Discrimination on the Grounds of Race, Sexual Orientation or Religion

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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)

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


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

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