Ethnic data collection in the EU: can’t seem to find the way

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Reporting flurry

1. EDI Report 2014 - OSF & ENAR

2. European Commission
   2. Guidance note on hate crimes November 2018

3. FRA:
   1. EU MIDIS 2016,
   2. hate crime map,
   3. PAD November 2018

4. ECRI: general recommendations hate crime, hate speech, Afrophobia
EU context - political

- Agenda setting & multilevel governance: allies, foes and competitors
- Equality data: a problem for many - coalition with other grounds?
- Recognised & non-recognised racialised groups - coalition?
- European silence on race - including among the racialised groups!
- Wallerstein and Balibar 1991: race and gender within class
- The Holocaust prism
- Migrant and Roma integration frames
EU context - jurisprudential

1. The meaning of racial or ethnic origin under EU law 2017: historically contingent

2. ‘racial’ fragmentation: no dominant racial group

3. race reified in case law
   • = skin colour? as if racial minorities did not have an identity
   • Timishev v Russia,
   • Biao v Denmark - Islamophobic undertone
   • Feryn - Moroccans, xenophobia, Islamophobia or Afrophobia?
   • CHEZ and Jyske Finans: only ethnicity in RED? ICERD mis-used?
     • Attrey in CMLR,
     • Farkas in EADLR
Key issues: categorization I.

1. Data on racial origin is seldom collected based on self-identification.

2. How to categorise descent: geographic origin and cultural/religious/linguistic traditions

3. How to link descent with skin colour

4. 30% of PAD Muslim - Islamophobia in Europe

Categories: Maghreb, Sub-Saharan African, Other African?
Categorization II. - Examples


Finland Quality of Life Survey: “nationality or colour” has been in use since the 1990s, but the Saami cannot be in this way identified, and the identification of Roma may also be problematic.


The Netherlands: descent, national or ethnic origin, skin colour, Antillean/Aruban, other Europe, other Africa, Asia, Other, unknown, autochthonous, allochthones, Turkish, trailer park residents. Race and religion, as well as Race and nationality.

United Kingdom: The categories combine national, ethnic and geographic headings. The present categories are open and include: A, White including Gypsy or Irish Traveller, B, Mixed / Multiple ethnic groups, C, Asian / Asian British including Indian, Pakistani, Bangladeshi, Chinese, D, Black / African / Caribbean / Black British and E, Other ethnic group including. Arab.
Categorization III.

White as a category may be difficult to introduce, particularly in countries where many ethnic and national minorities would be categorized as white.

Great variety of ‘indigenous’, autochtbon ethnic groups on the continent: how to bring them under one category?

The interchangeable use of racial and ethnic origin seems more straightforward in the UK than in the continent.

The minority special rights regimes may complicate categorization.
Key issues: stakeholders I.

1. Community involvement: antagonised
   • Afrophobia: perhaps most straightforward
   • Jews and the Roma - already recognized (but cf anti-semitism & Romaphobia)
   • Islamophobia: overlap with religion, PAD

2. Statisticians: antagonised

4. Data protection authorities: allies

6. Equality bodies: allies

8. Ground specific INGOs: antagonised
   • gender and age already in
   • race is most controversial
Stakeholders II. - Statisticians

Revision of **UN guidance**? Department of Economic and Social Affairs Statistics Division, Principles and recommendations for population and housing censuses, Revision 2, 2006, para. 2.156-162. Principles and Recommendations on statistical data collection regarding language and ethnicity.

**Eurostat** and FRA: coherence across EU surveys
   - LFS, ESS, EU SILC, EHIS, EUMIDIS, Eurobarometer question cards?
   - LFS good practice

Member State statisticians: coherence with national surveys
LFS and the EU-SILC do not ask about racial and ethnic origin, colour or descent. They do not capture descendants of immigrants, Afro-Europeans, Muslims and the Roma across the EU. Similarly, the European Social Survey (ESS) does not capture descendants of immigrants after the second generation, Afro-Europeans, Muslims and the Roma. LFS and the EU-SILC monitor the evolution of Europe 2020 indicators (employment, education and poverty). EU-SILC provides big enough cases for the main immigration countries.

The LFS ad hoc module on the “Labour market situation of migrants and their immediate descendants” in 2008 and 2014 are good examples of mainstreaming minority data and variables into EU surveys. This module has revealed the limitations of the EU surveys to identifying barriers and analysing discrimination experiences. Eurostat could valorise the experience of national surveys on discrimination and favour the exchange of best practice. This might be useful for the selection of sample, elaboration of questionnaire, categories to be used and methodological issues.

An EU-SILC module on racial and ethnic origin could be organised in order to study different dimensions of racial and ethnic origin.
Stakeholders III. - EU institutions

European Parliament:
   2009 regulation on statistical planning and future legislation on social policies

European Commission
   Eurostat
   European Statistical Programme until 2020

FRA: involve minorities in categorization, is it using the best categories?

Analysis and comparative review of equality data collection practices in the European Union

Data collection in the field of ethnicity