



## **Ageism and discrimination – a perspective from equality bodies**

Ageism: where are we, what is next?

Side event to the 10th session of the United Nations Open-Ended  
Working Group on Ageing, New York, 17.04.2019



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Citizenship Programme of the European Union

[www.equineteurope.org](http://www.equineteurope.org)

# Equinet and its members

- ❖ Network of national **equality bodies** promoting equality and combating discrimination (49 members from 36 European countries)
- ❖ Equality bodies set up as state institutions on the basis of **EU Equal Treatment Directives** (2000/43/EC; 2004/113/EC; 2006/54/EC; 2010/41/EU)



# The potential of equality bodies



- ❖ Social – organisational – individual change and assistance
- ❖ Effective monitoring and enforcement of equality law and duties
- ❖ Prevention of discrimination
- ❖ Developing national and European jurisprudence
- ❖ Promotion of good equality practices
- ❖ Awareness-raising
- ❖ Research and knowledge creation
- ❖ Policy advice



# Fighting discrimination on the ground of age

- ❖ An Equinet Discussion Paper, based on cases and analyses submitted by 22 equality bodies
- ❖ Published in March 2019:  
<http://www.equineteurope.org/How-are-Equality-Bodies-Fighting-Discrimination-on-the-Ground-of-Age>
- ❖ Legal framework and key issues
- ❖ Chapters on employment, goods and services, housing, and health and family issues



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# Key issues

- ❖ Lack of comprehensive legal protection
- ❖ Age discrimination is seen and portrayed as 'less severe'
- ❖ Ageism present in courts – ready to accept generalisations instead of requiring an individualised approach
- ❖ Ageism often stipulated in legislation or public policies
- ❖ Prevalence of multiple discrimination can result in or exacerbate the experience of discrimination
- ❖ New technologies – opportunities and threats



# Employment



- ❖ Highest prevalence of discrimination
- ❖ Most common legal issues:
  - ❖ Maximum age limits
  - ❖ Dismissal or refusal to hire when reaching retirement age
- ❖ Example: vacancy notice for a position of administrator at a government agency for persons under 40



# Goods and services



- ❖ Most common legal issues relate to financial and insurance products: denial of products, additional conditions or extra charge
- ❖ Significance of accurate and relevant data and proportionality
- ❖ Questionable use of algorithms
- ❖ Example: refusal to grant a loan due to the higher age of the applicant (older than 60)





# Housing



- ❖ Most common legal issues:
  - ❖ Maximum age limits for residents
  - ❖ Reluctance to rent apartments to older persons
  - ❖ Indirectly discriminatory policies, e.g. reserving public housing for working households
- ❖ Example: age limit of 31 for residents



# Health and family issues



- ❖ Most common legal issues:
  - ❖ Maximum age limit for medical insurance
  - ❖ Maximum age limit for medical screening
  - ❖ Limitation of reproductive rights
  - ❖ Maximum age limit for adopting parents
  
- ❖ Example: Free preventive annual breast cancer screening only available to women aged 40-69.



# THANKS FOR YOUR ATTENTION!

## ANY QUESTIONS ?

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