



European Network Against Racism  
Réseau européen contre le racisme

## Social Inclusion and Data Collection

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This fact sheet aims to clarify the links between social inclusion policies and data collection and provide a state of play on the situation in the EU regarding the collection of disaggregated data for social inclusion purposes. The focus of this report is to encourage the use of target setting, monitoring and benchmarks to ensure that those most excluded in society are enabled and encouraged to participate fully and equally. Reference is often made about disadvantaged ethnic and religious minorities and migrants, but this should not be misinterpreted. ENAR is fully conscious of the many ethnic and religious minorities and migrants, who are highly successful and contribute in numerous ways to society.

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## Introduction

One of the biggest challenges for social inclusion policies targeted at ethnic minorities and migrants today is the lack of comparable data on their socio-economic situation. The collection of “ethnic data” is still a sensitive topic in many Member States of the European Union and reluctance is high to change national practices. However, efficient policies need to be based on evidence-based knowledge of the situation, and policy makers should be able to measure progress towards their objectives.

This fact sheet aims to give anti-racism and social inclusion organisations around Europe tools to advocate for the collection of disaggregated data to make progress towards social inclusion in Europe. The intent is to clarify the links between social inclusion policies and data collection, and provide a state of play on the situation in the EU regarding the collection of disaggregated data for social inclusion purposes.

In the first part, some key definitions and facts will be provided on social inclusion and the European Union policies in this field will be outlined. The second part of the fact sheet will focus on data collection for the purpose of social inclusion. Pro and con arguments the collection of data disaggregated by ethnicity will be outlined, an overview of the situation in Europe provided, and some good practices highlighted. Finally, ENAR recommendations on improving data collection for social inclusion policies at European Union level will be presented.

### 1. Social inclusion policies: the European context

After defining social inclusion in the context of the European Union and from the perspective of ethnic minorities and migrants, this chapter gives a brief overview of the European policies in the area of social inclusion and the fight against poverty and social exclusion, in particular, policy initiatives targeting ethnic minorities or migrants.

#### **What is social inclusion?**

The long-standing social inclusion objective of the EU is that all EU citizens participate in the benefits of economic integration and economic growth, taking appropriate account of Europe’s responsibilities in the world as a whole. The EU cannot be successful if significant groups are left behind, particularly as prosperity rises.<sup>1</sup>

The definition of poverty has therefore been based on the notion of participation. The shift of EU rhetoric towards poverty and social exclusion reflects a growing acceptance that deprivation is a multi-dimensional concept, and that, while financial poverty remains a major preoccupation, our concerns have to be broader. The term “social exclusion” is indeed more encompassing than the term “poverty” and captures more adequately the multidimensional nature of the mechanisms, whereby individuals and groups are excluded, as are apparent in regard to income indicators, indicators for social cohesion,

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<sup>1</sup> Eric Marlier, A.B. Atkinson, Bea Cantillon and Brian Nolan, The EU and Social Inclusion, Facing the challenges, The Policy Press University of Bristol, 2007, p. 3.

life expectancy, material deprivation, early school leaving, long term unemployment, etc.<sup>2</sup> Social inclusion is intertwined with anti-discrimination as both incorporate aims to create a more inclusive society and ensure equal participation in society for all.

### **Social inclusion in the perspective of ethnic minorities and migrants**

Social exclusion from employment, health, housing, and education continues to undermine the everyday experiences of millions of ethnic minorities and migrants across Europe. Migrants and ethnic minorities are indeed a group who are vulnerable to social exclusion and who have fewer opportunities in relation to employment, education, civic participation, access to health, housing, sport and more. This is particularly evident when compared to the general population.<sup>3</sup> Migrants and ethnic minorities often experience a stark level of disadvantage, demonstrating the need to improve the situation of ethnic minorities and migrants as a matter of priority. In times of economic crisis, vulnerable people, including the Roma, migrant communities, asylum seekers, ethnic minorities, Muslims, and other diverse communities, are most likely to be deeply affected by the consequences of the downturn. To enable them to participate in society to the fullest extent possible, governments require a policy framework that supports migrants and ethnic minorities to develop their competencies, as well as have their existing competences recognised. This is needed to create a society that capitalises on the benefits of a diverse population. Recognition of the need for interventions to enable those most disadvantaged to escape social exclusion and poverty. The contribution of structural inequalities and discrimination to the social exclusion of many ethnic and religious minorities often remains invisible, and therefore unaddressed.

It should be noted that, in the European Union context, integration is mostly used to refer to third country nationals while social inclusion is used for ethnic and religious minorities. Moreover, integration is often misused in its association with assimilation. Inclusion is a less damaged term since the concept of an inclusive society is to enable the same possibilities for all in the society. We understand inclusion to refer to a wide range of policies, with active participation of the target groups as a key element. Inclusion covers both civic rights and socio economic rights, with the aim to achieve equal participation in all areas of life.

### **Brief overview of the poverty and social exclusion in the European Union**

European Union social inclusion policies are based on the fact that 80 million people in the EU – 16% of the population – live on less than 60% of their country's average household income; that 19% of children in the EU are also currently in or at risk of poverty and 17% of Europeans suffer from material deprivation, i.e. their living conditions are severely affected by a lack of resources.<sup>4</sup>

The European Commission has identified the following key challenges and priorities for its work on social inclusion: to eradicate child poverty; to promote the active inclusion in society and the labour market of the most vulnerable groups;<sup>5</sup> to provide decent housing for everyone; **to overcome discrimination and increase the integration of people with disabilities, ethnic minorities, immigrants**

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<sup>2</sup> Social exclusion indicates a multi-dimensional process, which involves the lack or denial of resources, rights, goods and services, and the inability to participate in activities available to the majority of people in a society, whether in economic, social, cultural or political arenas (Levitas et al. 2007).

<sup>3</sup> See ENAR 2009-2010 Shadow Report on Racism in Europe.

<sup>4</sup> <http://ec.europa.eu/social/main.jsp?catId=751&langId=en>, consulted on 26 January 2012.

<sup>5</sup> See [Commission Recommendation 2008 on active inclusion](#)

**and other vulnerable groups;** to tackle financial exclusion and over-indebtedness; and **to promote the integration of Roma.**<sup>6</sup>

## Lisbon Treaty, Europe 2020: European policy instruments opportunities and challenges

### The entry into force of the Lisbon Treaty

With its emphasis on growth and jobs, the entry into force of the Lisbon Treaty brings new opportunities for a more social EU. For one, the Charter of Fundamental Rights became legally binding. The Treaty also contains a section on solidarity, which lists a number of rights and principles directly relevant to the social field, such as the right to information and consultation within undertakings, the right to negotiate collective agreements and to take collective action, the right of access to free placement services and protection against unjustified dismissals, and the right to have access to social security and social assistance.<sup>7</sup>

Another important innovation is the introduction of the “Horizontal Social Clause”, which states that: *“in defining and implementing its policies and activities, the Union shall take into account requirements linked to the promotion of a high level of employment, the guarantee of adequate social protection, the fight against social exclusion, and a high level of education, training and protection of human health”*.<sup>8</sup> This clause still needs to be clarified in its meaning and scope in order to be operational. The clause is to allow for a Social impact assessment of all EU policies, which can be an efficient tool to mainstream social inclusion and anti-discrimination concerns across all policy areas. It is therefore crucial that the EU social impact assessment includes a strong equality component, and is used not only in the social field but mainstreamed across all policy areas. Two other “horizontal clauses” (articles 8 and 10 of the Treaty on the Functioning of the European Union) extend the scope of “social mainstreaming” to the reduction of inequalities and the fight against discrimination.<sup>9</sup>

### The potential of the Europe 2020 Strategy

The Lisbon Strategy for growth and jobs 2000-2010 has recently been replaced by the Europe 2020 Strategy. The Europe 2020 Strategy is the most important driver of the EU socio-economic policy, and heavily influences the policy priorities of Member States. It is crucial for actors in the racial equality and migration fields to understand the strategy in order to capitalise on the opportunities it presents for improving the situation of people vulnerable to racism.

It should be noted that the new Strategy is in its infancy with its components still in development. However, **one of the most significant achievements of the new strategy is that it places inclusive growth at the heart of the EU’s overarching priorities.** For the first time, an ambitious target has been adopted at the European level in the field of social inclusion: EU Member States have agreed to reduce the number of people at risk of poverty by at least 20 million by 2020. Another of the five headline targets is to bring the employment rate to 75%, including through better integration of legal migrants.

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<sup>6</sup> <http://ec.europa.eu/social/main.jsp?catId=751&langId=en>, consulted on 26 January 2012; see also [EU and Roma website](#) and [National Roma Integration Strategies](#).

<sup>7</sup> Charter of Fundamental Rights of the European Union, Chapter IV – Solidarity.

<sup>8</sup> Article 9, Treaty on the Functioning of the European Union.

<sup>9</sup> See: Ferrera, M, Mapping the components of social Europe: a critical analysis of the current institutional patchwork, Background document prepared for the international conference on EU coordination in the social field in the context of Europe 2020: looking back and building the future.

**The Europe 2020 Strategy is implemented through the Open Method of Coordination (OMC)**, a framework for cooperation between the Member States enabling national policies to be directed towards common European objectives. The same Method of Cooperation between the Member States applies for policies in employment, social inclusion, and education. Member States are evaluated by one another with the Commission's role being limited to surveillance. The OMC involves so-called "soft law" measures and is based principally on jointly identifying and defining objectives to be achieved; establishing measuring instruments, and benchmarking.

Member States undertake economic and social reforms at the national level based on **National Reform Programmes**. The National Reform Programmes are based on policy guidelines ("Integrated Guidelines"), agreed collectively by all Member States and on a series of actions in the different priority areas. Member States produce periodic reports on the implementation of their National Reform Programmes. The Commission assists, monitors, and assesses each national level reform process. However, it should be noted that while it was perceived as progress that social inclusion was inserted in the National Reform Programmes, only little attention has been paid to social inclusion related policies in the first years of implementation.

In conjunction with this, separate **National Social Reports** are to be put in place to strengthen the monitoring process on social inclusion. These reports will be the follow up of the so-called National Reports on Strategies for Social Protection and Social Inclusion under the Lisbon Strategy (2000-2010), one strand of which was the National Action Plans on Social Inclusion (NAPS). This system had provided the framework for implementing efforts to promote social protection and social inclusion and to tackle poverty and social exclusion in the EU. It remains to be seen how this separate process will look like under the Europe 2020 framework.

As part of the Europe 2020 Strategy, the Commission is also implementing a series of "flagship initiatives", including a **European Platform against Poverty and Social Exclusion**.<sup>10</sup> Key actions of this Platform include working towards improved access to work, social security, education and essential services such as healthcare, housing, etc.; finding solutions for better use of EU funds to support social inclusion and combat discrimination; promoting social innovation to find smart solutions in post-crisis Europe, especially in terms of more effective and efficient social support; and setting up new partnerships between the public and the private sector.<sup>11</sup> The links between discrimination and poverty should also be addressed in the work of the Platform. The main event of the Platform is the European Convention Against Poverty and Social Exclusion that takes place each year.

#### **Promote mainstreaming of the needs of migrants and ethnic minorities in relevant policy areas**

One of the aims of the European Commission when setting up a Platform against Poverty and Social Exclusion is "to achieve more effective treatment of cross-cutting issues, such as the inclusion of migrants, minorities, youth, disabled and other vulnerable groups". This implies cooperation with Directorates-General for Education and Culture, for Justice, Freedom and Security, and for Health and Consumers. Hence, the Platform against Poverty should become a vehicle for mainstreaming the needs of migrants and ethnic minorities into relevant portfolios. The Platform should adopt the necessary instruments to ensure greater policy coherence, in particular between integration and social inclusion policies, and between the Europe 2020 Strategy and the Stockholm Programme. Relevant policy

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<sup>10</sup> Communication from the Commission Europe 2020, A strategy for smart, sustainable and inclusive growth COM(2010) 2020, pp. 17-18.

<sup>11</sup> <http://ec.europa.eu/social/main.jsp?langId=en&catId=961>, accessed on 31/01/2012.

departments should participate in the design of the Platform and be involved in its work to avoid measures and policies whose effects would contradict each other to the detriment of migrants and ethnic minorities. Mechanisms in place at the national level to ensure effective mainstreaming should also be examined.

### **The European Framework for National Roma Integration Strategies**

In April 2011, the European Commission proposed for the first time ever a European strategic framework for a particularly vulnerable European minority. The European Framework for National Roma Integration Strategies has a strong economic and social focus, requesting all Member States to develop and implement dedicated long-term strategies to promote Roma integration in four key areas: access to education, healthcare, employment, and housing and essential services. It also seeks to allocate sufficient targeted resources to achieve progress.<sup>12</sup> However, the Framework falls far short of fully tackling the challenges of Roma exclusion, which are intimately linked to widespread hostility and discrimination against the Roma people. Member States had to submit their national strategies by 31 December 2011 and the European Commission is due to provide yearly assessments to the European Parliament and Council of the European Union on progress made towards the targets on the four key areas. The approach with the NRIS was somewhat balanced by the Council of the European Union, according to a statement that it is empowered to take appropriate action to combat discrimination and invite the Commission to “pursue rigorous monitoring of the implementation of Council Directive 2000/43/EC”.<sup>13</sup> Overall, the adoption of the Framework is a significant step forward and has the potential to make a difference by 2020 if efforts at all levels are upheld.

Thus, policy instruments for social inclusion exist at European level. However, they have so far failed in producing measurable results for the inclusion of ethnic minorities and migrants. This is in part due to issues linked with data collection. Overall, the lack of data directly collected on migrants and ethnic minorities makes their socio-economic situation difficult to monitor. In turns, it makes it difficult to design adequate policies and measure progress. This is an issue that needs to be addressed at EU level.<sup>14</sup> While the notion of interfering with Member States policies is indeed a sensitive issue, if this issue is not addressed at EU level, it may be difficult to reach the targets put forth in the EU 2020 Strategy. Monitoring the situation of migrants and ethnic minorities is indeed one of the most effective ways for ensuring that the Europe 2020 strategy improves and takes into account the socio-economic situation of migrants and ethnic minorities.

## **2. “No data - no progress”: the challenge of data collection**

The first part of this next section explores the links between data collection on the socio-economic situation of migrants and ethnic minorities and social inclusion policies. Arguments used in favour and against data collection disaggregated by ethnicity and migrant status are then highlighted, followed by an overview of the current situation regarding data collection in the European Union countries. Finally, some examples of good practices are be presented.

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<sup>12</sup> See [http://ec.europa.eu/justice/discrimination/roma/index\\_en.htm](http://ec.europa.eu/justice/discrimination/roma/index_en.htm), accessed on 31/01/2012.

<sup>13</sup> Council of the European Union (2011), *Council Conclusions on an EU Framework for National Roma Integration Strategies up to 2020*, paragraph 30.

<sup>14</sup> ENAR Report, Second ENAR ad hoc expert group on promoting equality in employment: monitoring diversity, [http://cms.horus.be/files/99935/MediaArchive/publications/2nd\\_adHocreport\\_final.pdf](http://cms.horus.be/files/99935/MediaArchive/publications/2nd_adHocreport_final.pdf).

## Why data collection disaggregated by ethnicity/migrant status is essential to achieve successful social inclusion policy

The absence of accurate or any data is often described as “one of the obstacles to the development, implementation, assessment and transferability of evidence-based policies whose impact can be effectively evaluated”.<sup>15</sup>

Collecting “ethnic” data for the purpose of combating racism and xenophobia is essential in order to develop sound policies and to ensure that they are implemented effectively. When developing policies devised to promote equality, one must be able to measure the level of discrimination faced, identify which groups are affected and in what fields. In order for this to be evaluated, there must be sufficient information available. In addition, for companies or other organisations who wish to implement equality policies or who are under an obligation to implement an equality plan, they must have the means and instruments available to measure which potentially discriminated groups are represented in the workforce.

Data is necessary both to demonstrate the existence of inequalities and the success or failure of measures to address them. Indeed, one of the requirements for ensuring social inclusion policies deliver on improving the situation of ethnic minorities and migrants is that data is available to measure progress.

Data on country of birth and nationality, which are proxy variables for capturing a migrant’s status, are collected in large scale social surveys at the EU (e.g. the Labour Force Survey and the Survey on Income and Living Conditions) and national levels. This enables the situation of migrants to be monitored and provides the opportunity for target-setting. There is however a widespread reluctance from EU Member States to collect information related to ethnicity. This prevents the setting of targets that aim to improve the situation of disadvantaged ethnic minorities and prevents knowledge on the extent of their disadvantage. The collection of data on ethnicity is not uncontroversial or easy.

The data collected must fully respect and be compatible with the rights of individuals. Under data protection laws, information on ethnic and religious affiliation is classed as “sensitive” data, the processing of which is restricted by national and international laws on data protection. In addition, the classification of persons by race or ethnicity can also prove to be controversial given the vagueness of the terms. The confusion and potential conflict between these two ideals is one of the main factors contributing to such disparity in the practices of Member States relating to data protection.<sup>16</sup> The arguments in favour and against data collection are elaborated further below.

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<sup>15</sup> European Commission, Improving the tools for the social inclusion and non-discrimination of Roma in the EU, June 2010 p. 24.

<sup>16</sup> ENAR Report, Second ENAR ad hoc expert group on promoting equality in employment: monitoring diversity, [http://cms.horus.be/files/99935/MediaArchive/publications/2nd\\_adHocreport\\_final.pdf](http://cms.horus.be/files/99935/MediaArchive/publications/2nd_adHocreport_final.pdf).

## The arguments for and against data collection

### Challenges related to monitoring diversity

The most common reason for European Union Member States' wariness against data collection is the belief that collecting data on racial or ethnic origin would infringe on the right to privacy and infringe on several data protection laws that Member States have adopted. When processing national data, it is essential that it complies with Article 8 of the European Convention on Human Rights as well as the Council of Europe 1981 Convention (No. 108) for the Protection of Individuals with regard to Automatic Processing of Personal data. Article 6 of the Convention provides that data revealing racial origin or religious belief may not be automatically processed unless there are proper safeguards in place. In addition, Article 3 of the Council of Europe Framework Convention on National Minorities states that "every person belonging to a national minority shall have the right freely to choose to be treated or not to be treated as such and no disadvantage shall result from this choice or from the exercise of the rights which are connected to that choice". Due to varying understandings of this, it can be difficult to collect such data.

Moreover, the 1995 Personal Data Directive<sup>17</sup> prohibits the processing of data revealing a person's racial or ethnic origin,<sup>18</sup> but allows for several exceptions. These include amongst others:

- where the person gives their explicit consent (except where the Member State's laws do not allow this exception)
- where it is necessary for the purpose of carrying out obligations and specific rights in the field of employment law
- where it is needed for the establishment, exercise or defence of legal claims.<sup>19</sup>

Among the arguments hindering the gathering of data on ethnicity, there is also the fear among ethnic minorities of misusing ethnic statistics combined with the fear that those statistics may reinforce negative racial stereotypes".<sup>20</sup>

ENAR tried to have a complete picture through its Equal@work initiative.<sup>21</sup> In 2010, an extensive work on monitoring diversity has been carried out, including stakeholders' surveys on monitoring diversity in the workforce and debates in a multistakeholder expert group seminar.<sup>22</sup> Survey respondents and panel participants were asked to highlight the main barriers for collecting data relating to ethnicity at the micro-level in their respective organisations.

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<sup>17</sup> Directive 95/46/EC of the European Parliament and the Council

<sup>18</sup> Article 8(1)

<sup>19</sup> Article 8(2)

<sup>20</sup> ENAR Report, Second ENAR ad hoc expert group on promoting equality in employment: monitoring diversity, [http://cms.horus.be/files/99935/MediaArchive/publications/2nd\\_adHocreport\\_final.pdf](http://cms.horus.be/files/99935/MediaArchive/publications/2nd_adHocreport_final.pdf).

<sup>21</sup> Since 2009, ENAR has been working together with international companies, trade unions, public employers, European Union institutions and ENAR members to promote equality in employment for migrants, ethnic and religious minorities. The added value of the ENAR Equal@work initiative has been the creation of a multistakeholder dialogue, which broadens our respective horizons, generates trust and inspires innovation, from European to local level.

<sup>22</sup> ENAR Report, Second ENAR ad hoc expert group on promoting equality in employment: monitoring diversity, [http://cms.horus.be/files/99935/MediaArchive/publications/2nd\\_adHocreport\\_final.pdf](http://cms.horus.be/files/99935/MediaArchive/publications/2nd_adHocreport_final.pdf).

The most frequent answers of all stakeholders (companies, trade unions, NGOs, equality bodies, etc.) in the surveys were:

- Respecting privacy rights
- Legislation
- Public Opinion
- Reluctance of members/employees to share information

Additionally, some **conceptual difficulties** were mentioned, including the potential contradiction between self-definition and definitions assigned by the majority, inadequate choices proposed in the official surveys, and the overlapping of different concepts like nationality, culture, ethnicity, race, heritage, migration background, etc. One survey respondent raised a concern that defining ethnicity and ethnic monitoring practices continuously makes minorities feel like outsiders and never part of the “majority”.<sup>23</sup> Thus, there are concerns regarding how to construct meaningful categories, as well as practical considerations, such as the accuracy of data, choosing categories that enable us to measure discrimination and how (and whether) to make data comparable across the EU.

### **Arguments in favour of data collection**

#### *Data collection is allowed by EU legislation*

The two most relevant EU instruments relating to the processing of ethnic and racial data to promote equality are the Race Equality Directive<sup>24</sup> and the Employment Equality Directive.<sup>25</sup> Although neither of them addresses the question of processing personal data specifically, some provisions within the directives allow the collection of ethnic data.

- Article 11 of the Race Equality Directive states that Member States should take “adequate measures to promote social dialogue (...) with a view to fostering equal treatment, including through the monitoring of the workplace practices”.
- Article 13 of the Race Equality Directive states that Member States were to set up equality bodies who would conduct independent surveys concerning discrimination and the preparation of independent reports.

As explained above, the 1995 Personal Data Directive also allows for data collection provided that certain conditions are met.

#### *Data collection has recognised benefits*

The section above already developed why data collection disaggregated by ethnicity/migrant status is essential to achieve successful social inclusion policy. Furthermore, the main reason to collect data is attributed to it being an essential tool in the fight against discrimination. In order to achieve equality, one needs to be able to compare situations in order to take into account relevant differences and to monitor progress. For example, collecting data on the situation of different groups and ethnicities in the workforce allows for the situation to be monitored, to steer anti-discrimination policies and create an awareness of discriminatory practices in the workplace. Ethnic monitoring allows for identifying instances of discrimination and measures to be put in place to remedy the situation. Beyond these common trends, there are also a few differences in how the different stakeholders perceive the benefits

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<sup>23</sup> ENAR Report, Second ENAR ad hoc expert group on promoting equality in employment: monitoring diversity, [http://cms.horus.be/files/99935/MediaArchive/publications/2nd\\_adHocreport\\_final.pdf](http://cms.horus.be/files/99935/MediaArchive/publications/2nd_adHocreport_final.pdf).

<sup>24</sup> Council Directive 2000/43/EC

<sup>25</sup> Council Directive 2000/78/EC

of ethnic diversity monitoring. ENAR's Equal@work initiative revealed that for companies, monitoring was seen as helpful for understanding the situation of minorities in the workplace, measuring performance and progress, steering policies and setting diversity management priorities for the company. Service providers found that ethnic monitoring helps identify which ethnic groups may need extra or special services to meet people's needs. For instance, in the NHS the ethnic monitoring of patients has enabled the organisation to determine the need for culturally appropriate services in certain areas and to tailor healthcare services accordingly.<sup>26</sup> Overall, monitoring these various indicators over time can show whether progress, i.e. positive developments fostering greater equality have been achieved. If not, these monitoring results may indicate that greater attention is needed to combat discriminatory tendencies.

Some resistance towards data collection may be attributed to this, as some organisations or Member States are cautious of negative implications. Rather than being fearful of potentially being perceived as discriminatory, however, the implementation of data collection instruments indicates a willingness to improve the contextual setting. This courage to collect and monitor performance must be praised rather than focussing on any negative publicity emerging from the analysis of the outcomes. After all, every organisation or government authority has to begin somewhere.

### Overview of the situation in EU Member States

To date, no reliable micro database has been produced to permit a European cross-country analysis. The strategy on collecting and using statistics on ethnic or national origin ranges from official encouragement to legal prohibition in the Member States. Only few Member States provide data broken down by ethnicity.

The table below outlines what data is collected in the 27 Member States.<sup>27</sup>

Country	Country of Birth	Citizenship	Nationality/ Ethnicity	Religion	Language	County of birth of parents
Austria	✓	✓		✓	✓	
Belgium	✓	✓				
Bulgaria	✓	✓	✓	✓	✓	
Cyprus	✓	✓	✓	✓	✓	✓
Czech Republic	✓	✓	✓	✓	✓	✓
Denmark	✓	✓				✓
Estonia	✓	✓	✓	✓	✓	✓
Finland	✓	✓		✓	✓	
France	✓	✓				
Germany	✓	✓		✓		

<sup>26</sup> ENAR Report, Second ENAR ad hoc expert group on promoting equality in employment: monitoring diversity, [http://cms.horus.be/files/99935/MediaArchive/publications/2nd\\_adHocreport\\_final.pdf](http://cms.horus.be/files/99935/MediaArchive/publications/2nd_adHocreport_final.pdf), pp 15-17.

<sup>27</sup> This is an excerpt from Patrick Simon's report on behalf of the European Commission against Racism and Intolerance 'Ethnic' Statistics and Data Protection in the Council of Europe Countries, Study Report (Strasbourg, Council of Europe, 2007) p. 36.

Greece	✓	✓				
Hungary	✓	✓	✓	✓	✓	
Ireland	✓	✓	✓	✓	✓	
Italy	✓	✓				
Latvia			✓		✓	
Lithuania	✓	✓	✓	✓	✓	
Luxembourg	✓	✓				
Malta	✓	✓			✓	
Netherlands	✓	✓				✓
Poland	✓	✓	✓		✓	
Portugal	✓	✓		✓		
Romania	✓	✓	✓	✓	✓	
Slovakia	✓	✓	✓	✓	✓	
Slovenia	✓		✓	✓	✓	
Spain	✓	✓				
Sweden	✓	✓				
United Kingdom	✓		✓	✓		
<b>EU Total</b>	<b>26</b>	<b>24</b>	<b>13</b>	<b>15</b>	<b>15</b>	<b>5</b>

When official national data does not exist, other sources can often fill the gap. International organisations have been generally supportive of the idea of collecting data to make progress towards social inclusion and have started to collect data through transnational surveys. In Europe, international intergovernmental sources such as the Fundamental Rights Agency, UNDP, World Bank, Council of Europe, and UNICEF can often be used as alternative sources if Member States do not collect data. NGO publications and academic work also provide useful information and data on the socio-economic situation of ethnic minorities and migrants and on discriminatory tendencies.

A study by Open Society Foundations (OSF) on data collection in the countries participating in the Decade of Roma Inclusion highlights that these alternative sources unfortunately are rarely used by governments when monitoring progress or designing social inclusion policies.<sup>28</sup>

### How to collect ethnic data for the purpose of social inclusion?

As implied, collecting ethnic data for the purpose of social inclusion would be a desirable development. However, the data collected in most of Europe remains often inadequate for informing efficient policies. The reason is either that systematic ethnic data is not collected or that the data collected is inadequate for the proposed policy purposes.<sup>29</sup>

<sup>28</sup> Open Society Foundations, No Data- No Progress, Data Collection in Countries Participating in the Decade of Roma Inclusion 2005-2015, <http://www.romadecade.org/files/downloads/General%20Resources/No%20Data%20No%20Progress%20Country%20Findings.pdf>, p.28.

<sup>29</sup> Andrea Krizsan, Group self-determination, individual rights, or social inclusion? Competing frames for ethnic counting in Hungary, Ethnic and Racial Studies, September 2011, p.2.

For instance, OSF points out that census are often used by the states to measure indicators other than population due to the lack of data collected generally by other means. However, census is not designed to collect data on those indicators and therefore should not be applied for this purpose.<sup>30</sup>

Difficulties in ethnic counting come largely from the complex sociological reality of ethnicity and ethnic groups. Ethnic identities can have multiple components that are often inconsistent; making it a difficult task to design policy categories to better target ethnic groups.<sup>31</sup>

Andrea Krizsan suggests that ethnic counting is done differently depending on the policy frames behind this approach:

- Group self-determination frame views ethnic counting as “a tool for stabilising ethnic groups and it strives for the definition of objective criteria to assess membership in each group”.<sup>32</sup> Ethnic counting would have a group based approach for self-determination and minority rights.
- Individual rights frame, to the contrary views, ethnic data as “belonging exclusively to individuals” and strongly linked with personal data protection. In the post-war human rights tradition, the only accepted solution for collecting ethnic data is individual self-identification.<sup>33</sup>
- The social inclusion frame views “ethnic counting as a tool to assess and target disadvantages and create a more equal society for its individual members”. Disadvantaged ethnic groups are sociologically informed, so the use of various tools for collecting data including tools based on observed identification can be justified.<sup>34</sup>

It follows that monitoring for the purpose of social inclusion should go beyond individual anti-discrimination approaches. What needs to be defined is the segment of the population that is socially excluded or discriminated against. Therefore, “what matters most for the purposes of anti-discrimination policy is the ethnic identity of individuals observed by outsiders, potential discriminators, in comparison to expressed identity, since the two may often differ”.<sup>35</sup> A method proposed is the use of proxies for ethnic disadvantage instead of explicit ethnic categories. Proxies can be for instance poverty, or level of education of parents. Data collection for social inclusion policies must derive from a more complex understanding of ethnicity and ethnic identification than the individualist or group frames. Ethnic counting methods have to be tailored to the social inclusion objectives.<sup>36</sup>

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<sup>30</sup> Open Society Foundations, No Data- No Progress, Data Collection in Countries Participating in the Decade of Roma Inclusion 2005-2015, <http://www.romadecade.org/files/downloads/General%20Resources/No%20Data%20No%20Progress%20Country%20Findings.pdf>, p.28.

<sup>31</sup> Andrea Krizsan, Group self-determination, individual rights, or social inclusion? Competing frames for ethnic counting in Hungary, *Ethnic and Racial Studies*, September 2011, pp. 2-3.

<sup>32</sup> Andrea Krizsan, Group self-determination, individual rights, or social inclusion? Competing frames for ethnic counting in Hungary, *Ethnic and Racial Studies*, September 2011, p. 4.

<sup>33</sup> Andrea Krizsan, Group self-determination, individual rights, or social inclusion? Competing frames for ethnic counting in Hungary, *Ethnic and Racial Studies*, September 2011, p. 5.

<sup>34</sup> Andrea Krizsan, Group self-determination, individual rights, or social inclusion? Competing frames for ethnic counting in Hungary, *Ethnic and Racial Studies*, September 2011, p. 6.

<sup>35</sup> Andrea Krizsan, Group self-determination, individual rights, or social inclusion? Competing frames for ethnic counting in Hungary, *Ethnic and Racial Studies*, September 2011, p. 10.

<sup>36</sup> Andrea Krizsan, Group self-determination, individual rights, or social inclusion? Competing frames for ethnic counting in Hungary, *Ethnic and Racial Studies*, September 2011, p. 14.

## Examples of good practices

The United Kingdom is the most frequently cited EU country when it comes to good practices in collecting data. According to OSF in its report on data collection, the United-Kingdom “stands alone in all of Europe as the one place that compiles and manages ethnic data extremely well”.<sup>37</sup> Indeed, legislation makes the collection of data on ethnicity and religion mandatory, and equal treatment is seen as a reason for which to waive the prohibition on collecting sensitive data. Thanks to this progressive legislation, data collection is an obligation in the workplace (for public employers and firms with more than 100 employees) as well as in schools and other institutions. This provides useful additional information to the one collected in the general census. The United Kingdom’s experience has proven that the “collection and use of data disaggregated by ethnicity allows groups at risk of underachievement in certain areas to be targeted with resources and effectively design intervention” and furthermore, that data collection “can facilitate the development of more nuanced policies tailored to the population”.<sup>38</sup>

The European Commission published a study in June 2010 on “Improving the tools for the social inclusion and non-discrimination of Roma in the EU”, in which several good practices on data collection in other EU countries are highlighted. These projects were considered successful “because they address a long-standing need for data collection about Romani communities and provide a transferable model for any country”.<sup>39</sup> Some of their examples are summarised in the table below:

Slovakia	Spain	Ireland
2003-2004: Sociographic Mapping of Roma Settlements. This entailed a public initiative, undertaken with government and NGO cooperation to gather complex data about the living conditions and general situation of Roma living in scattered communities, including their needs and the authorities’ approach. It was the basis for elaborating local development plans and strategies by regional and local administrations, and	The “three-year research project launched by the Spanish Ministry of Health and implemented by Romani nongovernmental organisations and university research teams resulted in the collection of a body of data that maps out the health situation of Roma in Spain. The data allowed for analysis of the health status of Roma in Spain in comparison to national health indicators which informed specific measures to	“Our Geels-All Ireland Travellers Health Study” 2007-2010, was the first study on the health status of Travellers, involving all Travellers living in Ireland and Northern Ireland. It included a comparison with other national health surveys of the general population. <sup>42</sup>

<sup>37</sup> Open Society Foundations, No Data- No Progress, Data Collection in Countries Participating in the Decade of Roma Inclusion 2005-2015, <http://www.romadecade.org/files/downloads/General%20Resources/No%20Data%20No%20Progress%20Country%20Findings.pdf>, p.17.

<sup>38</sup> Open Society Foundations, No Data- No Progress, Data Collection in Countries Participating in the Decade of Roma Inclusion 2005-2015, <http://www.romadecade.org/files/downloads/General%20Resources/No%20Data%20No%20Progress%20Country%20Findings.pdf>, p.18.

<sup>39</sup> European Commission, Improving the tools for the social inclusion and non-discrimination of Roma in the EU, June 2010 p. 24.

for identifying communities for targeted investment of resources from the EU Structural Funds. <sup>40</sup>	address health inequalities of Roma”. <sup>41</sup>	
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Another good practice example is described in the ENAR publication on “Target-setting for improving the socio-economic situation of migrants and ethnic minorities in Europe”, released November 2010. It identified the good practice in Denmark, where the Ministry of Refugee, Immigration and Integration Affairs developed a performance management framework to show citizens the impact of integration intervention. The aim was to demonstrate that public funds are used effectively, as well as to continually monitor the development of central parts of the integration effort to determine whether the established results are feasible. The Ministry’s performance framework was modelled on those used by public institutions in the United States and adapted to fit the Danish context.<sup>43</sup>

### 3. ENAR recommendations on data collection in the context of EU inclusion policies

For several years ENAR has been actively promoting data collection for the purpose of applying sound social inclusion policies. In order to make progress on social inclusion for ethnic minorities and migrants, ENAR has summarised the main recommendations for the EU to apply to reach the Europe 2020 Strategy.

#### Europe 2020 strategy: how data collection can be improved and what this will it achieve for the inclusive growth objective

In both the Lisbon Strategy and its successor, the Europe 2020 Strategy, the EU uses indicators, targets and benchmarks to focus the attention of Member States and to monitor the effectiveness of its strategy. Indicators to monitor the situation of migrants and ethnic minorities are available to a limited degree. In order to understand better how to improve these indicators and progress towards ensuring efficient data collection for social inclusion policies at EU level, ENAR commissioned a study in 2009 on “The social and employment dimensions of the EU’s Lisbon strategy for growth and jobs. What are the opportunities for monitoring and improving the situation of migrants and ethnic minorities?”<sup>44</sup> This study was carried out by the Migration Policy Group and includes a number of recommendations that

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<sup>42</sup> European Commission, Improving the tools for the social inclusion and non-discrimination of Roma in the EU, June 2010 p. 24.

<sup>40</sup> European Commission, Improving the tools for the social inclusion and non-discrimination of Roma in the EU, June 2010 p. 24.

<sup>41</sup> European Commission, Improving the tools for the social inclusion and non-discrimination of Roma in the EU, June 2010 p. 24.

<sup>43</sup> See ENAR publication, Target-setting for improving the socio-economic situation of migrants and ethnic minorities in Europe, November 2010, pp.33-35.

<sup>44</sup> ENAR publication on “The social and employment dimensions of the EU’s Lisbon strategy for growth and jobs. What are the opportunities for monitoring and improving the situation of migrants and ethnic minorities?” 2009.

ENAR has brought forward to EU policy makers. These recommendations are summarised below. Even though they refer to the Lisbon strategy, they are still equally valid for Europe 2020

### **Lisbon Strategy**

With regard to the Lisbon Strategy as a whole, there appears to be a disconnect between the economic and the social pillar in their respective approaches to migrants and ethnic minorities. In the economic pillar attention is on future labour migrants, who are presented as the panacea to labour market shortages and skills gaps. Yet migrants and ethnic minorities residing in Member States are targeted in the context of representing a disadvantaged group, with little or no recognition given to their skills, attributes and aspirations. In addition, there also appears to be a disconnect between the Integrated Guidelines, referring to migrants and ethnic minorities and the development of structural indicators and targets needed for implementation. None of the structural indicators used for monitoring the implementation of the Lisbon Strategy capture the situation of migrants and ethnic minorities.

- Relevant headline indicators, such as the employment rate, educational attainment and the at-risk-of-poverty rate should be disaggregated on migration-related grounds.
- Social policies and outcomes should be benchmarked against countries with high levels of equality and social cohesion, rather than “the world’s greatest economies”.
- The LIME Assessment Framework should be used as a tool for assessing the economic impact of migration and integration. The information it provides has the potential to put migration and integration firmly on national and EU agendas, as it demonstrates the importance of sound migration policies and the need for comprehensive efforts to increase labour market and educational outcomes for migrants.

### **Data options for monitoring the socio-economic situation of migrants and ethnic minorities**

The lack of data collected directly about migrants and ethnic minorities makes monitoring their socio-economic situation difficult. This is an issue that needs to be addressed at the EU level.

- The 2008 Labour Force Survey ad hoc module should be used to the fullest extent to examine the socio-economic outcomes of migrants and their descendants. Member States should also be encouraged to retain the questions used in this ad hoc module in their annual surveys.
- In monitoring the implementation of Lisbon, the annual Labour Force Survey and the EU-SILC should be used to examine the situation of newcomers, long-term residents, migrants who have naturalised and the children of migrants. The idea of using country of birth as a proxy for examining ethnic, racial and religious background should also be explored further.
- Member States that collect similar national data on migrants and ethnic minorities (for example on the Roma) should be encouraged to share information in an effort to engage in mutual learning and identify best practice.

### **European Employment Strategy (EES)**

The Integrated Guidelines for Growth and Jobs are the single most important instrument in influencing policy developments in Member States. There also appears to be a high correlation between the priorities and work of Member States and EES targets, and the “European Benchmarks” in education and training. However, with the exception of a few Member States, indicators appear to have little or no impact on priority setting or monitoring.

- Relevant targets and indicators, including those measuring progress against the European Benchmarks 2020, should be disaggregated on migration-related grounds. Furthermore, data that is already available, including from the LFS ad hoc module and the LIME Analytical Framework, should also be used.
- Member States should secure the inclusion of migrants and ethnic minorities in the relevant Guidelines to ensure that Lisbon is responsive to their situation. For example, given the work being done on migrant and ethnic entrepreneurship at the national level, this should be included as a strategy in implementing Guideline 17.
- Issues of ethnic entrepreneurship, undocumented migrants in the informal economy, and the need to reduce early school leaving should be included in the revised Integrated Guidelines, as a review of the current National Reform Programmes indicates that they are clearly important issues at the national level.
- If evidence can be collected to demonstrate the effectiveness of particular strategies, input and performance indicators should be used to assist other Member States in implementing best practices.
- Member States should be encouraged by anti-racist civil society organisations to collect data for monitoring the situation of migrants and ethnic minorities. If this information is not being collected or reported by national governments, a national or EU shadow report should be produced in its absence.

### **Social Inclusion and Social Protection Strategy (Social OMC)**

The Commission has made significant efforts to encourage Member States to address migrants and ethnic minorities as a matter of urgency in the Social OMC. Some Member States have taken a comprehensive approach to the various dimensions of social inclusion (including access to housing, participating in the labour market as well as in social, cultural and political life) and focussed on involving both immigrants and the host society. The non-prioritisation of the issue and absence of details in most National Action Plans on Social Inclusion comes across as a potentially serious omission.

- Member States should reflect on the fact that the social integration of migrants needs to be given more attention in selecting key objectives.
- Anti-racist civil society organisations should advocate to Member States that migrants and ethnic minorities be included in National Action Plans on Social Inclusion as a specific target group.
- If Member States agree to proposals to introduce target-setting into the Social OMC, they should ensure that targets are disaggregated, where possible, to examine the situation of

migrants and ethnic minorities.

- The Social OMC should give consideration to a number of data sources that have been identified in this publication that can provide a better understanding of the situation of migrants and ethnic minorities, and which provide the potential for a wider range of indicators that can be disaggregated on migration-related grounds, or which directly capture migration-related dimensions.

ENAR publication on “The social and employment dimensions of the EU’s Lisbon strategy for growth and jobs. What are the opportunities for monitoring and improving the situation of migrants and ethnic minorities?”, 2009, pp. 2-3.

As a follow up study, ENAR published a report in 2010 on “**Target setting for improving the socio-economic situation of migrants and ethnic minorities in Europe**”.<sup>45</sup> Target setting is a logical follow up of data collection for social inclusion purposes. Governments are increasingly using target-setting as a tool for demonstrating their commitment to tackling pertinent issues, such as inequality, and to enable greater accountability over public expenditure.<sup>46</sup> The potential effectiveness of target-setting raises the question: can target-setting be used to improve the socio-economic situation of migrants and ethnic minorities? According to MPG, target setting has the potential to focus much-needed attention and resources on improving the situation of migrants and ethnic minorities. However, target-setting can be problematic if governments embark on this route lightly as it often leads to the process being poorly thought out and not producing desired results.<sup>47</sup>

Within Europe 2020, targets to improve the situation of migrants and ethnic minorities can be set in the context of the European Employment Strategy, the Platform against Poverty, and the Education and Training group under the Open Method of Coordination. For instance, there is a need to look at EU 2020 potential for capitalising on the inclusion of migrants and ethnic minorities in the headline target on employment. Although no explicit target has been set so far for migrants, Member States can be encouraged to set targets and the EU will need to closely monitor the employment rate for migrants to ensure that adequate progress is being made towards the headline target. It will also be important for the situation of migrants and ethnic minorities to be monitored closely in relation to the headline targets on improving education levels and on promoting social inclusion, particularly as the failure to

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<sup>45</sup> See ENAR (2010), Author: Mary-Anne Kate, Migration policy group “Target-setting for improving the socio-economic situation of migrants and ethnic minorities in Europe”.

<sup>46</sup> **Denmark** has formulated a performance management framework to support its long-term objective of securing better integration and cohesion in Danish society. It includes six key targets relating to increasing qualifications, employment, education, Danish language skills, housing and active participation. In **Germany** the integration of migrants is an essential part of the high-level strategy for sustainable development and one of their 21 targets is to increase the proportion of foreign school leavers that have completed lower secondary education. The **Netherlands** set a target in the context of their National Reform Programme to achieve a ‘proportional’ increase in the number of non-western migrants in employment **The United Kingdom** has set targets to increase the political representation of ethnic minority women; to increase the number of ethnic minorities holding public appointments; and thirteen of its cities have set targets to reduce unemployment amongst ethnic minorities. **Bulgaria** has set targets to improve labour market activation, literacy and qualifications, and to expand entrepreneurship amongst the Roma.

<sup>47</sup> See ENAR (2010), Author: Mary-Anne Kate, Migration policy group “Target-setting for improving the socio-economic situation of migrants and ethnic minorities in Europe”

adequately address the situation of migrants and ethnic minorities is one contributing factor for the Lisbon Strategy to not meet its socio-economic goals.<sup>48</sup>

### **Key recommendations for the EU and its Member States on target setting**

1. Retain the questions used in the EU Labour Force Survey ad hoc module on the labour market situation of migrants and their immediate descendants in their annual surveys.
2. Give consideration to the merits of using input targets for improving the situation of ethnic and religious minorities to overcome problems associated with a lack of data.
3. Consider the impact of the reason for forced migration, economic, family reunification, educational attainment, international protection and the path of entry (establishment, socio-economic adjustment, participation) when designing targets and interpreting progress against targets.
4. Set national targets for migrants, as well as targets for ethnic minorities where disadvantage is well documented and meaningful data exists.
5. Use contextual indicators to determine the composition and situation of different types of migrants and migrants with different lengths of residence.
6. Repeat the EU Labour Force Survey ad hoc module on the labour market situation of migrants and their immediate descendants in 2020 to enable the situation of different types of migrants to be monitored at the beginning, middle and end of the Europe 2020 strategy.
7. Give consideration to setting targets for migrants in benchmark areas in the field of education and training, and ensure that efforts to monitor progress against the benchmarks include disaggregation on migration-related grounds.
8. Set an input target to ratify existing treaties that aim to protect the basic human rights of undocumented migrants.
9. Use the Lisbon Methodology Working Group (LIME) Assessment Framework to measure progress against targets designed to improve the long-term effectiveness of migration and integration strategies.
10. Explore the possibility of setting employment-related targets using indicators from the EU Labour Force Survey.
11. Give consideration to setting an EU-level target (and at the very least, national targets) to reduce migrant poverty using EU-level indicators, such as the “at-risk-of-poverty rate” and “people living in jobless households”. These indicators should also be used to monitor and interpret progress against Europe 2020’s poverty target, alongside findings from the 2008 and 2014 ad hoc Labour Force Surveys to examine the situation of different types of migrants and those with different lengths of residence.

ENAR, Target-setting for improving the socio-economic situation of migrants and ethnic minorities in Europe, 2010, [http://cms.horus.be/files/99935/MediaArchive/publications/pubTargetSetting\\_final%20lowres.pdf](http://cms.horus.be/files/99935/MediaArchive/publications/pubTargetSetting_final%20lowres.pdf), p. 4.

Concerning more specifically data collection for inclusion in employment, ENAR’s 2<sup>nd</sup> Ad Hoc Expert Group on Promoting Equality in Employment, held in Brussels on 8 December 2010, came to a common understanding that even when legislation does not allow to collect data on ethnicity or origin, ethnic diversity monitoring is possible (e.g. by using qualitative surveys). However, it was argued that

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<sup>48</sup> See ENAR (2010), Author: Mary-Anne Kate, Migration policy group “Target-setting for improving the socio-economic situation of migrants and ethnic minorities in Europe”, p. 61.

employers' diversity action plans would be more effective if data collection was allowed, with guarantees and a methodology in place to ensure respect of privacy rights. Therefore, ENAR 2<sup>nd</sup> Ad Hoc Expert Group on Promoting Equality in Employment came up with macro and micro level recommendations on three themes: raising the standards on monitoring diversity; improving methods and techniques for monitoring diversity, and making effective use of the data collected on diversity.<sup>49</sup>

## Useful links and bibliography

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### Useful links

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*ENAR is a network of some 700 NGOs working to combat racism in all EU Member States. ENAR is determined to fight racism, racial discrimination, xenophobia and related intolerance, to promote equality of treatment between EU citizens and third country nationals, and to link local/regional/national and European initiatives.*

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