a good practice?

Our idea of what constitutes a 'good' practice is based on the following ideal-typical criteria:
Gender equality policies: should include a more structural (i.e. power sensitive) understanding of gender inequality as a starting point on the basis of which policy measures both aiming at inclusion and transformation are introduced.

Intersectionality in gender equality policies (to a certain extent this is parallel to what is said above about 'gender equality policies'): the policy should include a more structural understanding of intersectionality as starting point on the basis of which policy measures that target gendered intersectional groups both aiming at inclusion and transformation are introduced + it should recognize the intersectional inequalities/discriminations as really experienced at level of society + the policy should be formulated/framed in a way that contributes to counteract (instead of reinforce!) racist, sexist, homophobic, ethnocentric tendencies that exist in broader society.

Examples of analysed texts that might serve as good practice

For the Luxembourg case, it is difficult to – surely when departing from the above formulated ideal-typical quality criteria - find a policy text or civil society text that does a good job in how it addresses intersectionality. If we lower our ambitions and try to, alternatively, search for texts that can be regarded to prepare the ground for addressing intersectionality, some examples are found:

In the 'Annual Report 2007' (policy plan) by the Ministry of Family and Integration (Ministry that is responsible for several of the inequalities other than gender that are analyzed in the QUING project, i.e. family policy, social protection, youth policy, older people, disabled people, foreigners, integration and solidarity) the different inequalities are generally written about as if they constitute separate domains that do not seem to overlap or mutually constitute each other. However, the statistics that are provided are all segregated by gender and often also by age. Segregating the data like this shows a consciousness that different inequalities might be interrelated. Moreover, presenting statistics in this way contributes towards recognizing existing intersectional inequalities at the level of society. If these statistics clearly show that a certain inequality works out totally different according to for gender, this can be a reason to address intersectionality between gender and these inequalities in future policy.

One of the rare examples where inequalities are seen as mutually constitutive is in a civil society text by the National Council of Luxembourg women (CNFL) on the reform of divorce. The question is raised if marriage should remain the patriarchal institution as it was conceived by the Napoleonic Code. It is seen as problematic that divorce is reformed, but that the patriarchal foundations marriage are unmodified. The institution of marriage treats women as dependent and irresponsible. This worsens the dependency of women in real life. Another such example is the opposition voice in the debate on trafficking. It is argued that certain groups of women are more vulnerable to becoming victims of trafficking than others. Being a women intersects here with for example class (women in fragile social situation) and with migrant status (immigrant women).

MALTA

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Maltese context: Gender equality policy and intersectionality

- Gender equality is embedded in anti-discrimination frame. Gender equality policy is more focused on inclusion than on transformation.
- Gender equality policy is most often related to topics from the non-employment issue, gender equality is often not seen as relevant in the issues intimate citizenship and gender based violence.

- More than half of the documents coded are to a certain extent degendered. This degenderedness can be found in all issues. A specific way of degenderedness exists, when it is constantly stated that gender equality should be achieved for men and women, while not specifying that women suffer the most from problems linked to gender equality.
- Attention for intersectionality and other inequality axes other than gender are scarce in Maltese policy documents. Inequalities that receive attention besides gender are foremost family/marital status, age, class and sexual orientation. The most prevalent intersectionality is gender with family/marital status (most often not used in a transformative manner). The intersection of gender with ethnicity/race, gender with disability and gender with religion is (almost) absent.
- When mentioning intersecting categories, no structural understanding of intersectionality is given.
- State and civil society both pay little attention to intersecting categories.
- Maltese policy on gender+ equality is largely being EU driven. Attention for more than one inequality axis is foremost described as multiple inequalities (treated as separate strands) instead of intersecting inequalities.

What characterizes a good practice?

Our idea of what constitutes a 'good' practice is based on the following ideal-typical images:
 Gender equality policies: should include a more structural (i.e. power sensitive) understanding of gender inequality as a starting point on the basis of which policy measures both aiming at inclusion and transformation are introduced.

Intersectionality in gender equality policies (to a certain extent this is parallel to what is said above about 'gender equality policies'): include a more structural understanding of intersectionality as starting point on the basis of which policy measures that target gendered intersectional groups both aiming at inclusion and transformation are introduced + recognize the intersectional inequalities/discriminations as really experienced at level of society + counteract racist, sexist, homophobic, ethnocentric tendencies that exist in broader society.

Examples of texts that might serve as good practice

It is difficult to find an example in Malta that can serve as a good practice, because there is not much attention for structural gender equality, making it therefore also less likely that attention will be given to a more structural understanding of intersectionality. There are however some examples where attention is given to specific type of intersectional groups that suffer more/more often from certain problems.

- In a Code of Practice on sexual harassment by the NCPE (policy plan) it is explicitly stated that gay men and lesbian women can make sexual harassment complaints. Besides this comment the text is predominantly degendered using words as employee and victim.
- In a policy plan of the National Family Commission on the reconciliation of labour and care, specific attention is paid to single parent families who struggle more often than dual earner type families to balance family and work responsibilities.
- In a civil society text of the National Council of Women on Domestic violence it is stated that free legal aid should be given to women victims who are not gainfully occupied.
- In a civil society text of the MCWO on pensions, attention is given to separated women who have problems receiving pensions from their estranged husband.

NETHERLANDS

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Dutch context: Gender equality policies and intersectionality

- Some characteristics of gender equality policies: focus more on inclusion than on transformation + Transformative framing/more structural attention for gender inequality has diminished over time.

- Intersectional 'awareness' is NOT NEW; early gender equality policy documents (at least as early as 1982) pay attention for interaction of gender with other (in)equality axes → Women's oppression takes different forms according position women have on other (in)equality axes.
- WIDE RANGE of inequalities and intersections with gender receive attention (though practically absent: religion and disability). **But:** after gender the most important strand is ethnicity and gender-ethnicity is most important intersection → ETHNICITY BIAS
- Intersectionality usually appears when policy documents mention intersectional groups.
- (de)gendered intersectional actor groups are quite central in Dutch gender+ equality policies during QUING period. **But:** policy documents often lack explicit articulation of how inequality axes that 'make up' these intersectional groups relate to each other.
- Framing of intersectionality in policy documents: INARTICULATE or otherwise ADDITIVE. More structural understandings practically absent (e.g. genderedness of structural mechanism or intersectional structural power differences).
- Civil society: framing of intersectionality somewhat more diverse, some documents show more structural understanding of intersectionality (see good examples below).
- Valuing the 'ethnicity bias': Supporting measures for ethnic minority women + policy sets ethnic minority groups/women apart from 'majority' group + policy projects more structural attention for gender equality mainly on ethnic minority men/women + negative image about Muslim groups/women in broader society + in policy hardly any attention for racism = ambivalent/negative implications for quality of gender equality policies.

What characterizes a good practice?

Our idea of what constitutes a 'good' practice is based on the following ideal-typical images:

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Example of two civil society texts that might serve as good practice

- CEDAW shadow report (2006, representing large coalition of Dutch NGO's): government pays attention to minority women in a wrong kind of way, namely by denying structural power differences and pretending that all citizens (and all women) have equal voices. Moreover, the government tends to reinforce instead of acting against the discrimination and the stereotyping that migrant (particularly Muslim) women are confronted with. According to this report the government should incorporate in its policies an exploration of the implications of the intersection of various forms of discrimination and recognize intersectionality as a critical component.
- Text by Tiye international (Platform of national organizations of black, migrant and refugee women) on honour violence: honour violence is undeservedly related one-sidedly to ethnic minority groups, while such violence already occurs for long time in Dutch culture itself. Honour killing occurs in all subcultures in which patriarchal relations continue. The text points towards racist/stigmatizing processes that surround the tackling of honour violence/killings by government.

POLAND

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Context

Conservative gender regime

- gender based discrimination often denied by political discourse

Strong influence of Christian Church and religion on policy

- strict abortion law violates women's reproductive rights
- promotion of model of patriarchal family
- heteronormativity

Low quality of gender + equality policies

- right governments concentrate on pro-family policy instead on equality policy
- discrimination of women often denied by policy- makers
- in some periods of time gender equality machinery does not exist
- no compliance with EU non-discrimination policy- until now there is no anti-discrimination law
- no attention to intersectionality in policy environment

Example of good policy practice

National Action Plan for Women, II stage of implementation for 2003-2005 (Krajowy Program Działań na Rzecz Kobiet, II etap wdrożeniowy na lata 2003-2005), Prepared by left government (but unfortunately not fully implemented due to change of government in 2005)

Fields covered:

- Women rights as human rights (general anti-discrimination machinery)
- Women and economy (problems on labour market; poverty)
- Violence against women (domestic violence, sexual violence, sexual harassment)
- Health (reproductive rights; access to family planning methods)
- Education (access to education; elimination of gender stereotypes from school curricula and textbooks)
- Public sphere and decision making process (institutional mechanisms increasing presence of women in public positions; campaigns; quota system)
- Mass media (elimination of gender stereotypes and images; attempt to change symbolic sphere)
- Cooperation with NGOs
- Research on situation of women and gender based discrimination (collection and analysis of data, to make further policy the best for women's needs)

Why is it good?

Approach to gender equality

- gender equality as problem of human rights
- gender equality is the main aim
- intersectionality as one of aspects of gender equality- race, ethnicity, religion, disability, age and sexual orientation should not be obstacles in reaching equality between women and men
- attempt do analyse deeper reasons of gender inequality (patriarchal stereotypes)

Compliance with international recommendations EU directives; Beijing Platform for Action

Gender mainstreaming

- Inclusion of NGOs in process of creation and implementation of the Action Plan
- Covers many fields and attempts to deal with the most important fields of discrimination of women

Intersectionality- problems and needs of various groups of women considered

- research on discrimination: gender + age/ education
- women rights as human rights: gender + ethnicity/ nationality; gender + disability
- counteracting feminisation of poverty: gender + regional status/ health/ marital status/ age/ education/ being victim of violence/ nationality/ religion/ ethnicity

- employment- assistance in employment: gender + lone mothers (marital status)/ disability/ rural women
- violence against women: gender + marital status;
- trafficking in human beings: gender + nationality
- health: gender + age; gender + sexual orientation (transgender persons);

PORTUGAL
UCM Team, Madrid

III National Action Plan for Social Inclusion 2006-2008

Context.

Intersectionality is an incipient issue in Portugal, since the main steps towards this new perspective have taken place only in recent years. As a consequence, the more recent are the texts we look at, the more intersectional perspective we can find. Following Hancock's typology, we could claim that it exists an evolution from a unitary to a multiple approach. Thus, legislation about anti-discrimination and equality machineries are good examples of the former perspective. This means that both elements tackle several inequalities but consider them as separated. In order to find a multiple approach we must have a look at very recent plans which aim at achieving wide objectives such as social inclusion, integration of migrants, elimination of human trafficking and equality of opportunities for all. Because of these overwhelming aims, those new plans take into consideration several inequality axes, considering that they may appear not only by themselves but also as added and/or interconnected. This fact is explicitly labelled as multiple discriminations or vulnerabilities which implies a great step towards intersectionality. In addition to this, those new governmental plans are also relevant when referring to interdepartmental cooperation and civil society engagement.

Good practice policy text

Regarding this double approach within which both a unitary and a multiple perspective are present, we decided to choose one of the most recent plans in order to introduce a Portuguese "good practice". This is the case of the *III National Action Plan for Social Inclusion 2006-2008* (PNAI) which is strongly related to the *4th Common Objective of the European Process for Social Inclusion*, agreed mainly in the Lisbon Council in 2000. Following European priorities, it aims at promoting social inclusion as well as eliminating poverty.

Why is it a good practice?

Multiple approach: It takes into account a wide range of inequalities, namely gender, age, family status, ability and migrant status. Those axes are mainly tackled separately but, given that the main objective is to eliminate poverty, class appears as the underlying axis interacting with the other ones. Although intersectionality is not explicitly labelled, it seems that the multiple approach is the guiding perspective. It is worth highlighting that the plan includes a special mention for gender perspective, which is expected to have a main role not only within the design but also within the implementation process.

Creation of new organs: Concerning the structures dealing with this plan, we must underline that since 2001, when the first plan for social inclusion was approved, an *Interdepartmental Commission for PNAI* has been working on designing and implementing this kind of actions. It gathers all Ministries and several Departments under the coordination of the *Ministry of Labour and Solidarity*. The objective is to coordinate not only activities but also budgets and other plans belonging to each unit, which could be also related to social inclusion (i.e gender equality or labour national plans). Apart from that commission, the social inclusion plans have also led to the creation of one participatory organism called the *Non-Governmental Forum for Social Inclusion*. It was set up in 2006, following the knowledge acquired during previous plans' implementation, which clearly had pointed out that more social participation was needed. Its main objective is to engage civil society

into policy making, trying not only to achieve better outcomes but also to accomplish EU objectives regarding social participation within policy processes. With this purpose, it includes a wide scope of associations representing at least five inequality axes, namely gender, migrant status, disability, ethnic and age.

New strategy: The plan includes a new concrete strategy, which aims at introducing social inclusion within all public policies. This is named as *mainstreaming social inclusion* and means that the government as a whole must assess how groups with special vulnerabilities are affected by each policy. As we can guess, this new strategy may lead to conflicts with gender oriented policies, since gender mainstreaming is also supposed to be deeply introduced within public policies. Although the later strategy was also mentioned in the plan as a key mean, this does not exclude the possibility to witness a conflict between two types of mainstreaming or an evolution towards gender disappearance.

To sum up, the *III National Action Plan for Social Inclusion 2006-2008* is a good case for analysis, since it gives us a clear vision on how are the “good practices” in Portugal, where intersectionality is still embryonic. It also shows us to what extent new processes such as Europeanization or the possible ‘competition’ among inequalities could be relevant in the future

ROMANIA

Raluca Maria Popa, CEU Budapest team

Context

Intersectionality is modestly present in policy debates related to gender equality in Romania. When it is present, the understanding of intersectionality is additive or limited, meaning that intersectionality is linked with the presence on the agenda of specific concerns with the multiple disadvantages (additive) or specific disadvantages (limited) of certain groups, such as women in rural areas, Roma women, or housewives. The understanding of categories as mutually constitutive is almost absent from policy debates in Romania. Furthermore, there is a clear segregation of the use of inequality categories by policy domains, most notably class in non-employment, and sexuality in intimate citizenship. Beyond these domains, the categories of sexuality and class are not seen as relevant for the domains of gender equality or gender-based violence. Ethnicity is the most prominent category of inequality in general gender equality policies besides gender.

The example

In 2006, the Law on equality between women and men (202/2002) was revised to introduce the notion of “multiple discrimination”. According to Law 202/ 2002 on equality between women and men, “multiple discrimination means any discrimination act that is based on two or more discrimination criteria”. The law does not make any additional provisions on multiple discrimination. The inclusion of the concept of multiple discrimination in the law was a demand of the Romani women’s movement in Romania.

The notion of multiple discrimination was further explored in one of the two studies commissioned by the National Agency for Equal Opportunities between Women and Men as part of the activities for the European Year of Equal Opportunities for All (2007). The study *Multiple Discrimination in Romania* further differentiates between different types of multiple discrimination: multiple discrimination as one-axis discrimination, multiple discrimination as additive discrimination and multiple discrimination as intersectional discrimination. The study *Multiple Discrimination in Romania* is based on a nationally-representative survey on multiple discrimination and it is the first exploration of the social landscape of multiple discrimination in Romania. However, the study has not had a direct policy impact yet. Anti-discrimination or gender equality policy practices in Romania do not mirror attention to intersectionality or the more restricted notion of multiple discrimination. The National Council for Combating Discrimination has not yet litigated any cases of “multiple discrimination”, and it has not yet issued any decisions establishing that a certain discrimination case had involved “multiple discrimination”.

The potential

There is some interest and willingness to develop the notion of multiple discrimination among anti-discrimination practitioners working with the main equality body in Romania, the National Council for Combating Discrimination.

In the Romanian context, notions of intersectionality can perhaps be best approached as a revision of the notion of gender and a positive contribution to gender equality policies. Since gender is still “a crucial part of the organization of equality or inequality” in Romania, I dare suggest that gender equality can be a starting place for more inclusive equality struggles. I see a potential for intersectional feminism in Romania that would go a long way beyond merely including gender in a list of inequality categories. The potential of intersectional feminism in Romania and perhaps elsewhere is to offer a vision of equality that starts from the most marginalized positions, usually those of women at the intersection (Romani women, poor women or disabled women) and builds a framework for a more just and a more equal society.

SLOVAKIA, Ljubljana team

Zuzana Ocenova, Ljubljana team

Context

In Slovakia, the focus on intersectionality is largely ephemeral both in general gender equality policy and in three special QUING's issues, i.e. non-employment, intimate citizenship and gender based violence. The main inequality axis intersecting with gender in Slovakia is ethnicity and/or class meaning in the country context the multiple discrimination of Roma women. This particular inequality axis is the most common both in policy and civic society texts. Nevertheless, there is a visible imbalance between the extent of the focus by the two. Existing policies related to gender equality include this intersectionality axis only by notions of special vulnerability of group of Roma/socially disadvantaged women to certain phenomenon (e.g. trafficking), hindered access to information or services of these groups (e.g. reproductive health or gender based violence) but rarely as a specific target of proposed actions or designing specific measures for them. Contrary to the policy level, civic society is paying greater attention to the gender-ethnicity axis, especially in recent years. The best example representing this trend is the Shadow Report to the Committee on the Elimination of Discrimination against Women for the Slovak Republic jointly submitted by several women's and human rights organizations in May 2008.

Example

In 2008 Slovakia presented its Second, Third and Fourth Periodic Report to the Convention on the Elimination of All Forms of Discrimination of Women for the period of 1998 – 2006. Eight non-governmental organizations jointly prepared and submitted Shadow report to it. The report refers to current issues related to the legal and institutional framework of protection against discrimination, elimination of gender stereotypes, violence against women, protection of sexual and reproductive health and specific issues Roma women in Slovakia face in areas such as health care, employment and housing as well as the fact that women and girls from marginalized Roma communities are one of the most vulnerable groups to trafficking in women. As a result of the CEDAW Shadow report, a specific recommendations on Roma women's issues and a specific case of forced sterilization of Roma women was included into the statement of the Committee on the Elimination of Discrimination against Women to the Slovak government.

Explanation

The CEDAW Shadow report is so far the only gender equality text in Slovakia that takes intersectionality seriously into account despite the fact that its presence is disproportionately balanced throughout the text and not all of possible intersections with gender were taking into consideration. The greatest attention is paid to gender-ethnicity axis by including the separate chapter on Roma women that highlights major problems Roma women face, briefly analyzes structural intersectionality of these particular groups of women and includes concrete recommendations to the Slovak government for future policy development. A positive example is

that Roma woman activist elaborated a greater part of the chapter on Roma women. In addition to the inclusion of a separate chapter on Roma women, the CEDAW Shadow report incorporates intersectionality also to other parts of the report. A chapter on sexual and reproductive health may serve as a good example in considering different impact of existing situation and certain measures to different groups intersecting with gender mainly paying attention to age, class and sexual orientation. Thus the CEDAW Shadow report combines two possible approaches towards intersectionality – a separate section dealing with a situation of a group at intersection covering several gender equality issues and a mainstreaming approach in which possible different experience of intersecting groups is taking into consideration in gender equality policies. While the first approach allows for a deeper analysis of qualitatively different experience groups at intersection have and as a result the measures proposed could be more targeted, the second approach mainstreams intersectionality as directly imbedded into gender equality.

SLOVENIA

Roman Kuhar, Ljubljana team

Basic conclusion

Intersectionality is not addressed. The term is never used.

How intersectionality occurs?

If policy texts address intersectionality, it is mostly due to the topic (which includes intersectionality) rather than addressing specific problems of an intersected identity group. People at intersected inequalities are simply added to a broader problem solution, rather than specific policies being adopted for their specific positions in the society.

Intersectionality also occurs when it is inscribed in the “objects of politics” as such – for example gays and lesbians. Gays and lesbians could be understood as intersected identities (gender + sexuality), however they are not addressed as such. Usually “gays and lesbians” are unified as “homosexuals” or “same-sex partners” – erasing intersectionality as much as possible.

Example of good practice

No good practice. Not even “good practice”.

However “National Action Plan of Work on Prevention of Violence Against Women”, produced by non-governmental institution, is consistent in listing (or adding) “women of less social power” to general category of “women”.

Content

Association Against Violent Communication prepared a National Action Plan of Work on Prevention of Violence Against Women because they see the necessity of such a policy plan. Although it is not common that NGOs make policy plans the Association expects that their effort and cooperation will be accepted in policy making. The National Plan provides diagnosis of violence against women and domestic violence, basic documents (national and international) that present the legal basis for prevention of (domestic) violence and sets main political measures to be taken and policy actors endowed with obligations and duties to make this plan come true.

Planned activities

- a) Coordinated approach to violence – it is expected that all non-governmental organizations, dealing with violence against women, and governmental organizations cooperate with those organizations, which are not focusing specifically on violence, but are dealing with “vulnerable groups of women”, including disabled women, lesbians, young women, old women, ethnic minorities, homeless women ...
- b) research and data collection on specific women groups, i.e. “vulnerable groups of women”.

SPAIN An example of good practice of intersectionality in Spain: The Basque IVth Action Plan for Equality between Men and Women (2006-)
UCM Team, Madrid

Introduction

The STRIQ report emphasises a paradox: although a pioneering country in Equality policies during the past decade, Spain is still rather a newcomer for applying intersectional approaches to policy making. We point out in the report that the regionalization of the Spanish polity is especially relevant for assessing the progresses made towards intersectionality, as major shifts that occurred into equality policy making, in the form of Equality acts and more comprehensive action plans, partly originates on the regional level. It is therefore not surprising that we selected regional policy text(s) as example (s) of good practice.

The policy context

At the national level:

Legislation providing grounds for addressing multiple discriminations:

- Law for effective equality (2007): drawing on a complex assessment of gender inequalities
- Implementing EU anti-discrimination directives:
- A new (all inclusive?) Equality Ministry
- A comprehensive equality act to be passed by late 2009

Policy instruments: a number of sectional action plans (on gender, disabilities, social inclusion of migrants or Roma people)

- Newly established (or re-shaped) sectional advisory bodies + body for fighting against discriminations on the ground of ethnicity and race (2007/2008)

At the regional level:

- Equality acts approved in 6 Comunidades Autónomas before the National Law to be passed
- Generalization of sectional action plans, some of which addressing multiple discriminations
- References to the EU anti-discrimination directives

3. Example: The IVth Action plan: content, objectives and instruments

Conceptualization (Actors involved, previous experience)

The Basque Women's Agency, has been settled in 1988 and has a long, uninterrupted tradition of involvement in the making of Equality policies. This, along with the continuous presence of a respected feminist at the head of the Agency from 1988 up to 2005, provided the ground for consistently and thoroughly addressing gendered inequalities. Additionally, the Basque National Party (PNV) ruling the region over almost 30 years has been mainly engaged in a *politics of identity & citizenship*.

The Basque "Law for the Equality of Women and Men" approved in 2005 makes explicit references to multiple discriminations: "*Basque public authorities guarantee a full and effective exercise of fundamental rights for those women or groups of women suffering multiple discrimination as they embody other factors able to provide the grounds for other situations of discrimination, such as race, colour, ethnic origin, spoken language, religion, political opinions, belonging to a minority, birth, disability, age, sexual orientation or whatever personal condition or social situation*"³.

Content (the architecture of the plan)

The IV Positive action plan for Equality between men and women consecutively approved in 2006 pays a great deal of attention to the diversity of women, and to the situations of multiple discriminations.

³

Official Bulletin of the Basque Parliament, n°42ZK, p. 3224, March, 5th 2005

“This plan aims at developing what is already stated in the (Basque) Law for equality, when it stresses the need to act for correcting the increased risk of poverty through the design of specific programs targeting women suffering multiple discrimination” (p. 145)

Moreover, while this concern being specifically addressed in the Title 6. on social inclusion, the Plan nonetheless emphasises that *“it should by no mean understood that migrant, disabled, elder, women should be addressed in the sole area of social inclusion”* (p. 146).

The plan is a 300 pages document, with 7 sections.

Why a good practice?

In reference to the criteria suggested during Vienna Workshop for assessing good practices in intersectionality, the following elements shall be emphasised:

- *Explicitness criteria :*

Intersections are rather thoroughly addressed along the different sections & objectives.

Multiple axes of discrimination are not only mentioned, as the plan recommends accurate measures, both for diagnosis setting and prognosis, such as data collection, cross-cutting reflection and targeted implementation measures, through an increase of the available resources

- *Inclusiveness criteria :*

A broad set of possible inequality axes is suggested, including cleavages such as rural/urban, age-, citizenship status, (non)employment... These axes are present all along the text.

Within each group exposed to double discrimination addressed, attention is paid to other possible factors (for instance, disabled women being addressed as members of other exposed groups or along with socio-demographical aspects)

- *Non-stigmatization criteria:*

There is a special attention for not producing stabilised categories through the addition of inequality axes, but mainstreaming the attention for the interaction between different inequalities all along the priorities, objectives and proposed measures of the document.

“it should by no mean understood that migrant, disabled, elder women (...) are necessarily in a greater risk of exclusion” (quote, p. 146).

- *Balance between individual and group based targeted measures:*

This balance, which is mainly to be noticed in the section 7 (recommended positive measures) is also present in the diagnosis section and the section specifying the main areas of the Plan:

“Improving the position of these women (suffering multiple-discrimination) makes necessary to impulse an empowerment process, including their most direct and urgent needs such as accessing to the labour market, education, lodging, culture, as well as strategic gender interests – access to the information, to social and political resources, to awareness-building resources about discriminations against women in general, and about their own specific situation in particular”. Ibid.

Comments

The real concern for intersecting inequalities shown in the selected document is not labelled intersectionality and lacks a more consistent theorization (about the forms of intersections).

One's could object that the Basque Plan, adopted after Txaro Arteaga abandoned the head of the Basque Women Agency, represents a step backward for a complex assessment of intersectional inequalities (see for instance the absence of sexuality). Moreover, as a further evidence of the leading role of Spanish regions, other could have been selected as good practices, such as the VI Catalan Equality Plan and the Catalan Interdepartmental Plan for Homosexuals, Lesbians and Transgender People. These two plans are pioneer not only at the national but international level. (see: annex)

Annex:

Another Spanish document that introduces the diversity of women and prepares the ground for addressing multiple inequalities, along with including women in disenfranchisement situations is the: *V Action Plan and development of policies for women in Catalonia* (2005-2007, Plan de acción y desarrollo de las políticas de mujeres en Cataluña). The plan is designed to bring gender mainstreaming (axis 1), increase the participation of women in all society realms taking into account

their diversity (axis 3), offering comprehensive assistance to women (axis 5) and with a wider understanding of violence against women (axis 6). The argument of the policy text is based on identity politics, the extent to which groups of women are excluded, suffered concrete forms of violence, etc.

Explicitness and Inclusiveness:

Concerning minority sexualities, disability, migration, prostitution, women in social exclusion, etc. this plan is pioneer, not only by including them, but also to conceive specific actions along with the intersections of these identities with violence, sexuality, etc.

Quote (p.46).

It is needed to make visible the diversity of women's identities, along with the variables that create them, from the fact of being women to the origin, ethnicity, age, sexual orientation, types of cohabitation, times and activities in which their lives are articulated, their priority support networks, belonging, etc. Along with having into account the multiple combinations of these diverse identifications, their relational and dynamic relationships.

A second example relevant for intersectionality in Spanish policy making is the *Catalonian Interdepartmental Plan for non discrimination of homosexual and transgender people* (2006, Pla Interdepartamental per a la no discriminació de les persones homosexuals i transsexuals). It is a pioneer policy text in the EU designed to bring sexual mainstreaming into Catalanian policy making. As well as the former plan, both have been designed *with the participation of civil society*, have *a clear inclusive perspective* which is relevant for intersectional analysis, takes place in the regional context in which a number of political forces created a coalition government, etc. The Interdepartmental Plan thus intended to carry out actions concerning not only non normative sexuality but also gender, age, social exclusion, disability, victims of the dictatorship, inmates, employment, HIV/AIDS, harassment at schools and labour market, etc. The strategy approach of the policy text is based on "double discrimination", especially when it comes to gender and sexuality, but it does address the need of public policies to include and act upon *the diversity of sexual minorities*.

Quote p. 6: « *The (Catalonian) Government has approved a normative text which is pioneer in the EU. Not only because of the location of the policy, but also because of our will of compensating the historical exclusion of gays, lesbians and transgender people. All Catalanian citizens will enjoy a much cohesioned and respectful society in regard to affective, romantic, sexual and gender diversities, reflecting the positive capacity of Catalonia accepting the plurality of their citizens* ».

SWEDEN

Elin Kvist, Umea team

Context

The uniqueness and success of gender equality policies in Sweden could be seen as due to the strategic move of conceptual and political separation of gender equality from other inequalities. In a political discourse where class and class relations has had an dominating role and the political system is based upon an agreement between the trade unions and employer organisations, gender and gender relations could have been doomed to invisibility. Through the politicisation of gender equality, gender and gender relations were established as an important and sometimes even the most important social inequality.

Men's violence against women is in Sweden mainly constructed to be a question about gender equality and human rights. It is characterized as a major societal problem that affects the whole society, both woman and men. In the women's peace legislation from 1997 the problem was defined as men's violence against women and it was explained as due to the unequal gender power system that permeates the whole society.

The text

In the 2007 Action plan for combating men's violence against women, violence and oppression in the name of honour and violence in same-sex relationships, the problem of gender based violence is defined as diverse. Not only as violence directed at a woman by a man with whom she is having or has had a relationship, but also including gay, lesbian, bisexual and transgendered persons exposed to violence by their partners. The plan also includes violence and oppression in the name of honour. In the Action Plan it is claimed that there are many similarities in the structure and mechanisms of the violence, including the fact that it often occurs within the family and that the victim is in one way or another dependent on and has strong emotional ties to the perpetrator or perpetrators. The different ways in which women's and men's sexuality are perceived is crucial to an understanding of the structure and mechanisms of the violence, both as regards men's violence against women in general and violence and oppression in the name of honour.

In the plan some particularly vulnerable groups are appointed, women with mentally and physical disabilities, women with substance/ addiction problems, older women, younger women and immigrant women. But it is also pointed out that:

Many who have personal experience of violence state that people focus more on their disabilities, their foreign background, their substance abuse/addiction or their age than on the fact that they have been assaulted. National minorities experience similar problems. The Government views this situation with concern and wishes to make clear that all women exposed to violence must be given the requisite support and protection based on their needs, whoever they may be and whatever background they may have.

Why "good"?

The one-dimensional approach of gender equality policies in Sweden has been challenged during the QUING period and changes are starting to occur even though identity politics and the 'gender power system' still seems to dominate the policy field.

TURKEY

Gulbanu Altunok, METU team Ankara

Context

In the Turkish context, it is very difficult to find an intersectional policy focus in gender equality and QUING relevant issues. Mentioned inequality axes in policy documents are mainly marital status, age, level of education and regional differences. In comparison with the European context, therefore, we had a particular difficulty in assessing intersectionality because we do not have limited or no legislation aiming a particular group such as Roma and/or immigrant women. Furthermore, in the assessment of good practices we faced difficulty in pointing out a legislative change since the analyses of a policy impact is also difficult for us in the Turkish context. The General Directorate on the Status of Women (KSGM), which is the gender equality machinery, has been working on the development of statistical, comparative data and policy assessment tools in recent years. Therefore, evaluation of gender equality policies in terms of their effectiveness, sustainability of effectiveness and efficiency seem to be more likely in the coming years.

Yet still, we have tried to outline some legislative changes and policy measures in the issue of trafficking and in the issue of custom killings. In the first policy text, a focus on the intersection of gender with citizenship status is present; in the second text, we see a focus on the intersection of gender with region.

Policy Example:

The Ministry of Justice drafted an amendment to the Turkish Penal Code in 2003. The amendment criminalized trafficking in human beings, pursuant to the UN Convention against Transnational Organized Crime and its additional protocols, and foresaw the punishment of traffickers with up to 5-10 years imprisonment. Amendments were also made in the Law on Work Permits for Foreigners and the Citizenship Law, introducing a stronger legal basis to fight trafficking. With the changes in the Citizenship Law, a provisional period of three years of marriage was made compulsory before a

foreigner can request Turkish citizenship for being married to a Turk. This step was argued to be taking aim at the trafficking of women through false marriages.

In line with the amendment and protocols signed between the state and international actors in combating human trafficking, the Ministry of Health has announced a circular to all state hospitals on providing free medical care for victims of human trafficking, which are mostly women. The Interior Ministry also allowed a humanitarian visa for identified victims of human trafficking if they do not want to return home immediately or if they agree to testify against traffickers in court. The US government, the Swedish International Development Cooperation Agency (SIDA), and the Municipality of Greater Ankara funded a 9-month project to open shelter operated by Women's Solidarity Foundation for the victims of human trafficking. The Turkish Government also launched a national multi-lingual anti-trafficking hotline in May 2005. This hotline helped rescue 52 victims from their traffickers. Throughout the reporting period, Turkish authorities at key border crossings and consular officials abroad distributed small passport inserts to travellers to publicize the hotline and warning signs of trafficking. The Turkish Gendarmerie printed and distributed an additional 150,000 copies of their anti-trafficking brochures to police precincts and citizens throughout Turkey in 2005. Although it has been argued that, there are still some legal shortcomings and implementation problems policy regulations since 2000s, these policies are good examples of measures taken against the crime of human trafficking and of protection of women victims.

Civil society text:

With the adoption the New Penal Code (2004) most of the discriminatory articles against women were abolished and heavy penalties were provided for cases of honour crimes. The establishment of a Parliamentary Research Commission on 'Prevention of and Measures to Combat Violence against Women and Children, and Custom and Honour Crimes' (2005), the publication of a report on the causes and measures of violence by this Commission (2006), the Prime Ministry Circular (2007) underlining the need for cooperation between different institutions and organizations as well as the National Action Plan on Combating Domestic Violence Against Women (2008) can be all regarded as important turning points in the struggle against domestic violence and honour killings. The Report of the Project for the Development of Permanent Methods in the Struggle against Killings in the Name of Honour in the Southeast and East Anatolia (2004), conducted in 13 provinces in the Southeastern and Eastern Anatolia regions by KA-MER (Women's Centre). KA-MER is a women's organization actively working on the issue of gender-based violence in the Eastern and Southeastern regions of the country. The text articulates on the prevalence of honour killings in Eastern and Southeastern parts of Turkey, therefore presenting a focus on the intersection of gender with region. It attempts to provide a structural approach to the problem, calls for the development of policies from such a perspective and for more cooperation among social actors for the prevention of the phenomenon.

Why are these good practices?

In the issue of trafficking and policies developed for the victims of trafficking and forced prostitution, we see the policies aiming to prevent the increased sufferings of women victims of trafficking by providing exceptional legal and protective measures. Free provision of legal and health services takes into account the economic incompetency of these victims; the provision of a humanitarian visa considers the legal complexities, which might derive from their illegal status in the country. Therefore, by taking into account the daily and concrete problems of individuals and groups these policies are considered as good example of an effective policy formulation.

In the second case, we have an interesting question. Does an intersectional policy should explicitly address the category of, for instance ethnicity or not? In the Turkish policy discourse, 'ethnicity' is not pronounced in legal texts due to the state's unitary structure. The expression of a particular identity is conflicting with the state's conception of citizenship as an abstract and egalitarian notion, although this conception has been challenged by the Kurdish identity politics.

In the issue of honour killings, however, we think that such an approach might be more beneficial. Rather than attributing the phenomenon to a specific group, which might produce stabilized, marginalized and othering categories, evaluating it as a socio-cultural and structural problem might be more in line with the 'non-stigmatization criteria' of a policy text. The KA-MER text, in this sense,

is a good example for paying attention to the phenomenon of honour killings in terms of analyzing it in sociological terms.

UNITED KINGDOM

Jo Armstrong and Sofia Strid, Lancaster team
UK Gender based violence policy (Sofia Strid)

Brief outline of policy context

In Britain, forced marriage has been situated within two discursively separate but empirically overlapping policy contexts: gender based violence on the one hand, and immigration and security/border control on the other (Home Office, 2002; Phillips & Dustin, 2004; Yuval-Davis, Anthias & Kofman, 2005). The separation of forced marriage into two separate discourses/contexts means that forced marriage risks being seen as either primarily a gender issue, or primarily as an ethnic issue. The tendency in Britain has been to situate forced marriage as a predominantly transcontinental issue, public policy and machinery focus almost exclusively on cases involving at least one spouse from outside of Britain. This might suggest that the problems of forced marriage are strategically addressed in order to control immigration. Forced marriage is however simultaneously recognised as a form of gender based violence, and is named as such (Crenshaw, 1991). It would appear as if forced marriage is indeed situated in the very intersection of gender and ethnicity (also age, class and religion) and not as an either or policy problem. Does this mean that the intersection of multiple inequalities are being taken seriously in policy? Forced marriage offer a critical site for exploration, as it is saturated with intersectionality. Ethnicity, religion, gender, class and age are all inequality grounds clearly visible in the policy area, either understood as additive inequalities or as mutually constitutive inequalities.

Description of policy

The consultation document chosen (Home Office and Foreign & Commonwealth: "Forced marriage. A Wrong Not A Right") presents actions focusing on the penalisation of perpetrators and the prevention of forced marriage and protection for victims of forced marriage as well as alternative legal conceptualisations of forced marriage. It construes forced marriage as a form of domestic violence and mentions forced marriage as being part of a broader violence against women framework. Even if the majority of the document does not, however, explicitly perceive of forced marriage as a gender based problem – it is implicitly clear that the intersection of gender and ethnicity is at the core of the issue. There is a tension/ambiguity between human rights abuse and domestic violence in the document. Also important is the conceptual split between forced marriage and arranged marriage. The policy document condemns forced, but not arranged, marriage. The latter is understood as an acceptable/non problematic 'tradition' among certain 'communities' and within specific 'cultures' where both future spouses consent fully and freely.

Short explanation why the policy can be considered to be good

As a measure of good and bad policy, this section is based on Kimberly Crenshaw's (1991) discussion of intersectionality and ethnic minority women. Crenshaw's dilemma is over what is the right strategy in relation to domestic violence at the intersection of gender and race, where drawing attention to it may increase the stigmatisation of the minoritised racial group, but silencing is to the detriment of the women who have suffered the violence. Crenshaw argues that violence against ethnic minorities is not, and cannot be, sufficiently targeted or combated due to, in short, the lack of naming the problem; the silencing and marginalisation ethnic minority women's experiences of gender based violence. The policy document described here is, firstly, inclusive of an intersectional approach to forced marriage. Especially gender, ethnicity and religion and their intersection is discussed. To an extent, so is migrant status. There is an ambiguity though, as force marriage is said to be more prevalent in certain 'communities' and cultures (naming of two Muslim communities), whereas at the same time 'no major world religion supports forced marriage'. Secondly, there are four different alternatives of naming violence against ethnic minority women. In the case of Forced Marriage in Britain, and in the chosen policy document, there is naming, non-silencing, and non-marginalisation. Violence against ethnic minority women are being named as

forced marriage; ethnic minority women is in the centre of the policy and the very discussion of forced marriage as constituting a criminal offence underlines the that this specific form of gender based violence is taken seriously without attempts to marginalise either the practice of forced marriage or the communities within which forced marriage is being practices. Simultaneously, the policy document carefully avoids pointing fingers which potentially could lead to stigmatisation. It notes how no major world religion supports forced marriage; it allows for cultural practices and traditions such as arranged marriages (as a result of inclusionary consultation and compromise, there is a careful separation of forced and arranged marriage). Further, the policy is based on the response of some 150 civil society organisation, including ethnic minority women's organisations as well as women's organisation and ethnic minority organisations. Thirdly, the policy contains a Race Equality Impact Assessment.

UK Non-employment (Jo Armstrong)

Context

Non-employment, where the key intersections in the UK context are those of gender with marital/family status and class, and gender with ethnicity. In the policy documents intersectionality tends to be present in the form of a focus on specific groups. These groups are sometimes de-gendered, as in 'lone parents', and sometimes not, as in women from minority ethnic groups. In the former instance, concern is around poverty, especially child poverty, and employment is presented as the best route out of poverty. In the latter, the concern is with the non-employment of some groups of women from minority ethnic backgrounds (especially Bangladeshi and Pakistani). Looking more generally across this area, and taking into account the recent attention on the political under-representation of these women, one of the key issues appears to be social cohesion; women from minority ethnic groups appear to be positioned as important in fostering good community relations.

The selected policy text

The selected text is a civil society document called Who Benefits? A gender analysis of the UK benefits and tax credits system, written by Kate Bellamy, Fran Bennett and Jane Millar for the Fawcett Society (one of the key UK women's organisations). The text explains the importance of changes in the tax and benefits system to women and the way it can be instrumental in reinforcing existing inequalities. It is argued that due to a focus on household needs, policy makers often overlook the gendered impact of policies. But, at the same time, there is recognition of the complexity and dilemmas associated with reforms aiming to increase equality e.g. the tension between supporting women who are in 'homemaker roles', at the same time as promoting a more equitable division of labour. Concrete suggestions for improvements to the current systems are made, including for instance, increasing paternity pay and leave, and reforming the state pension system to make it more appropriate for women and carers. It is emphasised that such changes need to be part of a wider package of reforms, including, for example, better access to quality childcare and tackling the long hours working culture.

Why is this a 'good text'?

This text has been selected since it encompasses a more systematic focus on intersectionality than in the policy documents. Rather than one or two groups being distinguished for analysis, the text places 'gender first' and then examines how different groups of women are affected by the tax and benefits system. In this way, the different equality strands are run through the category gender and unlike the policy documents, the use of de-gendered terms such as lone parents are rare. For example, the text discusses low-paid people (class), then makes the point that most of these people are women (gender and class); it examines the position of women who are out of the labour market due to caring responsibilities for adults (as opposed to children, and who therefore lose out when policies are primarily aimed at alleviating child poverty rather than tackling gender inequality); it takes into account the impact of reforms on women with large families; the differential effect on women from different generations is noted; and the position of some groups of minority ethnic women. Other characteristics of the text which influenced its selection as an instance of 'good practice' are that in addition to looking at the position of women, it also suggests ways male patterns of work need to change; and, by a thorough investigation of the impact of various aspects

of the tax and benefits system, the text provides a good example of gender mainstreaming in practice.

EUROPEAN UNION

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Context

The EU has adopted mainly a separate and unitary approach to inequalities (centred on gender) and is developing a multiple and additive approach ("multiple discrimination"). Legal framework on inequalities, though unevenly covering Article 13 axes. Some bodies deal with one inequality (gender: EC Unit G1 and G2, European Institute for Gender Equality; disability: Unit G3) and others with all other inequalities, but race/ethnicity-centred (EC Unit G4 and Fundamental Rights Agency). Little evidence that such bodies coordinate their activities employing an intersectional approach to the treatment of inequalities ('steering groups' but not on all measures). European civil society shows dynamics of alliances and competition (gender vs others). Documents show embryonic but increasing attention to the interplay of intersecting inequalities (through the concept of 'multiple inequalities' or 'multiple discrimination'). Age and marital status combined with gender are considered in all of the QUING issues. Class is significant in NE docs, though not explicitly mentioned as 'class'. In IC, national/migrant status is the third most mentioned intersection. In GBV docs age and nationality/migrant status are the most often mentioned inequalities. Tendency to use a degendered language when certain inequalities are used (young people, older workers or groups at risk).

Good practice policy text

An EC document that prepares the ground for addressing intersectionality is the report "Tackling Multiple Discrimination. Practices, policies and laws" (Sept.2007). http://ec.europa.eu/employment_social/fundamental_rights/pdf/pubst/stud/multdis_en.pdf. It was prepared by Unit G4 of DG Employment, Social Affairs and Equal Opportunities. This is not strictly a policy document as it does not represent the Commission's official position, but it is based on data given by ten MS Ministries, National Equality Bodies and NGOs. The report was prepared by the Danish Institut for Human Rights, following meetings and seminars where stakeholder input was obtained.

Why is it a good practice?

This document shows the beginning of a reflection in the EC on intersectionality, although the approach chosen is not intersectional but rather one of 'multiple discrimination'. Following scholarly work on the issue, the document states that "multiple discrimination" describes the situation where, on the basis of several grounds working separately, discrimination takes place. In contrast, "intersectional discrimination" is defined as the situation where, on the basis of several grounds interacting together and thus inseparable, discrimination exists. The concept of an 'intersectional approach' is then mentioned (p. 17), but it is treated as a way of dealing with the needs of victims of multiple discrimination in practice. Still, the text can be considered as a good practice as it explicitly recognises that people face multiple discriminations in "all spheres of society" (p. 7), thus broadening the limited political perspective that discrimination occurs only in one particular ground; and it tries to provide good practices and recommendations to deal with individuals' multiple discrimination. Awareness of the intersectional approach is clearly present but 'multiple discrimination' is preferred. Although embryonic and centred on multiple discrimination, the text is a starting point for debating intersectionality in the EU.

Quality criteria for intersectionality derived from this text:

- level of explicitness
 - ▶ naming the problem (whatever it is called: multiple discrimination, intersectionality), having a term to define the phenomenon (multiple discrimination in EU case) opens up opportunities to discuss the issue (at MS level)

- level of articulation of intersectionality as a problem
- inclusiveness: range of categories mentioned (in this case, gender, racial or ethnic origin, religion or belief, disability, age or sexual orientation)
- consultation of relevant actors: the report is based on input from NGOs, among other actors, and, thus, complies to a certain degree with a consultation criteria