

LESSON 4 - DISCRIMINATION IN THE EUROPEAN UNION.

1. Introduction

The purpose of the lesson is to familiarize the student with the issue of discrimination as it is understood in the socio-cultural space of the European Union. The material is meant to remind the student some of the values binding the citizens of Europe together, help the student distinguish between some of the psycho-social attitudinal risks to the strength of the European social fabric and familiarize him/herself with the normative approach and the concrete legal steps undertaken by the Union towards tackling the phenomenon of discrimination.

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2. Equality - Fundamental Value of the European Union

Aside from being a political construction, European Union is also a community of values. One of the most fundamental values around which the community is built is that of equality.

THE TREATY ON EUROPEAN UNION

Article 2

The Union is founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities. These values are common to the Member States in a society in which pluralism, non-discrimination, tolerance, justice, solidarity and equality between women and men prevail.

The Treaty on European Union - Consolidated Version (2016)

Figure 1. Article 2 of the Treaty on European Union

Equality is not a value of just the peoples of European Union, but a universal value of mankind, perhaps best articulated in the Universal Declaration of Human Rights voted by 48 nations after the end of World War II, the "charter of rights" of the United Nations.

UNIVERSAL DECLARATION OF HUMAN RIGHTS

Preamble

Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

Whereas disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind [...]

Now, Therefore THE GENERAL ASSEMBLY proclaims THIS UNIVERSAL DECLARATION OF HUMAN RIGHTS as a common standard of achievement for all peoples and all nations [...]

Article 1

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

Article 2

Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.

Article 7

All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.

[United Nations' Universal Declaration of Human Rights](#)

Figure 2. Universal Declaration of Human Rights

2.1. Types of Equality

Commendable that may be in principle, equality is a politically contested value that requires more reflection and consideration. There is vast ideological debate over the dynamic between equality and identity, individuality and liberty, valuable

philosophical debate which the student is encouraged to delve into, but which goes beyond the scope of this material. For our purpose we will limit ourselves to distinguish between some basic meanings of the concept of equality.

Egalitarianism can be thought of as the normative ideology of equality pushed to the limit, and according to which, in simple words, all persons should be equal in all matters. The closest known example of attempting to operationalise it in practice is communism. Egalitarianism however, can also be thought of as having the less dogmatic, more general meaning of the advocacy for equality.

Equality before the law is a fundamental principle according to which in the eyes of the law all subjects will be treated by the same standard, regardless of any differences among them. In other words, the law is "blind" to whom it applies to.

Equality of outcome is the idea that the socio-economic rewards should be the same for everyone, regardless of the professional merit or work effort each contributes with. The closest practical example is ideological Marxism, according to which economic costs and benefits should be apportioned by the maxim "from each according to his abilities, to each according to his needs".

Equality of opportunity is the stated ideal that socio-economic opportunities in society, particularly with respect to education and employment, should be available to anyone qualified for them, no one being excluded based on arbitrary criteria beyond his or her control. "Formal equality of opportunity requires that positions and posts that confer superior advantages should be open to all applicants. Applications are assessed on their merits, and the applicant deemed most qualified according to appropriate criteria is offered the position." ([Stanford Encyclopedia of Philosophy](#))

2.2. The Principle of Equal Treatment

Equality of opportunity rests on the idea of fairness, being one of the stated objectives in European Union legal documents. Equality of opportunity is being expressed through the principle of equal treatment which can be understood as the opposite of the idea of discrimination. One can also think of it as a right of not being discriminated against. In fact, many anti-discrimination regulations in European Union are formulated in terms of implementing the principle of equal treatment.

2.3. Protected Grounds

The European Union law lists the criteria onto which citizens of the Union are subject to the principle of equal treatment, or the "protected grounds" on which discrimination is illegitimate. According to the [Handbook on European non-discrimination law](#) "a 'protected ground' is a characteristic of an individual that should not be considered relevant to the differential treatment or enjoyment of a particular benefit".

According to the handbook, the protected grounds are:

- Sex
- Sexual orientation
- Disability
- Age
- Race, ethnicity, colour and membership of a national minority
- Nationality or national origin
- Religion or belief
- Language
- Social origin, birth and property
- Political of other opinion
- 'Other' status

3. The Attitudinal Risks to Equality

3.1. Prejudice

Prejudice, in its most general meaning, refers to a mental concept that is formed based on insufficient consideration. Psycho-socially, it refers to developing opinions or attitudes towards a person based on a real (or imaginary) identity assigned to him solely on membership of that person to a certain group. In "The Nature of Prejudice", before elaborating in more detail, Gordon Allport gives what he calls a "crisp" definition to prejudice as "thinking ill of others without sufficient warrant" (Allport, 1986 p.6). Although, as the author describes, the etymological meaning of the word evolved over time (Allport, 1986, p.6), for our purpose it will suffice to mention having its roots into the Latin prefix prae- and noun iudicium (judgement), loosely meaning "judging something beforehand".

The dangers in tolerating social prejudice as a form of "thinking ill of others" for too long is that left unchecked, it tends to escalate into acting upon that feeling, especially during times of increasing competition over resources (like economic downturns) and of decreasing political will to penalize demagoguery and hate speech.

Allport proposes a five-step scale of prejudicial behaviour escalating from mere mental attitude to real acts of hostility towards the targets of prejudice. (Allport, 1986, pp.14-15):

The Allport Scale of Prejudice*

1. **Antilocution.** Most people who have prejudices talk about them. With like-minded friends, occasionally with strangers, they may express their antagonism freely. But many people never go beyond this mild degree of antipathetic action.
2. **Avoidance.** If the prejudice is more intense, it leads the individual to avoid members of the disliked group, even perhaps at the cost of considerable inconvenience. In this case, the bearer of prejudice does not directly inflict harm upon the group he dislikes. He takes the burden of accommodation and withdrawal entirely upon himself.
3. **Discrimination.** Here the prejudiced person makes detrimental distinctions of an active sort. He undertakes to exclude all members of the group in question from certain types of employment, from residential housing, political rights, educational or recreational opportunities, churches, hospitals, or from some other social privileges. Segregation is an institutionalized form of discrimination, enforced legally or by common custom.
4. **Physical attack.** Under conditions of heightened emotion prejudice may lead to acts of violence or semiviolence. An unwanted Negro family may be forcibly ejected from a neighborhood, or so severely threatened that it leaves in fear. Gravestones in Jewish cemeteries may be desecrated. The Northside's Italian gang may lie in wait for the Southside's Irish gang.
5. **Extermination.** Lynchings, pogroms, massacres, and the Hitlerian program of genocide mark the ultimate degree of violent expression of prejudice.

*Allport Gordon W., The Nature of Prejudice pp 14-15

Figure 3. The Allport Scale of Prejudice

3.2. Xenophobia

Xenophobia is an attitude involving a baseless resentment of anything foreign. Conversely, xenophilia is an equally baseless exaltation of anything foreign. Xenophobia, in social context, is thus a form of prejudice in that it judges foreign individuals based solely on being foreign, more precisely on the identity (imagined or real) assigned to them as members of "foreigners" group, ignoring the rest of the traits they may have as persons. Xenophobia is not only prejudice, but also bias in that it leans towards pre-judging foreigners more so on the negative features of their foreign identity, than on the equally possible positive ones.

Xenophobia According to UNESCO

Originally the word **xenophobia** comes from the Greek words *xénos*, meaning 'the stranger' and 'the guest' and *phóbos*, meaning 'fear'. Thus, xenophobia stands for 'fear of the stranger', but usually the term is taken to mean 'hatred of strangers'.¹ Xenophobia can be understood as *"an attitudinal orientation of hostility against non-natives in a given population"*.²

In contrast to sociobiologists who consider xenophobia to be a universal phenomenon, social scientists describe it as one among several possible forms of reactions generated by anomic situations in the societies of modern states. Furthermore, it is growing out of the existence of essentialist symbolic and normative systems that legitimate processes of integration or exclusion. Thus, xenophobic behaviour is based on existing racist, ethnic, religious, cultural, or national prejudice. Xenophobia can be defined as the *"attitudes, prejudices and behaviour that reject, exclude and often vilify persons, based on the perception that they are outsiders or foreigners to the community, society or national identity."*¹⁶

Figure 3. Definition of Xenophobia According to UNESCO

In this context Europhobia can be argued as being a particular case of xenophobia, to the extent that Europeanism is perceived as foreign by the subject. It should be mentioned that in contemporary meaning Europhobia refers specifically to resentment towards the European Union and not as much to being European in geographical sense.

In their theory of social identity H. Tajfel & J.C. Turner look at individuals' identities as partially derived from membership in various groups, of particular interest being the dynamic of the relationship between members of an ingroup (insiders) and members of outgroups (outsiders) (Tajfel & Turner, 1985). The process of self-categorising of individuals in social group context has been examined further by John Turner et al. in several works.

Under the social identity frame of reference xenophobia can be thought as the most general form of adversity towards any value or person that is not already part of the ingroup. The most used connotation of xenophobia is resentment towards persons outside the ingroup, being mostly understood in relation to ethnicity, nationality or race. In that light Europhobia could be argued to be nothing more than a particular case of xenophobia in which the nationals of the European Union are the insiders, the European Union itself being the outsider;

¹ Smelser, N. J. and Baltes, P. B. (eds.) 2001. International Encyclopaedia of the Social and Behavioural Sciences. Elsevier. Oxford Science Ltd.

² Boehnke, Klaude in NGO Working Group on Migration and Xenophobia for the World Conference (in International Migration, Racism, Discrimination and Xenophobia, 2001. A publication jointly produced by ILO, IOM, OHCHR, in consultation with UNHCR. Page 2

³ Declaration on Racism, discrimination, Xenophobia and Related Intolerance against Migrants and Trafficked Persons. Asia-Pacific NGO Meeting for the World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance. Teheran, Iran. 18 February 2001.

except the outsider is not a foreign, separate entity, but an outgroup of ingroups. Europhobia may thus be a reflexive form of xenophobia.

Scepticism can be understood as being a healthy conservative posture which prevents humans making rash decisions, allowing an issue to be evaluated further, before acting in relation to it. An otherwise healthy dose of scepticism can become less benign however, when it degenerates into obstinate phobia and baseless rejection of new or fresh ideas.

Euro-scepticism, in that sense, can be interpreted as a responsible attitude that allows the peoples of Europe to critically and conservatively examine their Union project before launching themselves further, into what could turn out to be a reckless adventure. To avoid the pitfalls of falling into the either of the equally extreme forms of Europhilism or Europhobia however, the peoples of Europe should examine their project not only sceptically, but also optimistically, rationally, and openly.

3.3 Racism

Racism also combines elements of prejudice and xenophobia, being prejudicial towards people of a different race. Notwithstanding the dubious concept of race itself, racism is not just logically prejudicial, but also morally repugnant for being an ideology resting on the assumed inferiority of the outsider's race. Institutionalised by the state, racism developed extreme social malignancy in the past, resulting in large-scale human suffering through enslavement, systematic persecutions and even genocide.

A distinction between racism and xenophobia can be found in UNESCO documents:

Distinction between Xenophobia and Racism According to UNESCO

Xenophobia and racism often overlap, but are distinct phenomena. Whereas racism usually entails distinction based on physical characteristic differences, such as skin colour, hair type, facial features, etc, xenophobia implies behaviour based on the idea that the other is foreign to or originates from outside the community or nation.⁴

Because differences in physical characteristics are often taken to distinguish the 'other' from the common community, it is often difficult to differentiate between racism and xenophobia as motivations for behaviour. At the same time, expression of xenophobia may occur against people of identical physical characteristics when such people arrive, return or migrate to States or areas where occupants consider them outsiders.⁵

Figure 4. Distinction between Xenophobia and Racism according to UNESCO

⁴ NGO Working Group on Migration and Xenophobia for the World Conference (in International Migration, Racism, Discrimination and Xenophobia, 2001. A publication jointly produced by ILO, IOM, OHCHR, in consultation with UNHCR.

⁵ Declaration on Racism, discrimination, Xenophobia and Related Intolerance against Migrants and Trafficked Persons. Asia-Pacific NGO Meeting for the World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance. Teheran, Iran. 18 February 2001.

While in its most basic form racism implies a hostile attitude towards a different race, the [United Nations International Convention on the Elimination of All Forms of Racial Discrimination](#), in its very first article, extends the meaning of the word to include the hostile attitude towards persons of a different ancestry (*descent*).

Article 1⁶

1. In this Convention, the term "racial discrimination" shall mean any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life.

Figure 5. United Nations International Convention on the Elimination of All Forms of Racial Discrimination

3.4 Discrimination

Discrimination, under its most basic, epistemological (knowledge acquiring) connotation refers to the processes of *differentiation* and *categorization* employed by human mind in order to understand the distinctiveness of the entities making up the world. To cite the American psychologist Gordon W. Allport, "*The human mind must think with the aid of categories (the term is equivalent here with generalizations). Once formed, the categories are the basis for normal prejudgment. We cannot possibly avoid this process. Orderly living depends upon it.*" (Allport, 1954). [Etymologically](#), the verb *discriminate* has its roots in the Latin verbs *discriminare* (to distinguish between) and *discernere* (to discern).

3.4.1. Translating Attitudes into Action: Discrimination and Violence

While discrimination may be a benign and useful tool for human comprehension, it can become less benign when *acting* upon it in social interactions. Discrimination becomes malign when is being used to make social distinctions as justifications for unwarranted privilege as in *positive discrimination* or for social exclusion as in *negative discrimination*, thus coming in conflict with the fundamental value of *equality*.

Excessive tolerance of prejudice leads to discrimination, and tolerance of discrimination may lead to oppression and possible violence, especially where endorsed by the state as *institutionalised discrimination*, the slippery slope being described well by Allport's scale.

⁶ United Nations International Convention on the Elimination of All Forms of Racial Discrimination.

3.4.2. Types of Discrimination

Direct versus Indirect Discrimination

Direct discrimination occurs "when one person is treated less favourably than another is, has been or would be treated in a comparable situation" ([Proposal for a Council Directive of 2 July 2008 on implementing the principle of equal treatment between persons irrespective of religion or belief, disability, age or sexual orientation](#)).

Indirect discrimination occurs "when an apparently neutral provision, criterion or practice would lead to a particular disadvantage compared with other persons. Unless it is objectively justified by a legitimate aim and the means of achieving that aim are appropriate and necessary" ([Proposal for a Council Directive of 2 July 2008 on implementing the principle of equal treatment between persons irrespective of religion or belief, disability, age or sexual orientation](#)). Indirect discrimination takes place when, although the treatment of persons is the same, the *effects* of the treatment will be suffered differently by people with different characteristics. In other words, it happens when an apparently neutral provision will put persons of a particular category at a significant disadvantage.

Negative versus Positive Discrimination

Negative discrimination involves the typical cases when a person is treated *less favourably* than another in a comparable situation.

Positive or *reverse* discrimination occurs when a person is treated *more favourably* than other persons in a similar situation. In other words, when is *unfairly privileged*. There are cases however where such favouritism is morally and legally accepted *temporarily* on the grounds of reparations to members of particular vulnerable groups, that have unfairly been treated in the past. In United States and European Union for example, such exceptions are permitted under *affirmative action* and *positive action* policies respectively.

Institutionalised Discrimination

Institutionalised discrimination, in opposition to solitary, isolated acts of discrimination, occurs when systemic prejudice is being translated into official policies and regulations of organisations, public or private. One can go further and make a distinction between discrimination that is *institutionalised* through a tacit social or governmental approval of systematic marginalisation of certain individuals, and discrimination which is *officialised* through overt policies, laws and regulations referring to particular groups (Rotariu & Ilut, 1996).

3.4.3. Anti-Discrimination Regulation in the European Union

The fundamental principle of equality is being also articulated in the Charter of Rights of the European Union, document that has become legally binding for European Union law as of January 1st, 2009, the date of coming into effect of the Treaty of Lisbon.

While the word *everyone* is found in most articles referring to dignity and freedoms, equality itself and discrimination are being tackled specifically in articles 20 and 21:

CHARTER OF FUNDAMENTAL RIGHTS OF THE EUROPEAN UNION

The European Parliament, the Council and the Commission solemnly proclaim the following text as the Charter of Fundamental Rights of the European Union [...]

TITLE III: EQUALITY

Article 20: Equality before the law

Everyone is equal before the law.

Article 21: Non-discrimination

1. Any discrimination based on any ground such as sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation shall be prohibited.
2. Within the scope of application of the Treaties and without prejudice to any of their specific provisions, any discrimination on grounds of nationality shall be prohibited.

Figure 6. The Charter of Fundamental Rights of the European Union

European Union has issued a series of directives for implementing the principle of equal treatment on multiple protected grounds:

[Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin](#) is a European Union directive focused on discrimination. While as an EU *directive* it does not have the legally binding force of an EU *regulation* it is nevertheless a legislative act of the European Union binding national governments as to the goals to be achieved through anti-discrimination, equal treatment specific laws in their home countries.

- *Article 1* Sets out the purpose of the act to "lay down the framework for combating discrimination on the grounds of racial or ethnic origin, with a view to putting into effect in the Member States the principle of equal treatment".
- *Article 2* defines the principle of equal treatment, makes the distinction between *direct and indirect* discrimination and defines the acts of *harassment* and *instruction to discriminate* in the context of the principle.
- *Article 3* delimits the scope of the directive, reminding that it is primarily intended against discrimination in employment, membership to employment-related organisations, in social protection, social security and healthcare, in education and in accessing goods and services when available to the public, including housing. Article 3 qualifies that the criteria of *nationality* falls outside the scope of the directive.
- *Article 4* articulates exceptions to differential treatment based on racial or ethnic origin "in those cases where by reason of the nature of the particular occupational activities concerned or of the context in which they are carried out, such a characteristic constitutes a genuine and determining occupational requirement, provided that the objective is legitimate, and the requirement is proportionate". (Council Directive 2000/43/EC, The Council of European Union)
- *Article 5* sets the premises for positive discrimination (positive action).
- *Article 6* qualifies the directive as laying down *minimum requirements*, member states being free to introduce provisions which are more favourable to the protection of the principle.
- *Article 7* instructs member states to devise judicial and/or administrative procedures for enforcement of obligations under the directive.
- *Article 8* places on the state the burden of proof in cases where it is accused of breaking the principle
- *Article 9* instructs member states to devise mechanisms for preventing revenge against plaintiffs who bring forward complaints
- *Articles 10* and further advise on the dissemination of information, on the promotion of social dialog, on constructing national bodies for the promotion of equal treatment, on reporting, sanctions and implementation issues.

[Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation.](#)

[Council Directive 2004/113/EC of 13 December 2004 implementing the principle of equal treatment between men and women in the access to and supply of goods and services.](#)

[Directive 2006/54/EC of the European Parliament and of the Council of 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation.](#)

[Directive 2010/41/EU of the European Parliament and of the Council of 7 July 2010 on the application of the principle of equal treatment between men and women engaged in an activity in a self-employed capacity and repealing Council Directive 86/613/EEC.](#)

Gender equality

Gender equality is one of the fundamental values promoted by the European Union. The national constitutions of European states recognize women's rights as citizens' rights. Following the ratification of the United Nations Convention on the Elimination of All Forms of Discrimination against Women in 1979, women's rights were assimilated to human rights. Gender equality is an objective of any democratic society.

What is gender?

The gender refers to the social differences between women and men that are learned and changing over time. These differences vary greatly within one culture and from one culture to another. The term gender takes into account beliefs, stereotypes, ways of action, roles and social statuses that apply to a specific cultural context.

What is gender equality?

Gender equality is a right by which everyone is free to develop their own skills and express their options without being influenced by the particularities of the sex to which they belong. The different behaviours, aspirations and needs of women and men must benefit from equal appreciation and promotion.

What is the objective of gender equality policies?

The general objective of gender equality is to create a society with the same opportunities, rights and obligations for women and men.

Evolution of the concept of gender equality and gender policy

The concept of gender equality has evolved over time. We can distinguish three main approaches and three successive stages in the history of European policies in the field: *equal treatment*, *positive action* and *gender mainstreaming*.

The policy of equal treatment was inaugurated by Article 119 of the Treaty of Rome which provided equal pay for men and women in the case of work of equal value. A series of directives were subsequently adopted to clarify and develop this principle.

This approach in gender policy ignores sources of inequality in access to the labour market. Equal treatment policies do not take into account gender disparities in education or sexual division of family work.

Positive action

In the 1980s and 1990s there were changes in gender equality policy. In some European countries, positive discrimination measures are being put in place to help women overcome the disadvantages they face with men in the job competition. The programs inspired by the new approach were aimed at reducing gender inequality through women's training and childcare facilities. This policy has been criticized for the fact that women are transformed into a dependent group, unable to affirm themselves by their own forces

Gender mainstreaming

After 1995, gender equality policy changed again and began to incorporate into all sector policies at all levels of measures to ensure equal opportunities and treatment. The focus moves from the individual or problematic category to the institutions that generate gender disparities.

The integrative approach refers to (re) organization of common procedures and regulations, (re) organization responsibilities and capacities to integrate the gender perspective into all these procedures, regulations, responsibilities, capabilities, etc.

The situation of gender equality in the European Union

Even if today in Europe women are closer than ever in history to gender equality, disparities persist. Most are manifested in the field of distribution of household tasks in the family, access to the labour market, income, social benefits and participation in political life. The evaluation of the situation regarding gender equality in Europe shows us that:

- Women's access to the labour market is not uniform for all professional categories;
- Women do not occupy positions of responsibility in equal measure with men;
- The selection of the field of study affects the segregation on the labour market both in the occupations and in the sectors of activity.

Recommendations on the promotion of measures to ensure gender equality

Gender equality is more than an end in itself, it is a prerequisite for reducing poverty, promoting sustainable development and better governance. In order to promote equal opportunities for women and men, the European Council adopted a series of recommendations for Member States on:

- Adopting measures to reconcile family life with professional life;
- Protecting the dignity of women and men at work (prevention of sexual harassment);

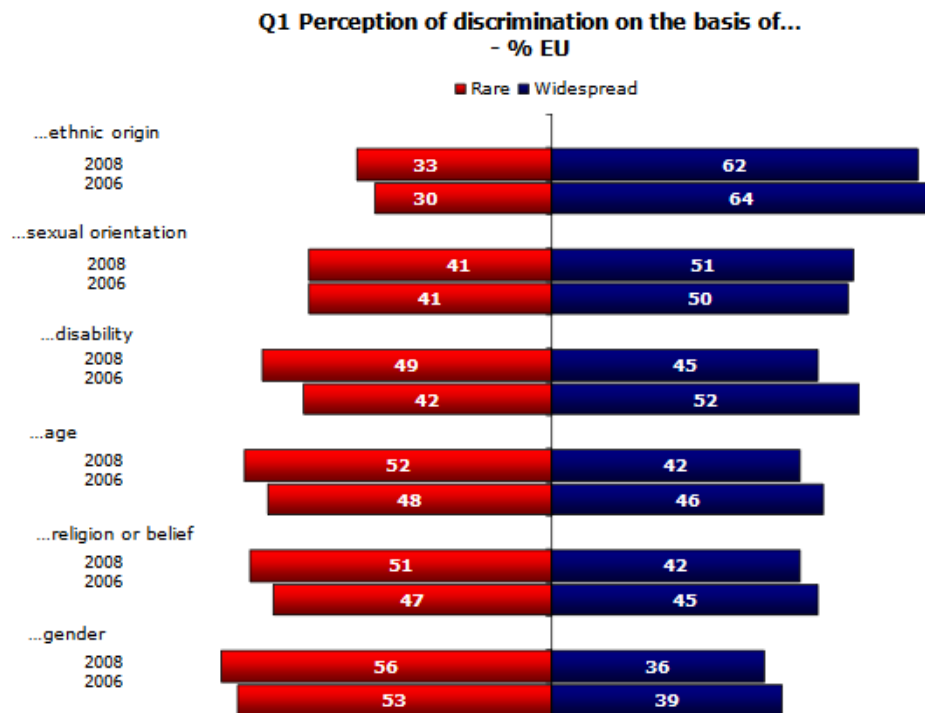
- Promoting balanced participation of women and men in decision-making and influence.

The document on preventing sexual harassment at work includes specific recommendations and procedures for employers and trade unions. For employees, responsibilities are stated to discourage convicted behaviour or to provide victim assistance.

The proposal of the European Council for the promotion of women in decision-making processes includes a set of principles, legislative measures and actions that Member States can adopt. The strategy of achieving a gender balance in decision-making and influencing the decision includes measures such as: making communication campaigns about the importance of balanced participation in decision making for women and men, encouraging social partners, parties, non-governmental organizations or media organizations to make decisions to support gender equality, dissemination of research showing gender inequality, and so one.

3.4.4. Discrimination in European Surveys

The European Commission DG Employment, Social Affairs and Equal Opportunity Opportunities commissioned surveys about discrimination and inequality in Europe, conducted in the summer of 2006 and spring 2008.



NB: "Don't know" and "non-existent" (SPONTANEOUS) answers are not shown
Note: 2008 figures based on EU27, 2006 based on EU25

Figure 7. European Commission Discrimination Survey

Of the six forms of discrimination examined in the survey, discrimination on the ground of ethnic origin is seen as being the most widespread: 16% think that this is very widespread in his or her country, whilst 46% think that it is fairly widespread. Just under a quarter think that it is fairly rare (24%) with a further 9% considering that it is 'very rare'. Overall EU results show a slight decrease compared to 2006 in the perception that ethnic discrimination is widespread (from 64% to 62%) with an increase in the belief that it is rare (from 30% to 33%). There is a considerable degree of variation from one country to the next in opinion on the prevalence of ethnic discrimination. Over three-quarters of respondents in the Netherlands (79%), Greece, France, Italy, Sweden (all 76%) and Denmark (75%) consider this to be widespread. Less than one in three hold the same view in Lithuania (23%), Latvia (27%) and Poland (28%). (EC, 2008, Special Eurobarometer 296. Discrimination in the European Union: Perceptions, Experiences and Attitudes).

European Union minorities and discrimination surveys (EU-MIDIS I and EU-MIDIS II) provided the first primary data collected from selected ethnic minority and immigrant persons resident in the EU Member States. This survey data support policy-makers and other key stakeholders in developing evidence-based and targeted policies that address discriminatory, racist practices, and improve support structures for victims of discrimination and racial crime.

The results show a reduction in five types of discrimination between 2003 and 2006, with the exception of sexual orientation-based discrimination.

ADDITIONAL CONTENTS

Websites:

- [European Union Agency for Fundamental Rights](#)
- [Non-governmental organisations fighting against discrimination](#)
- [#BigData: Discrimination in data-supported decision making.](#)
- [Another Way Home: Moving Walls 25 / Another Way Home features eight projects by 13 visionary artists, journalists, and creative technologists dedicated to re-envisioning the topic of migration through documentary practice.](#)

Videos:

- [The European Refugee Crisis and Syria Explained](#)
- [Video blog by Michael O'Flaherty: Five migration issues that need urgent action](#)
- [European Diversity Charters - fighting discrimination in the workplace](#)

European Union Legislation:

- [Summary of EU Legislation](#)
- [Consolidated version of The Treaty on European Union.](#)
- [Consolidated Version of the Treaty on the Functioning of the European Union.](#)
- [European Union Agency for Fundamental Rights, Handbook on European non-discrimination in law.](#)

- [COUNCIL DIRECTIVE 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin.](#)
- [COUNCIL DIRECTIVE 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation.](#)
- [DIRECTIVE 2010/41/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 7 July 2010 on the application of the principle of equal treatment between men and women engaged in an activity in a self-employed capacity and repealing Council Directive 86/613/EEC.](#)
- [DIRECTIVE 2006/54/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation \(recast\).](#)
- [DIRECTIVE 2010/41/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 7 July 2010 on the application of the principle of equal treatment between men and women engaged in an activity in a self-employed capacity and repealing Council Directive 86/613/EEC.](#)

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