



Discrimination on the Grounds of Race, Sexual Orientation or Religion

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Race Discrimination – Directive 2000/43/EC (Part 1)

I) Scope (Art. 3)

II) Definitions (Art. 2)

- a) Direct Discrimination
- b) Indirect Discrimination
- c) Harassment
- d) Incitement to Discriminate

III) Equality Bodies (Art. 13)

Race Discrimination – Directive 2000/43/EC (Part 2)

IV) CJEU Judgments

- *Feryn*, C-54/07, 10 July 2008
- *Runevič-Vardyn*, C-391/09, 12 May 2011
 - *Meister*, C-54/07, 19 April 2012
 - *Kamberaj*, C-571/10, 24 April 2012
 - *Belov*, C-394/11, 31 January 2013
- *Deckmyn*, C-201/13, 3 September 2014
 - *Nikolova*, C-83/14, 16 July 2015

Sexual Orientation Discrimination – Directive 2000/78/EC

I) Definitions (Art. 2)

II) Differences with Directive 2000/43/EC

- Scope (Art. 3)
- Professional Exemptions (Art. 4)
- Specific Rules for Age and Disability (Artt. 5 + 6)
 - No Equality Bodies

III) CJEU Judgments

- *Maruko*, C-267/06, 1 April 2008
- *Römer*, C-147/08, 10 May 2011
- *Hay*, C-267/12, 12 December 2013

Religious Discrimination – Directive 2000/78/EC

I) No Judgments from the CJEU

II) 2 Preliminary Reference Procedures:

- *Achbita*, C-157/15, on 3 April 2015 (Belgium)
 - *Bougnaoui*, C-188/15, on 24 April 2015 (France)

Religious Discrimination – ECtHR (Part 1)

III) ECtHR (Employment)

a) Religious symbols at workplace

- *Dahlab* (dec.), no. 42393/98, 15 February 2001
 - [*Sahin*, no. 44774/98, 10 November 2005]
 - [*Dogru*, no. 27058/05, 4 December 2008]
 - [*S.A.S. [G.C.]*, no. 43835/11, 1 July 2014]
 - *Eweida*, nos. 48420/10, 15 January 2013

Religious Discrimination – ECtHR (Part 2)

b) Religious employer exemption cases

- *Vallauri*, no. 39128/05, 20 October 2009
- *Obst*, no. 425/03, 23 September 2010
- *Schuth*, no. 1620/03, 23 September 2010
- *Siebenhaar*, no. 18136/02, 3 February 2011
- *Pastorul Cel Bun*, no. 2330/09, 9 July 2013
- *Martinez [G.C.]*, no. 56030/07, 12 June 2014