

# Multiple discrimination: a useful notion for Earstern Europe?

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# Multiple discrimination – a concept just for academics?

- Still difficulties in the EU to face it properly:
  - No directive, where this concept could be found outside preamble
  - ECJ case law still hesitant – in Lindorfer case – good, but not used opportunity to include this concept also in the case law
- Member States themselves still quite hesitant – not even in domestic case law the concept very reflected
  - Central and Eastern European Countries even more doubts (in cases of multiple disrim. – not even the discrimination as such discussed – example CZ, HU)

# Most problematic cases in CEE

- Discrimination of Roma women
- Discrimination of elderly women
- Both types of multiple discrimination should be carefully solved, especially in times of economic crisis

# Elderly women

- The older a woman is, the more is she discriminated in labour market, when trying to change the job (younger employee can be paid less – very important for entrepreneurs in economically instable times)
- No special tools to integrate better elderly workers as such into labour market – more suffered by women

# Employment rates by sex, age groups

- <http://appsso.eurostat.ec.europa.eu/nui/submitViewTableAction.do?switchdimensions=true>
- Differences always higher between women than between men, if divided by age groups
- Most dramatic differences between men and women by age - Poland and Slovakia

# Roma women

- Victims of populist policies:
  - SK – proposal of legal sterilisations focused on so called socially excluded communities
- Constant attacks against Roma in CZ and HU – women together with their children - most vulnerable
- Coercive sterilisations still happen
- Urgent need to use the concept of multiple discrimination in practice of lawyers, NGOs and other stakeholders – could help solving many problems, if addressed more precisely

# Conclusions

- Multiple discrimination concept can be very useful and important, if used and applied
- the concept of multiple discrimination could help judges and other actors to defend better victims of multiple discrimination
  - If there would be a will and courage to implement it in hard law
  - if e.g. sanctions for multiple discrimination would be higher than for simple discrimination,