Combatting Discrimination in the European Union

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OECD

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Foreword

Discrimination is a persistent and pressing challenge. It violates the principles of respect for the inherent dignity and the equal rights for all, with far-reaching effects that touch almost all aspects of people's lives – from their income and housing security to health, social relationships and civic participation. These consequences come at a considerable personal cost and to society as a whole.

Despite concerted efforts to combat discrimination since the introduction of the Union of Equality in 2019, self-reported discrimination rates have risen in most European Union (EU) countries. This trend reflects recent major events, increasingly diverse populations and growing public awareness. While self-reported data cannot definitively confirm whether discrimination itself is increasing, these data offer valuable insights into the risks people face and the nature of their experiences. Self-reported data are especially valuable in the EU, given the variability of data collections across EU Member States.

This report, *Combatting Discrimination in the European Union*, draws on new self-reported survey data and responses to the *OECD Anti-Discrimination Questionnaire* to explore the extent, nature and effects of discrimination, along with OECD EU countries' policy and legal responses. The *OECD Anti-Discrimination Questionnaire* has enabled the creation of a unique dataset of anti-discrimination laws and policy initiatives that promote inclusion for groups at risk of discrimination, including persons with disabilities, people from racialised communities, lesbian, gay, bisexual, transgender and intersex (LGBTI) people, young people and older people. This holistic data collection exercise supports an examination of the gaps in national laws and policies, as well as highlighting good practices that could be more widely adopted. By analysing surveys and the *OECD Anti-Discrimination Questionnaire*, this report provides new evidence on the experience of discrimination and the comprehensiveness of OECD EU countries' responses – contributing to the aims of the *OECD Observatory on Social Mobility and Equal Opportunity*.

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ISO country codes

AUT	Austria		**ITA**	Italy
BEL	Belgium		**LVA**	Latvia
BGR	Bulgaria		**LTU**	Lithuania
HRV	Croatia		**LUX**	Luxembourg
CYP	Cyprus		**MLT**	Malta
CZE	Czechia		**NLD**	Netherlands
DNK	Denmark		**POL**	Poland
EST	Estonia		**PRT**	Portugal
FIN	Finland		**ROU**	Romania
FRA	France		**SVK**	Slovak Republic
DEU	Germany		**SVN**	Slovenia
GRC	Greece		**ESP**	Spain
HUN	Hungary		**SWE**	Sweden
IRL	Ireland			

Executive summary

Discrimination occurs when individuals or groups face unequal treatment based on characteristics such as ethnicity, religion, disability, age, sexual orientation or gender. This can limit their rights, opportunities, and overall well-being. In the past five years, the European Union (EU) has intensified efforts to fight discrimination under the Union of Equality, such as developing equality strategies and amending legislation to empower equality bodies to better support victims of discrimination and increase public awareness. However, measuring discrimination and the effectiveness of policy responses can be difficult due to data limitations, as most EU Member States do not systematically collect data on ethnicity, racial origin and sexual orientation.

To support efforts to strengthen policies and laws to promote equality and inclusion, this report provides new evidence on the state and effects of discrimination in OECD EU countries across legally protected grounds, and examines laws, policies, and mainstreaming approaches to promote non-discrimination, equality and inclusion. Drawing on survey data and responses to the *OECD Anti-Discrimination Questionnaire*, this report analyses discrimination on the grounds of ethnicity, race, religion, disability, age, sexual orientation, and gender identity, while incorporating an intersectional perspective to assess the role of sex in shaping experiences.

Rising self-reported discrimination rates in the EU

According to the *Discrimination in the EU Eurobarometer*, the self-reported discrimination rate has risen from 15% in 2019 to 21% in 2023 on average across the EU. Countries with high self-reported discrimination rates have tended to show consistently elevated levels across multiple grounds, rather than discrimination being concentrated in a particular ground. Demographic shifts, increased social awareness, and global crises such as the COVID-19 pandemic may have contributed to this rise.

The incidence of discrimination is not shared evenly across the population, with over half of people from racialised communities, lesbian, gay, bisexual, transgender and intersex (LGBTI) individuals, persons with disabilities and religious minorities stating that they experienced discrimination in the past year (in contrast to less than 20% of non-minorities). Women, particularly those from racialised communities and lesbians, often report multiple forms of discrimination, reflecting their intersecting risk factors. Nearly one-in-three ethnic, racial and religious minorities state they experience discrimination 'most or all the time' (compared to less than one-in-ten non-minorities). Persistent exposure to discrimination has severe consequences, particularly for mental well-being.

Discrimination affects many aspects of people's lives and society more broadly

Discrimination profoundly impacts the economic opportunities and health of individuals. According to the *Opportunities Module of the 2022 OECD Risks That Matter Survey,* 77% of people who report experiencing discrimination in the past year are concerned about their financial security compared to 68% of those who have not experienced discrimination in the past year. At the same time, affected individuals are almost three times as likely to report mental health issues compared to people who do not report experiencing discrimination in the past year, according to the *2023 AXA Mind Health Survey.* The economic effects of discrimination are most pronounced for persons with disabilities.

While individuals bear the brunt of the effects of discrimination, there are also costs borne by societies and economies more broadly. Discrimination hinders equal opportunity, forcing individuals into roles below their skill level, weakening economic incentives, and possibly resulting in a misallocation of human and economic capital. It may also contribute to workplace underperformance due to mental health strain and weaken economic development when affected individuals drop out of the labour market or forgo education, believing that their efforts will not be well-remunerated. In addition, discrimination can erode social cohesion by marginalising minority groups – denying them opportunities to participate in the economy and society. Discrimination can cause people to feel like they do not belong, which can thwart economic cooperation and undermine support for governments, public investment and trust in institutions. It can also compromise people's participation in social and cultural events, which can strain community development and civic engagement.

Most OECD EU countries focus on fighting racial and disability discrimination, with less attention paid to other grounds

Strong anti-discrimination laws and inclusive policies are linked to positive social attitudes toward at-risk groups. In OECD EU countries, such protections correlate with greater acceptance of LGBTI people, religious minorities, persons with disabilities, and ethnic and racial minorities. This suggests that strengthening anti-discrimination measures could be a path to reducing bias and fostering social cohesion, as minority acceptance is a key component of societal cohesion.

While some OECD EU countries have adopted comprehensive legal approaches to address discrimination against all at-risk groups, many focus on specific populations, as highlighted by the *OECD Anti-Discrimination Questionnaire*. Most prominently, legal prohibitions against racial and ethnic discrimination and disability discrimination generally outstrip protections for LGBTI people and religious minorities. Disparities in the legal protections for various grounds reflect differences in the scope of EU anti-discrimination and inclusion laws, with the *Racial Equality Directive* covering areas of life beyond employment and many laws promoting equality for persons with disabilities. In contrast, anti-discrimination laws covering other protected grounds only apply to employment and employment-related activities (for example, the *Employment Equality Directive*).

A similar pattern emerges with respect to policies to promote equality and inclusion, with many OECD EU countries mainstreaming equality for racialised groups and persons with disabilities, as well as designing policies to target issues faced by these groups. Examples include policies to build trust with police, promote educational and employment opportunities and increase the accessibility of products, services and the built environment. In contrast, fewer countries design policies or mainstreaming approaches around the needs of LGBTI people and religious minorities.

Gaps in legal protections, policy frameworks, and mainstreaming efforts contribute to higher self-reported discrimination rates, particularly in areas not covered by EU anti-discrimination laws, such as non-employment settings for the grounds of sexual orientation, religion and age. Because legal and policy protections vary across different grounds, some OECD EU countries have room to enhance support and ensure equal protections for all at-risk groups. A potential approach is for countries to harmonise anti-discrimination legislation across all protected grounds, supported by EU policy guidance and funding to expand equality initiatives. In addition, the EU and its Member States could systematically collect data on at-risk groups to inform policy and legal developments.

1. Introduction

Discrimination deprives individuals of their human dignity and opportunities to realise their full potential. Over the past five years, the EU has intensified efforts to fight discrimination, particularly against people from racialised communities, LGBTI people, persons with disabilities and people from religious minorities. However, measuring the effectiveness of anti-discrimination initiatives can be difficult due to data collection and methodological challenges. In the absence of comparable, comprehensive official data sources, this report primarily analyses self-reported discrimination survey data to study the extent and effects of discrimination. After assessing the state and effects of discrimination, this report analyses OECD EU countries' laws, policies and mainstreaming responses, using data from the *OECD Anti-Discrimination Questionnaire*. It highlights good practices such as comprehensive anti-discrimination laws and policies that are tailored to the needs of groups at risk of discrimination.

While discrimination can be defined in straightforward terms – as any distinction, exclusion, restriction or other differential treatment of a person because of their characteristics or beliefs, which constrains their human rights[1] – its simplicity belies the complex, and sometimes subtle, ways in which discrimination operates within societies. Discrimination can stem from the actions of individuals, organisations, institutions or via systemic practices. It may involve explicit, intentional acts – such as verbal antagonism, avoidance, segregation and physical attack – or unconscious behaviours based on prejudicial attitudes. Moreover, discrimination can have a statistical or profiling basis, whereby a decision is made about a person based on their group belonging rather than their individual characteristics. Finally, the rules and norms of organisations and systems may function in ways that lead to differential treatment and exclusion, resulting in structural discrimination (National Research Council, 2004[1]).

Over the past five years, the European Union (EU) and its Member States have stepped up efforts to grapple with the complexity of discrimination – reforming policies and legislation to target the attitudes, stereotypes and structural factors that undergird and perpetuate discrimination and deprive people of the ability to enjoy their human rights and equal opportunities (Chapters 4 and 5). Key among these developments at the EU level are the Union of Equality, and its attendant *Anti-Racism Action Plan 2020-2025*, the *Roma Strategic Framework for Equality, Inclusion and Participation for 2020-2030*, the *LGBTIQ Equality Strategy 2020-2025*, the *Gender Equality Strategy 2020-2025* and the *Strategy for the Rights of Persons with Disability 2021-2030*, along with the 2024 legislative amendments to enhance the power of equality bodies to support victims of discrimination and increase public understanding of discrimination. These initiatives augment the EU Treaties, Equality Directives, the Charter of Fundamental Rights and the European Pillar of Social Rights, which emphasise the foundational importance of non-discrimination and equality (European Parliament, 2012[2]).

Despite these commitments to equality, discrimination remains a persistent reality and challenge in the EU. Every day, discrimination limits people's access to jobs, services and opportunities, and exposes them to violence and hate. Unfortunately, however, the ways in which discrimination affects people's lives in the EU remain difficult to quantify – particularly in terms of how the well-being of people at risk of discrimination compares to the rest of the population – because data availability varies across Member States and protected grounds. Disaggregated data covering racialised[2] communities and lesbian, gay, bisexual, transgender and intersex (LGBTI) people are especially lacking (Subgroup on Equality Data of the High Level Group on Non-Discrimination, Equality and Diversity, 2023[3]; 2021[4]).

To support the development of new evidence, the European Commission has co-funded this report to examine the state and effects of discrimination and identify policy and legal gaps, good practices and opportunities to further mainstream non-discrimination, equality and inclusion. This report focuses on discrimination against people from racialised communities, LGBTI people, persons with disabilities, people from religious minorities, young people and older people. An intersectional approach is taken, where data are available, to examine how people's sex interacts with their experiences of discrimination on the basis of their ethnicity, race, sexual orientation, gender identity, disability, religion and/or age. Understanding how discrimination affects people's lives is essential for ensuring that policies and laws are well-functioning. An intersectional lens assists with identifying the risks people face, which in turn, helps in designing policies that meet their needs and are attuned to their circumstances (Chapter 4).

This introductory chapter sets out the approach to examining discrimination in the EU by first emphasising why it is important to understand and combat discrimination (Section 1.1). It then explores measurement difficulties (Section 1.2) and describes the empirical strategies used throughout this report to assess the state of discrimination and ways governments are responding (Section 1.3). In the absence of official data sources, this report draws on a variety of surveys and opinion polls, as well as the results of the *OECD Anti-Discrimination Questionnaire*, to highlight the ways in which data can be used to understand the magnitude and effects of discrimination, as well as policy responses – thereby demonstrating the potential analysis that could be undertaken in the event that official data collections become richer. The *OECD Anti-Discrimination Questionnaire* collected information on national anti-discrimination laws, policies and

mainstreaming initiatives to promote the equality and inclusion of groups at risk of discrimination (see Chapters 3, 4 and 5 for more information on the questionnaire). Responses are current as of April 2024 and sourced from 21 out of 22 OECD EU countries.

1.1. Why addressing discrimination is important

Discrimination violates the principles of respect for the inherent dignity and the equal rights of every person, which include economic, social, political and civil rights.[3] EU Member States are bound to uphold equality and non-discrimination, as per the EU legislative framework,[4] the European Convention on Human Rights and the Universal Declaration of Human Rights and other United Nation declarations.[5]

In concrete terms, the EU Charter of Fundamental Rights prohibits discrimination based on any grounds 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. Further, secondary legislation, including the *Racial Equality Directive (2000/43/EC)* and *Employment Equality Directive (2000/78/EC)*, articulate the acts that constitute discrimination and unfair treatment (Box 1.1).

Box 1.1. What counts as discrimination in the EU?

The *Racial Equality Directive (2000/43/EC)* and *Employment Equality Directive (2000/78/EC)* expressly prohibit the following forms of discrimination and unfair treatment.

- Direct discrimination – where one person is treated less favourably than another is, has been or would be treated in a comparable situation.
- Indirect discrimination – where an apparently neutral provision, criterion or practice would put persons at a particular disadvantage compared with other persons, unless that provision, criterion or practice is objectively justified by a legitimate aim and the means of achieving that aim are appropriate and necessary.
- Harassment – unwanted conduct with the purpose or effect of violating the dignity of a person and of creating an intimidating, hostile, degrading, humiliating or offensive environment.
- Discrimination by instruction – whereby a person is ordered or induced to discriminate against another.
- Victimisation – any adverse treatment or adverse consequence as a reaction to a complaint or to proceedings aimed at enforcing compliance with the principle of equal treatment.

Many countries' laws go beyond the minimum EU protections, such as by prohibiting discrimination by association (where a person is discriminated against because of their relationship to another person who has experienced discrimination), or discrimination by assumption (which is based on the incorrect assessment of the characteristics or beliefs of the person facing discrimination).

All EU Member States have incorporated the EU laws into national legislation, although there are differences across countries. Many countries have more expansive anti-discrimination laws than required by the EU standards, for example, in terms of the areas of life covered, the number of protected grounds and the forms of discrimination that are prohibited (Chapter 4).

The legal prohibitions on discrimination are augmented by policies in many EU countries to promote equality and inclusion. Under the auspices of the Union of Equality, many EU countries have created

national equality strategies to mainstream inclusion throughout their policymaking processes and ensure that policies are tailored to the needs and circumstances of groups at risk of discrimination (Chapters 4 and 5). This report showcases policy and mainstreaming initiatives in a number of areas: from awareness campaigns, to employment, education, health and justice programmes, as well as stakeholder engagement processes and equality data collection practices.

Taken together, the legal and policy responses to discrimination emphasise the importance that the EU and its Member States place on creating more equal and inclusive societies. The prominence given to equality and inclusion in the past five years is not just a recognition of the moral imperative of upholding human rights, but an indication of the perniciousness of the consequences of discrimination. This report shows that discrimination is widespread in the EU, with 56% of people who identify as part of an at-risk group based on their ethnicity or skin colour, disability status, religion, sexual orientation or gender identity stating that they experienced discrimination in the 12 months to May 2023 – up from 46% in 2019 (Chapter 2). This rise reflects a combination of demographic shifts, recent major events like COVID-19, and a growing public awareness of rights and discrimination. When compared to those who have not experienced discrimination, people with self-reported experiences of discrimination have limited income-earning opportunities, live with housing and financial stress, are often subjected to violence and fear, and are more likely to be lonely and have poor mental and physical health outcomes. These consequences come at a very significant cost to the individuals directly affected, as well as to society as a whole, in terms of lost economic potential and threats to social cohesion (Chapter 3).

1.2. Difficulties in measuring discrimination

Despite the recognition of the importance of combatting discrimination, there are a number of challenges to understanding its extent, nature and effects, as well as the effectiveness of policy responses. In Europe, the paucity of data that can be used to assess discrimination is often noted by the European Commission (2023[3]; 2021[4]) and advocacy groups such as the European Network Against Racism (n.d.[5]; 2015[6]; 2014[7]). In addition, there are methodological issues to measuring discrimination empirically (National Research Council, 2004[1]). This section discusses these challenges.

Patchy data collection

Discrimination analysis in the EU is hampered by the lack of valid and comparable data covering all at-risk groups. While all EU Member States publish at least some official data on dimensions of well-being[6] disaggregated by sex, age and physical limitations on daily activities (as a proxy for disability status), data are not systematically collected for other groups at risk of discrimination. Disaggregated data covering racialised communities and LGBTI people are especially lacking (Subgroup on Equality Data of the High Level Group on Non-Discrimination, Equality and Diversity, 2023[3]; 2021[4]).

Among some EU Member States, the lack of well-being data on at-risk groups (especially people from racialised communities) stems from the sensitivity of the data, historical considerations or concerns that the data will be used to reinforce negative stereotypes (Balestra and Fleischer, 2018[8]; Farkas, 2017[9]; Subgroup on Equality Data of the High Level Group on Non-Discrimination, Equality and Diversity, 2021[4]; 2023[3]). Results from the *OECD Anti-Discrimination Questionnaire* indicate that more than two-thirds of the 21 OECD EU respondent countries raised concerns about the effects on at-risk groups of collecting and using data, and over half mentioning privacy and legal concerns (Chapter 5).

These concerns are not, however, felt universally. As discussed in Chapter 5, there is overwhelming public support and repeated calls to expand the collection of data on all groups at risk of discrimination by civil society organisations such as the European Network Against Racism (n.d.[5]), and the European Commission (as exemplified by the Subgroup on Equality Data of the EU High Level Group on

Non-Discrimination, Equality and Diversity). This support is predicated on data being used for the benefit of at-risk groups, and being collected in ways that avoid stigmatising at-risk groups, including by responding seriously to at-risk groups' concerns, providing at-risk groups with the tools to use the data to understand and advocate for their communities, and collecting personal data only where essential and on a voluntary basis (permitting a non-response option for those who do not wish to provide this information) (United Nations Office of the High Commissioner for Human Rights, 2018[10]; Balestra and Fleischer, 2018[8]). In the EU, the collection and use of data need to comply with Article 9 of the *General Data Protection Regulation (Regulation (EU) 2016/679),* which stipulates the conditions in which personal data[7] can be collected and processed. These criteria include requiring an individual to give explicit consent to the processing of their data for specified purposes or that the data must be necessary for protecting a person's vital interests, or that processing the data has a substantial public interest.

As calls to expand data collections grow and protocols for the processing and use of data are developed, some EU countries are investing in data that can be used to elucidate the experiences of groups at risk of discrimination. For example, Malta's Census of Population and Housing (2021[11]) includes information[8] on characteristics or beliefs that affect people's risk of discrimination – such as their sexual orientation, gender identity, racial origin, religion, languages they spoke when growing up, and long-lasting physical and mental limitations. Bulgaria, Czechia, Ireland, Hungary, Lithuania, Poland, Romania and the Slovak Republic collect information on people's ethnic, racial, national or cultural origin/background and their religion in their censuses (Czech Statistical Office, 2021[12]; Central Statistics Office Ireland, 2023[13]; Hungarian Central Statistical Office, 2022[14]; Ministry of Foreign Affairs Republic of Latvia, 2024[15]; Ministry of Justice Republic of Latvia, 2022[16]; Statistics Lithuania, 2021[17]; Central Statistical Office Poland, 2021[18]; National Statistics Institute Portugal, 2023[19]; Statistical Office of the Slovak Republic, 2021[20]; Republic of Bulgaria National Statistical Institute, 2021[21]) (National Institute of Statistics Romania, 2021[22]; National Institute of Statistics Romania, 2013[23]). Religious beliefs and affiliations (but not ethnic or racial origin) are also collected in the national censuses of Austria, Croatia, Estonia, Finland, and the Netherlands (Statistics Austria, 2023[24]; Croatian Bureau of Statistics, 2021[25]; Statistics Estonia, 2021[26]; Statistics Finland, 2023[27]; Statistics Netherlands, 2023[28]).

Outside of national censuses, some countries collect information on people's ethnic origins and religions in official surveys (e.g. Portugal, Box 1.2) or registers (e.g. Latvia) (National Statistics Institute Portugal, 2023[19]; Ministry of Foreign Affairs Republic of Latvia, 2024[15]; Ministry of Justice Republic of Latvia, 2022[16]; Balestra and Fleischer, 2018[8]). In addition, population-based surveys have been used to collect information on people's sexual orientation and gender identity, including in Belgium, Denmark, Finland, France, Germany, Ireland, Italy, the Netherlands and Sweden, although in many cases these surveys are not regularly conducted (Subgroup on Equality Data of the High Level Group on Non-Discrimination, Equality and Diversity, 2023[3]; OECD, 2019[29]). (See Chapter 5 for more information on data collections on groups at-risk of discrimination and emerging practices in OECD EU countries.)

While these developments in national data collections enable better understanding of the experiences and outcomes of groups at risk of discrimination, differences in how national survey questions are formulated make it difficult to compare results across European countries, which is important for studies, like this one, that cover the EU. Questions that capture people's identities and characteristics reflect the cultures, histories and demographic makeup of each EU Member State. For instance, in Ireland people can choose if they identify as White Traveller, but such a category is not included in the Maltese census. Moreover, nationally representative surveys are rarely sufficiently granular to analyse gaps in health, education, employment, income and social protection between at-risk groups and the general population.

In the absence of official data that cover all at-risk groups in ways that enable comparisons across countries, the European Agency for Fundamental Rights (FRA) conducts targeted surveys that capture information on the experiences of LGBTI people, Roma and immigrants and their descendants (2020[30]; 2023[31]; 2022[32]); and European and other international general social surveys and opinion polls include questions on people's characteristics, identities and experiences of discrimination – examples include the

Discrimination in the EU Eurobarometer and the *Opportunities Module of the 2022 OECD Risks that Matter Survey* (Section 1.3). Finally, cross-national statistical offices and networks are developing guidance to harmonise the collection of data on groups at risk of discrimination. For example, Eurostat is chairing an *Equality and Non-Discrimination Statistics Taskforce* to improve official data on at-risk groups, including by enhancing statistical coverage and comparability. The taskforce is expected to publish data collection recommendations in 2026 (European Commission, 2024[33]). Further, the United Nations Praia Group on Governance Statistics is developing guidance on using survey and administrative data sources to measure discrimination and disadvantage consistently across countries, which is anticipated to be released in 2026 (United Nations Economic and Social Council, 2024[34]).

Box 1.2. European examples of official ethnicity and race data collections

All OECD EU countries collect information that can be used as proxies for ethnicity – such as country of birth, parents' country of birth or year of arrival or citizenship – in official statistical surveys, registers or censuses (Balestra and Fleischer, 2018[8]; Valfort, forthcoming[35]). While these data closely map to ethnicity for some people, they are not perfect proxies for everyone, particularly in societies that are becoming more ethnically and racially diverse (Gill, Bhopal and Kai, 2005[36]). Indeed, the United Nations (2017[37]) recommends that country of birth or citizenship should not be used to derive a person's ethnicity. In the case of Roma people, the largest ethnic non-territorial minority of Europe, questions of country of birth or citizenship would leave them without the option to identify as Roma. Similarly, a question related only to race, but not ethnicity, would leave a Roma person without an option to self-identify.

The drawbacks of using citizenship as a proxy for ethnicity are clearly visible in analysis of the *2023 Survey on Living Conditions, Origins and Trajectories of the Resident Population in Portugal*. Almost 97% of people who identify as Gypsy are Portuguese citizens, compared to 70% of people who identify as Black and 40% of people who identify as Asian are Portuguese citizens (Figure 1.1). These ethnic breakdowns are masked when only citizenship questions are asked in official surveys, which in turn, renders invisible the diversity of the population, and the trends, outcomes and experiences of different population groups (United Nations, 2017[37]).

Malta has also recently started to include self-identified ethnicity in official statistical publications. In 2021, Malta included racial origin in the Census of Population and Housing for the first time (Sansone, 2021[38]). Like Portugal, results from Malta show that large proportions of ethnic minority groups have Maltese citizenship, namely 45% of people who identify as having more than one racial origin and 20% of people identifying as Arab or Hispanic or Latino are Maltese citizens (National Statistical Office Malta, 2023[39]). Recent developments in Portugal and Malta follow longstanding efforts in Ireland and Eastern European countries to collect information on people's self-identified ethnicity in national censuses or registers. Where countries collect information on self-identified ethnic, racial or national origin, they also typically ask questions related to country of birth and spoken languages.

Figure 1.1. Citizenship data miss key information on self-identified ethnic origin

Overlap between ethnic origin and citizenship in Portugal, 2023
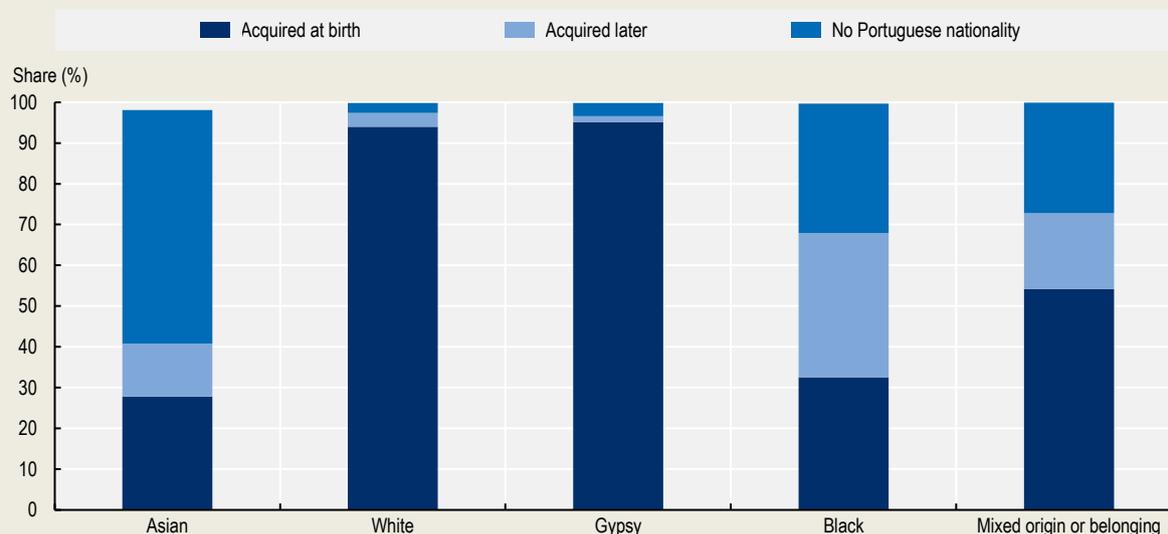
Note: The share of the population that self-identifies as Asian and acquired their Portuguese citizenship later in life has a high coefficient of variation, and should be interpreted with caution.
Source: OECD calculations based on National Statistics Institute Portugal (2023[19]), *Survey on Living Conditions, Origins and Trajectories of the Resident Population in Portugal,*
https://www.ine.pt/xportal/xmain?xpid=INE&xpgid=ine_destaques&DESTAQUESdest_boui=625453580&DESTAQUESmodo=2.

StatLink 🖾🖳 https://stat.link/yad0hz

Methodological issues

Discrimination is rarely captured directly in datasets and, as such, researchers need to infer its occurrence based on what would have happened to an individual if they did not have characteristics that put them at risk of discrimination. It is not sufficient to measure gaps in outcomes between groups at risk of discrimination and those not at risk. While gaps in outcomes may be indicative of discrimination or the legacy of a history of exclusion, observed gaps in income, for example, may be driven by other factors, including differences in educational attainment or health status (National Research Council, 2004[1]). Conversely, not observing gaps in outcomes between groups is not necessarily a sign of the absence of discrimination. People affected by discrimination may need to work harder to achieve the same outcomes as people not at risk of discrimination (National Research Council, 2004[1]). Just examining final outcomes will not reveal this extra effort necessary to overcome discrimination and hardship.

Economists, sociologists, health researchers and social psychologists have used various methods to identify the presence and effects of discrimination (Table 1.1). No method is perfect, but each is useful in revealing facets of discrimination, and when combined can provide a comprehensive picture of the extent of discrimination, how it affects people's lives and how prejudicial attitudes lead to discriminatory acts. For example, experimental approaches (e.g. laboratory experiments, correspondence studies and audits) attempt to measure the effect of discrimination causally. Field studies are commonly used in European settings to examine discrimination in housing and employment applications. These approaches develop fictional people who are identical in all ways except for some characteristic that signals their risk of discrimination (e.g. their name or skin colour). These fictional people are then put forward as applicants for jobs or rental properties, and researchers examine whether there are differences in success rates based

on their names or skin colour or on other characteristics. While these approaches can attribute differences in outcomes to discrimination, they can only feasibly be conducted in a few settings, such as job recruitment or rental applications (OECD, 2020[40]), and it can be difficult to scale them up for population-level analysis.

Statistical approaches are also commonly used to assess discrimination. These approaches typically use census and social survey data with demographic and economic variables to compute the gap in outcomes between the minority group of interest and the general population, where the outcomes of interest may be related to employment, income, health-relate or housing. After controlling for a range of additional factors that contribute to people's outcomes (such as age, sex, education and location), the remaining gap could indicate discrimination, although discrimination is not directly observed and cannot be measured with certainty (OECD/European Union, 2015[41]; OECD, 2020[40]). Given the state of data collection in OECD EU countries, this type of analysis focuses on the outcomes of persons with disabilities, migrants, women and people at risk of age discrimination – although it may be possible to expand the analysis to racialised communities and LGBTI individuals, as countries continue to invest in the collection of equality data (discussed above and Chapter 5).

Alternatively, self-reported discrimination survey data can be used to examine the effects of discrimination on individuals, such as in relation to people's employment and income outcomes, and their housing situation (Chapter 3). Some EU countries conduct national discrimination surveys. For instance, in France, the Trajectoires et Origines survey asks people about their experiences of racial discrimination and hate crimes and speech, and unfair or unequal treatment in various life domains (Institut National de la Statistique et des Études Économiques, 2019[42]; Beauchemin, Ichou and Simon, 2023[43]); Poland included questions on discrimination in the 2018 Social Cohesion Survey (Central Statistical Office Poland, 2020[44]); Luxembourg published a report on ethnic and racial discrimination in 2022 (Ministère de la Famille, de l'Intégration et à la Grande Région, 2022[45]); while Spain is set to release the results of survey on racism and racial discrimination in 2026 (Mahoney et al., 2024[46]).

Discrimination surveys have the benefit of asking people about their identities and experiences of discrimination, and some include a wide range of information on outcomes of interest such as income, housing, safety and health, along with demographic variables. This information enables the effect of discrimination to be observed, after controlling for other explanatory factors (similar to using statistical approaches, but with the addition of including self-reported discrimination as a factor).

Nevertheless, this approach is not without limitations. Self-reported discrimination data can be influenced by the framing of survey questions and the mode of delivery (Hou and Schimmele, 2022[47]). People's perceptions of their experiences may also differ from what can be established through objective facts and which rely on people being aware of, and able to correctly identify, discriminatory action. For example, some people may not be aware they experienced discrimination (Kaiser and Major, 2006[48]). Some may even not report discrimination because they feel the need to conform to norms that they live in a meritocratic, egalitarian society, they have internalised stigma, they fear the repercussions of disclosing their experiences or they are exposed to discrimination so frequently that they perceive it as "normal" (Williams, 2016[49]). In addition, policy and legislative changes may foster environments in which people do not feel safe revealing their identities or reporting discrimination (Adams and McPhail, 2008[50]).[9]

Table 1.1. Advantages and limitations of common empirical approaches to measuring discrimination

	Description	Advantages	Limitations	Uses
Laboratory experiments	Research participants are randomly assigned to a treatment or control group in a controlled environment to test if the treatment causes an observed response.	Can control/test factors that could alternatively explain outcomes. Can study the mechanisms through which discrimination/bias occur.	Limited 'real world' applicability (i.e. external validity). Cannot measure the extent of discrimination in society.	Identify the types of situations and mental processes where discriminatory attitudes and behaviours are more/less likely to occur; and characteristics of people more/less likely to exhibit or report discrimination.
Field experiments (e.g. audits and correspondence studies)	Like laboratory experiments but conducted in real-world settings. E.g. two identical CVs (bar one characteristic such as race, sex or age) are submitted for job openings and differences in callback rates are attributed to discrimination.	Results are more generalisable than laboratory experiments.	More difficult to control all confounding factors than laboratory experiments. Difficult to study discrimination settings outside of housing and job seeking.	Measure discrimination against at-risk groups in housing markets or in applying or interviewing for a job.
Statistical approaches to attribute gaps in outcomes to discrimination	Statistical techniques are used to attribute difference in outcomes between groups to discrimination, after controlling for a range of other explanatory factors or by comparing outcomes before and after a policy change (i.e. natural experiments).	Primary way of analysing disparities in outcomes and discrimination in the real world. Natural experiments can be used to measure the extent of discrimination.	Difficult to make causal inferences because not all relevant factors can be controlled (i.e. omitted variable bias) and datasets may not represent the population of interest (i.e. sample selection bias). Observational data often contain a small set of characteristics that can explain the observed effect or model the discriminatory process.	Understand the sources of differences between groups.
Surveys of self-reported attitudes and experiences	Surveys, such as opinion polls, collect information on people's subjective views and experiences of discrimination or attitudes towards various at-risk groups.	Can contribute to the understanding of the nature, extent and consequences of discrimination and show trends in attitudes and behaviours over time and among various groups. Can give a voice to at-risk people to share their experiences.	Cannot directly measure prevalence discrimination, as perceptions may over/underreport discrimination. As discriminatory attitudes and behaviours change over time, new or revised survey questions may be necessary.	Gauge people's perceptions on levels of discrimination in their country, against various groups and in various areas. Support the findings from other kinds of studies estimating the contribution of discrimination to observed disparities in outcomes between groups. Indicate changes in discrimination processes (e.g. changes in attitudes over time).

	Description	Advantages	Limitations	Uses
Administrative records	Administrative data include complaints made to, and investigated by, government agencies; anti-discrimination court filings; and registries of hate crimes maintained by equality bodies.	Represent socially significant events and data are easily accessible and cost efficient, as data are already collected as part of routine procedures for other processes.	Likely to represent only a subset of discrimination events, as data are only collected to meet legal obligations and definitions; and willingness to report discrimination depends on the ease of reporting, complaint handling procedures, people's knowledge and confidence to identify discrimination and pursue a complaint (and their belief a complaint will be properly handled), among other factors. Legal definitions and complaints handling may change over time, making it difficult to identify trends.	Indicate the types of discrimination events that are deemed serious enough by complainants to make a complaint, for example hate or bias-motivated crimes.

Source: Adapted from Blank, Dabady and Citro (2004[1]), *Measuring Racial Discrimination, National Academies Press*, Washington DC; and Smith (2002[51]), *Measuring Racial and Ethnic Discrimination*, GSS Methodological Report No. 96, Chicago, https://gss.norc.org/Documents/reports/methodological-reports/MR096.pdf.

Conversely, some people may infer they have been discriminated against even where this is not the case (OECD/European Union, 2015[41]), which would indicate that perceptions could overstate the extent of discrimination. People may be more vigilant about labelling an event discriminatory if they have a history of experiencing discrimination, are heavily involved in advocacy, or as a way of protecting their self-worth when they experience a negative outcome like a poor job review or a termination (Kaiser and Major, 2006[48]; National Research Council, 2004[1]). In these cases, people may call an incident discrimination even if it does not constitute unequal behaviour on the basis of their characteristics.[10]

While there is some empirical evidence that people from at-risk groups are over-vigilant and overreport discrimination (Kaiser and Major, 2006[48]), the majority of studies find that there is either no systemic bias in detecting discrimination between at-risk groups and the general population (Major et al., 2002[52]),[11] or alternatively, that there is a general tendency among people who experience discrimination to minimise what happened to them, contributing to under-reporting (Major et al., 2002[52]; Habtegiorgis and Paradies, 2013[53]; Williams, 2016[49]; Majors and Schmader, 2001[54]; Major, Quinton and McCoy, 2002[55]; Thurber et al., 2021[56]).[12] For example, in Europe, some respondents to the S*econd European Union Minorities and Discrimination Survey* were reluctant to disclose their experiences of discrimination, given the tense political climate and the refugee crisis unfolding during the survey period (European Union Agency for Fundamental Rights, 2017[57]).

Finally, cognitive testing of discrimination survey questions reveals that people provide reliable responses about their experiences when they are given clear definitions of discrimination and harassment (United Nations Praia Group on Governance Statistics, 2021[58]). Definitions help people interpret discrimination and harassment consistently, and enable them to confirm whether their experiences meet legal, normative or objective standards of discrimination and harassment. Indeed, in its guidance on conducting surveys to collect data to monitor the Sustainable Development Goals, the Office of the United Nations High Commissioner for Human Rights notes the importance of including definitional text before questions on experiences of discrimination and harassment to enhance the clarity of the terms and develop a "sufficiently common understanding … and prompt respondents' recall of relevant incidents to contribute to the validity and reliability of the indicator" (United Nations Office of the High Commissioner for Human Rights, n.d., p. 8[59]). This highlights the importance of good survey design in mitigating some of the limitations of self-reported discrimination data.

1.3. The approach used in this report

Given the data and methodological challenges inherent in studying discrimination in the EU, this report draws on a variety of survey data sources to explore the state and effects of discrimination and OECD EU countries' policy and legal responses. The report primarily analyses non-official surveys and opinion polls, such as the 2019 and 2023 *Discrimination in the EU Eurobarometers*[13] (covering all EU Member States), the *Opportunities Module of the 2022* OECD *Risks that Matter Survey*[14] of 17 OECD EU countries (accounting for 85% of the EU population), and the 2022 and 2023 AXA (2023[60]) *Mind Health*[15] surveys of six OECD EU countries. These surveys are representative of the general population and include information on people's self-reported experiences of discrimination, their identities and personal characteristics and various aspects of, and outcomes in, people's lives. With this information, this report analyses the extent, nature and drivers of discrimination across the EU (Chapter 2), and the similarities and differences in the employment, health, safety, civic and social outcomes of various at-risk groups compared to the general population (Chapter 3). Further, the surveys used in this report enable an examination of the extent to which self-reported experiences of discrimination are associated with differences in outcomes between the general population and people at risk of discrimination – particularly people from racialised communities, LGBTI people, people from religious minorities, persons with disabilities (Chapter 3). This type of analysis is not possible with targeted surveys, as they do not include the general population.

Since the data used are cross-sectional surveys, this report does not measure the causal effects of discrimination, but rather the outcomes that are associated with people's perceived experiences of discrimination. There are both risks of over- and under-estimation using self-reported experiences of discrimination, as discussed in Section 1.2, but experimental and empirical studies on the validity of self-reported discrimination surveys, suggest, on balance, that underreporting of discrimination is more common than overreporting. As such, the estimates produced in this report are likely to be conservative; indicating the lower bounds of the extent and effects of discrimination in the EU.

Moreover, since these surveys are of the general population, they have smaller sample sizes of the groups of interest than targeted surveys. For example, the main surveys used in this report have samples of people who identify as LGBTI (or as belonging to a minority group on the basis of their sexual orientation or gender identity) that range from about 500 to 1 200.[16] In comparison, FRA's survey of LGBTI people had a sample of almost 140 000 (European Union Agency for Fundamental Rights, 2020[30]). Small sample sizes of groups at risk of discrimination in general population surveys make it difficult to conduct a granular analysis of every group (and their intersections), and often leads to results being presented at the EU-level rather than for each country. Where possible, the report draws on FRA survey results to cross-check the estimates derived from the general population surveys. In most cases, the results from the general population surveys are similar to the results presented in FRA reports (Chapters 2 and 3).

This report also draws on experimental studies conducted in Europe to augment the analysis using general population surveys, which are more likely to reflect objective incidents of discrimination (albeit in a narrower set of domains such as housing or job recruitment). Experimental studies consistently show that discrimination is present in recruitment and housing, with applications with identifiably ethnic or religious minority names receiving far fewer callbacks for interviews and invitations to view apartments compared to applications from the general population in Ireland, Belgium, France and Sweden, for example (Chapter 3).

After considering the state and effects of discrimination, this report turns to policy considerations. The report assesses the coverage of OECD EU countries' policies and laws for fighting discrimination and promoting equality and inclusion, based on the *OECD Anti-Discrimination Questionnaire*, sent to OECD Members in April 2024 (and detailed in Chapter 4). The questionnaire was completed by 21 out of 22 OECD EU countries. Chapters 4 and 5 present results from this questionnaire, which collected information on the types of discrimination prohibited and the areas of life that covered by anti-discrimination

laws, such as employment, education and training, health, social services, public safety and justice, online and in the media, and the provision of, and access to, products and housing. The questionnaire also asked about policies that promote equality of opportunity and social equality for people at risk of discrimination, as well as national governments' equality mainstreaming efforts. The questionnaire focused on policies and programmes designed around the specific needs and circumstances of those at risk of discrimination.

The legal, policy and mainstreaming analysis indicates that, while some OECD EU countries adopt comprehensive approaches to support groups at risk of discrimination, many focus on specific populations – particularly people at risk of racial and ethnic discrimination and disabilities discrimination. The focus on these groups reflects the scope of EU anti-discrimination laws, national political priorities, demographic trends, societal attitudes and levels of support for policy reform. To provide a more effective basis for supporting equality and inclusion for all, EU anti-discrimination laws should be harmonised across grounds, and countries should continue their efforts to design policies that meet the needs of at-risk groups, including by expanding mainstreaming efforts across grounds.

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Notes

1 The United Nations Human Rights Committee issued General Comment 18: Non-Discrimination (1989), which notes that discrimination "should be understood to imply any distinction, exclusion, restriction or preference which is based on any ground such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status, and which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise by all persons, on an equal footing, of all rights and freedoms".

2 In this report, the term "racialised communities" is based on the European Commission Against Racism and Intolerance's (2021[64]) definition, in which racialisation is "the process of ascribing characteristics and attributes that are presented as innate to a group of concern to it and of constructing false social hierarchies in racial terms and associated exclusion and hostility. Regardless of where one is from and of personal circumstances, once identified or perceived as a member of a group, one is deemed as embodying characteristics based on, for instance, skin colour, ethnic or national origin inherent to all members of that group."

3 The EU Charter of Fundamental Rights protects the right to liberty and security; freedom of thought and expression; protection from slavery and the freedom to choose an occupation and right to engage in work; right to education; right to property; right to asylum; rights to fair working conditions; the legal, economic and social protection of the family; the right to social security and social assistance; the right of access to

health care; voting rights; right to good administration; right to an effective remedy and a fair trial; to name a few.

[4] Article 2 of the Treaty on European Union (2012/C 326/01) states "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".

[5] These include the International Covenant on Civil and Political Rights, International Covenant on Economic, Social and Cultural Rights, Convention on the Elimination of All Forms of Racial Discrimination, Convention on the Elimination of All Forms of Discrimination Against Women, and Convention on the Rights of Persons with Disabilities.

[6] Well-being data include labour force status, educational attainment and health outcomes. See Chapter 5 for more information on the official data collections of most OECD EU countries related to groups at risk of discrimination.

[7] As per Article 9 of the *General Data Protection Regulation (Regulation (EU) 2016/679)*, personal data include a person's racial or ethnic origin, religious or philosophical beliefs, or trade union membership, genetic and biometric data, health and sexual orientation.

[8] In Malta, the 2021 Census of Population asked the following questions about individuals' characteristics and identity. "Is the gender you identify with the same as your registered sex? (Specify)", "Which of the following best describes your sexual orientation? (Straight/heterosexual, Gay or Lesbian, Bisexual, Other (Specify))", "What religion, religious denomination or body that people belong to/identify with regardless of their level of practice (Roman Catholic, Orthodox, Church of England, Protestant, Islam, Judaism, Buddhism, Hinduism, Other (Specify) or No religious affiliation", and "Do you have any of the following difficulties? (Difficulty to see even if wearing glasses, Difficulty to hear even if using a hearing aid, Difficulty to walk or going up stairs, Difficulty to remember or concentrate, Difficulty with self-care such as washing all over or dressing, Difficulty to communicate (to understand or to be understood) when using usual (customary) language".

[9] For example, after the passage of an anti-immigrant law in California in the 1990s, people with Mexican ancestry were less likely to identify as part of an ethnic minority (Antman and Duncan, 2024[63]).

[10] In one experiment, African American college students who received critical feedback were more likely to say the evaluator was biased than European American students, even though all students received the same type of feedback and the evaluator was not aware of the students' races (hence objectively bias did not exist) (Cohen, Steele and Ross, 1999[66]). However, African American students' views of bias disappeared when evaluators' critical feedback included an affirmation that the students were capable of meeting high standards, which suggests that perceptions of discrimination are influenced by the social context in which the threat of stigmatisation is managed (Kaiser and Major, 2006[48]; Cohen, Steele and Ross, 1999[66]).

[11] In experiments testing the interplay of perceptions of discrimination, views on individual mobility and salience of belonging to at-risk groups, African Americans and Latin Americans were not found to generally

under- or over-report discrimination relative European Americans (Major et al., 2002[52]). Similar patterns were found for women in comparison to men (Major et al., 2002[52]).

[12] For example, Aboriginal and/or Torres Strait Islander Australians were asked if they were treated with less respect than other people, received worse service, had people act like they are not smart, were called names, were followed around stores, were watched more closely than others or had police unfairly bother them because of their Indigenous status. While many research participants revealed they had had these experiences, few labelled it discrimination because it was so common, it was considered 'normal' (Thurber et al., 2021[56]).

[13] The *Discrimination in the EU* Eurobarometers cover people aged 15 years and over in all EU Member States. About 1 000 people are surveyed in each country (except for Cyprus, Luxembourg and Malta, where close to 500 people are surveyed). Samples are stratified by local region, sex and age (European Commission, 2023[61]; European Commission, 2019[62]). The surveys ask people about their perceptions of discrimination, attitudes towards groups at risk of discrimination, how they self-identify and well-being outcomes (such as occupation, experience of financial difficulty and household structure).

[14] The *Opportunities Module of the 2022 OECD Risks that Matter Survey*, surveyed 1 000 18-64-year-olds in 27 OECD countries, including Austria, Belgium, Denmark, Estonia, Finland, France, Germany, Greece, Ireland, Italy, Latvia, Lithuania, the Netherlands, Poland, Portugal, Slovenia and Spain. The survey asks people about their perceptions of risks and near-term and long-term concerns, preferences over government policies, experiences of discrimination, views on inequality, self-identification and well-being outcomes (e.g. employment, housing, safety and civic engagement). Sample stratification occurs by sex, age group, education level, income level, and employment status. The survey questions related to discrimination were designed in line with guidance from the United Nations Praia Group on Governance Statistics (2021[58]).

[15] The AXA *Mind Health Survey* covers people aged 18 to 74 years in 16 countries. Including Belgium, France, Italy, Ireland, Italy and Spain. Two thousand people are surveyed per country in 2022 and 1 000 people per country in 2023, and data are weighted post-hoc to be representative of the general population in terms of sex, age, region and occupation. The survey asks people about their mental health, physical health, health activities, social supports, experiences of discrimination and self-identification (AXA Group, 2023[60]; AXA Group, 2024[65]).

[16] The *2023 Discrimination in the EU Eurobarometer* reveals that about 500 survey respondents (out of 26 000) identified as LGBTI. This compares to 900 people (out of 12 000) in the *2022 AXA Mind Health Survey* and 500 people (out of 6 000) in the *2023 AXA Mind Health Survey* who identify as lesbian, gay, bisexual, transgender, queer and/or questioning, and 1 200 people (out of 17 000) in the *Opportunities Module of the 2022 OECD Risks that Matter Survey* who identify as part of a sexual orientation or gender identity minority.

2. The extent and nature of discrimination

Discrimination on the grounds of ethnicity, race, disability, religion, and sexual orientation remains a persistent challenge in the European Union. In most countries, self-reported discrimination rates have increased over the past five years. This trend reflects a combination of demographic shifts, social and political dynamics, recent major events, and a growing public awareness of rights and discrimination. While self-reported data cannot definitively confirm whether discrimination itself is increasing, they offer valuable insights into the risks people face and the nature of their experiences. Groups most at risk include racialised communities, LGBTI individuals, persons with disabilities, and religious minorities – many of whom encounter overlapping forms of prejudice in public spaces, employment, and online environments.

Despite challenges in measuring discrimination (Chapter 1), available evidence suggests that it remains a widespread and persistent reality for many in the European Union (EU). Surveys consistently show that around one in four Europeans aged 18 to 64 report experiencing discrimination in the past year, with rates highest among racialised communities, persons with disabilities, lesbian, gay, bisexual, transgender and intersex (LGBTI) people, and religious minorities[1] (Figure 2.1). Repeated editions of the *Discrimination in the EU* Eurobarometer surveys reveal a clear upward trend in self-reported discrimination over the past five years. In 2023, 56% of respondents who identified as part of an at-risk group – based on their ethnicity or skin colour, disability status, religion, sexual orientation or gender identity – stated that they had experienced discrimination in the previous year, up from 46% in 2019.

Discrimination is rarely a one-off experience. It occurs repeatedly and across multiple domains – when seeking employment, in the workplace, in public spaces, and online. According to the *Opportunities Module of the* 2022 *OECD Risks That Matter Survey*, nearly a third of respondents from racialised communities in Europe who reported experiencing discrimination said it occurred "most or all of the time". People from racialised communities are also likely to experience multiple and overlapping forms of discrimination, often based on sex, religion, and age, in addition to their skin colour or ethnicity. Multiple discrimination is also common among other at-risk groups, including LGBTI individuals.

This chapter draws on a range of data sources to examine the extent and nature of discrimination in the EU – identifying who is most at risk, the forms discrimination takes, its frequency, and the settings in which it occurs. First, Section 2.1 examines self-reported discrimination rates across EU countries, and explores possible drivers of recent trends, including the growing diversity of European societies, increased public awareness of rights and discrimination, and new opportunities for exclusion and bias linked to recent geopolitical tensions and the COVID-19 pandemic. Where possible, the chapter introduces new evidence to help explain trends and highlights the most common forms of discrimination occurring in EU countries (Annex 2.A).

Then, Section 2.2 analyses who is most likely to report discrimination, and the circumstances in which it is experienced. Where data allow, the analysis adopts an intersectional lens to understand how different personal characteristics – such as sex, age, and minority status – combine to increase the risk of experiencing multiple forms of discrimination. Women and young people (under the age of 35) are particularly likely to report such experiences, especially when they also identify as lesbian, gay or bisexual, or belong to a racialised community. These individuals are exposed to intersecting forms of discrimination based on sex, sexual orientation, ethnicity, and skin colour (Annex 2.B).

The analysis presented in this chapter – on the extent, nature and patterns of discrimination, particularly its multiple and intersectional dimensions – has important implications for understanding its effects (Chapter 3) and for shaping effective legal and policy responses (Chapter 4). As Chapter 3 discusses, frequent and multiple experiences of discrimination are strongly associated with worsened mental health outcomes, reduced well-being, and limited participation in the labour market and wider society. Understanding what drives discrimination, and who is most affected, is essential for developing targeted, evidence-based responses. Chapter 4 reviews anti-discrimination legislation and policies across EU OECD countries and highlights good practices that can serve as models for more inclusive policymaking.

2.1. Self-reported discrimination rates vary widely across the European Union

Recent surveys tell a coherent story about the experiences of discrimination in the EU. After adjusting for differences in the coverage of countries and age groups in surveys, approximately one in four people aged 18 to 64 in Europe report[2] experiencing discrimination in the past year (Figure 2.1). The consistency across surveys strengthens the case for using self-reported discrimination rates as a reliable source of evidence, particularly in light of the use of robust survey design methods. For example, the *Opportunities Module of the 2022 OECD Risks that Matter Survey* provided respondents with definitions of discrimination

and harassment prior to data collection, a technique that, as discussed in Chapter 1, can enhance the validity of self-reported estimates by promoting a shared understanding of what constitutes discrimination.

Figure 2.1. Various surveys indicate one-quarter of 18-to-64-year-olds experience discrimination

Self-reported discrimination rates for various combinations of EU Member States and age groups, 2022 or 2023
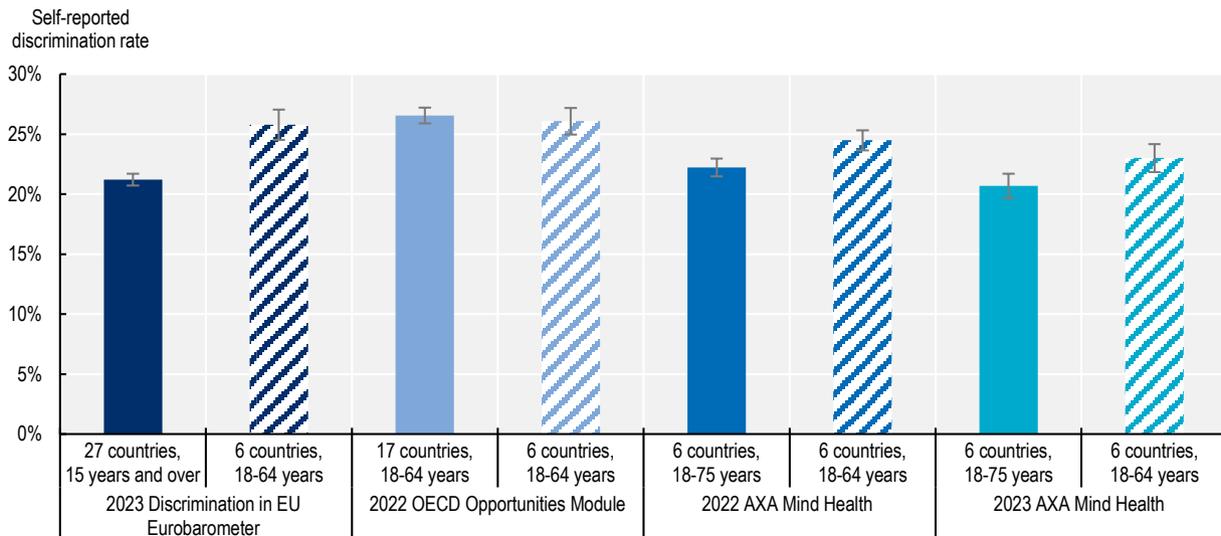
Note: The surveys collect information from people of different ages in different countries. The *2023 Discrimination in the EU Eurobarometer* surveys people aged 15 and over, respondents to the *Opportunities Module of the 2022 OECD Risks that Matter Survey* are aged 18-64, and the 2022 and 2023 waves of the *AXA Mind Health Survey* cover respondents aged 18-75 and 18-64 respectively. In terms of country coverage, the *2023 Discrimination in the EU Eurobarometer* covers all 27 EU Member States, the *Opportunities Module of the 2022 OECD Risks that Matter Survey* includes Austria, Belgium, Denmark, Estonia, Finland, France, Germany, Greece, Ireland, Italy, Latvia, Lithuania, the Netherlands, Poland, Portugal, Slovenia and Spain, and the 2022 and 2023 waves of the *AXA Mind Health Survey* cover Belgium, France, Germany, Ireland, Italy and Spain. The bold-shaded bars represent the self-reported discrimination rates for the entire sample. The hatched bars restrict the age range and countries covered in the surveys for comparability purposes. As such, they represent the self-reported discrimination rates for respondents aged 18-64 in Belgium, France, Germany, Ireland, Italy and Spain. Whiskers denote 95% confidence intervals.
Source: OECD calculations based on the European Commission (2023[1]), *Discrimination in the European Union,* Special Eurobarometer SP535, https://europa.eu/eurobarometer/surveys/detail/2972; *Opportunities Module of the OECD* (2022[2]), *Risks That Matter Survey,* OECD Publishing, Paris, http://oe.cd/rtm/; AXA (2024[3]), "Mind your health in the workplace", *2024 Mind Health Report*, https://www-axa-com.cdn.axa-contento-118412.eu/www-axa-com/d41133bc-5fa9-4a5d-b664-316282190d78_axa_mind_health_report_2024.pdf; and AXA (2023[4]), *AXA Mind Health Index and Survey White Paper,* https://www-axa-com.cdn.axa-contento-118412.eu/www-axa-com/3cc6b13e-10c9-48d5-a7b1-90eb83e63ce5_axa_mind_health_index_2023.pdf.

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According to the *2023 Discrimination in the EU Eurobarometer*, the average self-reported discrimination rate across all EU Member States was just over 21% among the population aged 15 and over (Figure 2.1 and Figure 2.2). Reported rates varied widely, ranging from 10% in Portugal to 38% in Belgium (Figure 2.2). Countries with high overall rates typically reported elevated levels across multiple grounds of discrimination. For instance, Belgium recorded higher-than-average levels of discrimination on the basis of ethnicity and skin colour, religion, age, sex, LGBTI status, social status and physical appearance. Similarly, in Estonia, self-reported discrimination based on ethnicity and skin colour, religion, age, disability, social status, political beliefs and physical appearance were elevated (Annex 2.A).[3] Conversely, countries with lower overall rates tended to show lower levels of discrimination across most grounds. Notable exceptions include Ireland, Czechia, and Lithuania, which each reported higher-than-average rates in one specific area: ethnicity and skin colour in Ireland, political beliefs in Czechia, and age in Lithuania.

Figure 2.2. Self-reported discrimination has risen across the EU

Self-reported discrimination rates (%), by EU Member State, respondents aged 15 years and over, 2023 and 2019

Note: Discrimination rates are based on the following question: "In the past 12 months have you personally felt discriminated against or experienced harassment on one or more of the following reasons? Please tell me all that apply." The following grounds are covered: ethnic origin, skin colour, sex, sexual orientation, Roma, transgender, intersex, age, religion or beliefs, disability, political opinions, social situation, general physical appearance and other reasons. Cyprus, Luxembourg and Malta are not presented in the chart due to small sample sizes, but they are included in the population-weighted European Union average, which is represented as EU 27.
Source: OECD calculations adapted from Hardy and Schraepen (2024[5]), "The state and effects of discrimination in the European Union", *OECD Papers on Well-being and Inequalities*, No. 26, OECD Publishing, Paris, https://doi.org/10.1787/7fd921b9-en; European Commission (2023[1]), *Discrimination in the European Union,* Special Eurobarometer SP535, https://europa.eu/eurobarometer/surveys/detail/2972; and European Commission (2019[6]), *Discrimination in the European Union,* Special Eurobarometer SP493, https://op.europa.eu/en/publication-detail/-/publication/66ed1874-3d47-11ed-9c68-01aa75ed71a1/language-en.

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The *Discrimination in the EU Eurobarometers* also show that self-reported discrimination has increased in recent years.[4] Across the EU, the average discrimination rate among those aged 15 and older rose from 15% in 2019 to 21% in 2023 (Figure 2.2). Most EU Member States recorded an increase over this period, with Hungary being the only country to show a notable decline. National surveys echo this trend. For instance, 17% of people in Ireland aged 18 and over in 2019 experienced discrimination in the preceding two years, compared to 12% in 2014, 2010, and 2004 (Ireland Department of Children, Equality, Integration and Youth, 2022[7]). Likewise, in France, 18% of people aged 18-49 in 2019-2020 reported having experienced unequal treatment or discrimination, up from 14% in 2008-2009 (France Institut National de la Statistique des Études Économiques, 2022[8]).

Consistent with the broader trend of rising self-reported discrimination rates across the general population, surveys conducted by the European Union Agency for Fundamental Rights (FRA) indicate that rates have also increased among several groups at risk of discrimination. For example, the FRA (2023[9]; 2024[10]) found that 34% of respondents of African descent surveyed in 13 European countries in 2022 experienced racial discrimination in the previous 12 months, up from 24% in 2016. Similarly, racial discrimination rates among Muslim respondents rose by 10 percentage points over the same period, reaching 35% (European Union Agency for Fundamental Rights, 2024[10]). However, not all groups have reported increases. Among LGBTI respondents, 36% stated they experienced discrimination in the year prior to 2023, down from 42% in 2019 (European Union Agency for Fundamental Rights, 2024[11]). Notably, while self-reported discrimination decreased for this group, their reported rates of violence and harassment increased over

the same period, underscoring the importance of examining multiple dimensions of unequal treatment, as well as the factors influences these trends.

Factors influencing self-reported discrimination rates across countries and time

National self-reported discrimination rates are shaped by a complex mix of factors, including population diversity, the propensity to identify as part of an at-risk group, understanding of discrimination and actual incidents of unequal treatment (Chapter 1). While data limitations make it difficult to precisely measure each factor's contribution, these elements broadly help explain why some countries record higher rates than others.

In part, the rise in self-reported discrimination rates in the past five years likely signals a deterioration in the treatment of people at risk of discrimination, often in response to major events. European research indicates that hate speech and hate crimes have surged over the past decade following terrorist attacks (Sides and Gross, 2013[12]), the refugee crisis (Zunes, 2017[13]) and as support for extremist political parties has grown (Muis and Immerzeel, 2017[14]). More recently, hate speech against Jewish and Muslim people increased markedly following the 7 October 2023 attacks (European Union Agency for Fundamental Rights, 2024[15]). The severity of hateful content has also escalated – with illegal hate speech, death threats and other harmful and dangerous messages increasing by 30% from January to September 2023 (European Parliament, 2024[16]).

COVID-19 has also likely contributed to the rise in self-reported discrimination, given evidence from non-EU OECD countries that groups at risk of discrimination fared worse during the pandemic in terms of mental and physical health outcomes (OECD, 2021[17]). While data are not widely available to perform a similar analysis in the EU, European civil society organisations reported that racialised people were disproportionately subjected to police brutality and racial profiling in response to police enforcement of confinement measures (European Network Against Racism, 2020[18]). Discriminatory COVID-19 policies also affected persons with disabilities in some EU countries, including do-not-resuscitate orders based on 'clinical fragility' or 'neurocognitive state' and denying persons with disability hospital admission on the grounds of prioritising people with the greatest chance of survival (Inclusion Europe, 2020[19]).

Rising self-reported discrimination rates also reflect broader social, cultural and demographic trends including population diversity. National census and survey data point to increasing population diversity and growing openness around 'hidden' identities, such as sexual orientation or gender identity.[5] In Ireland, for instance, the number of people identifying as Black Irish-African rose by 17% between 2016 and 2022, and those of other Black backgrounds increased by 28% (Central Statistics Office Ireland, 2023[20]). Further, the FRA surveys (2024[11]; 2019[21]) indicate that more than half of LGBTI adults, for instance, stated that they were often or always open about their identity in 2023, up from 36% in 2012.[6]

According to the *2023 Discrimination in the EU Eurobarometer*, self-reported discrimination rates tend to be higher in countries with larger proportions of the population identifying as part of an at-risk group (as shown by the positive correlation between self-reported discrimination rates and minority population shares in Figure 2.3). Countries with higher-than-average self-reported discrimination rates in 2023, such as Denmark, Estonia, France and Sweden, generally saw increases in the proportion of their populations identifying as part of a group at risk of discrimination. The increases in Sweden and Estonia were particularly pronounced – from 9% in 2019 to 20% in 2023 and 14% to 20%, respectively – and driven by more people identifying as belonging to racialised communities and/or having a disability.

The link between self-identification and discrimination may be driven by at least two factors. First, greater visibility of at-risk groups may create more opportunities for inter-group conflict or bias (Saint Pierre, Borja Martinovic and De Vroome, 015[22]; Flippen and Parrado, 2015[23]). In such an environment, people who self-identify as part of an at-risk group may become more vigilant when it comes to attributing unfair treatment to discrimination and/or in identifying prejudice (Chapter 1). Second, the experience of

discrimination can also increase the strength or salience of a person's identification with their group, as people desire the feeling of belonging to their community to cope with the negative effects of discrimination (Branscombe and Schmitt, 1999[24]; Jacob et al., 2021[25]). However, some may respond to discrimination by concealing their identities to avoid future discrimination despite increasing social openness to disclosure, particularly among LGBTI individuals (European Union Agency for Fundamental Rights, 2024[11]; European Union Agency for Fundamental Rights, 2019[21]).

Figure 2.3. Self-reported discrimination rates are higher in countries with larger shares of at-risk groups and people who engage in anti-discrimination activities

Correlation between self-reported discrimination rates and share of respondents identifying as part of an at-risk group, showing with the level of anti-discrimination engagement (bubble size), by EU Member State, respondents aged 15 years and over, 2023
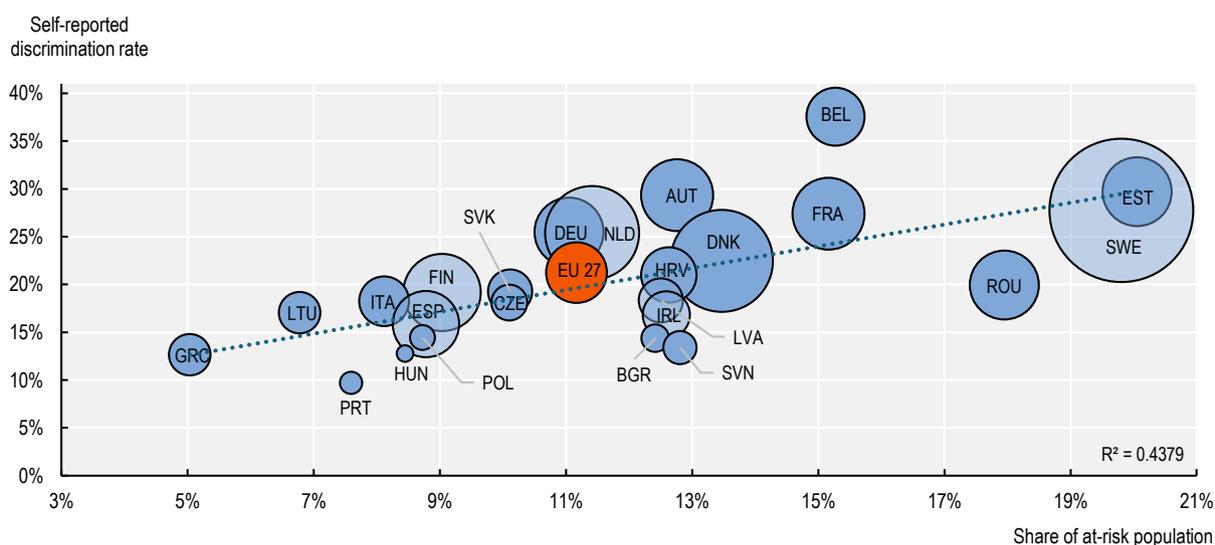
Note: Discrimination rates are based on the following question: "In the past 12 months have you personally felt discriminated against or experienced harassment on one or more of the following reasons? Please tell me all that apply." The following grounds are covered: ethnic origin, skin colour, sex, sexual orientation, Roma, transgender, intersex, age, religion or beliefs, disability, political opinions, social situation, general physical appearance and other reasons. Respondents were asked if they consider themselves belonging to a group that is at risk of discrimination based on their ethnic identity, skin colour or religion; being Roma; being gay, lesbian or bisexual; being transgender or intersex; having a disability; or for other reasons. The size of the bubbles represents the share of respondents in each country who have engaged in anti-discrimination actions in the past 12 months. Anti-discrimination actions include sharing online content about discriminatory incidents, publicly defending a victim of discrimination, joining an anti-discrimination association or campaign or publicly raising the issue of discrimination in the workplace. Cyprus, Luxembourg and Malta are not presented in the chart due to small sample sizes, but they are included in the population-weighted European Union average, which is represented as EU 27.
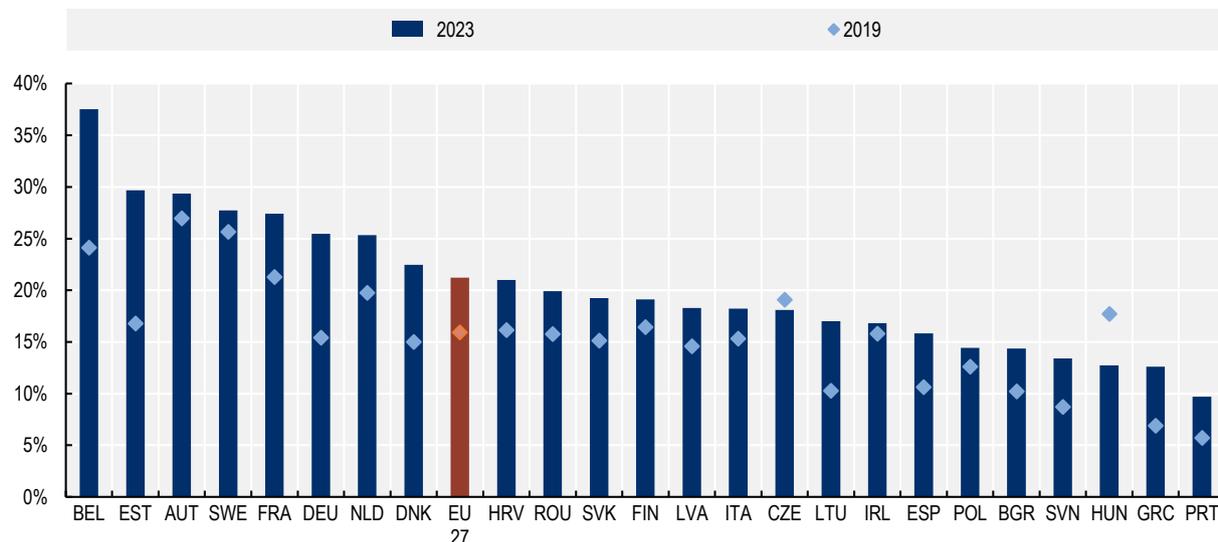Source: OECD estimates based on European Commission (2023[1]), *Discrimination in the European Union,* Special Eurobarometer SP535, https://europa.eu/eurobarometer/surveys/detail/2972.

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The relationship between self-reported discrimination and the size of at-risk groups does not, however, hold for all countries. In Austria, Hungary and Poland, the share of the population identifying as part of an at-risk group declined between 2019 and 2023 – with Hungary seeing the sharpest fall (from 19% to 8%) – but only Hungary saw a corresponding decrease in self-reported discrimination. These discrepancies suggest that demographic factors alone do not fully explain variations in discrimination rates.

In addition to demographics, self-reported discrimination rates are shaped by people's knowledge of what constitutes discrimination and how they interpret their experiences (Box 2.1). Irish national surveys of

discrimination indicate that an increase in the reported rate of discrimination over the past decade has accompanied growing awareness of individuals' rights to equality and non-discrimination. In 2019, one-third of Irish people who experienced discrimination in the previous two years stated that they understood their rights under Irish equality law "a lot", compared to one-quarter in 2014 who had a "good" understanding of their rights (Ireland Department of Children, Equality, Integration and Youth, 2022[7]). Similarly, in Germany, heightened media attention on racism since 2010-2011 has been associated with growing public awareness of racism and reporting of racist and discriminatory treatment (German Centre for Integration and Migration Research, 2024[26]).

Because the *Discrimination in the EU Eurobarometers* do not measure respondents' knowledge of discrimination directly, this report uses engagement in anti-discrimination activities as a proxy (represented by the size of the bubbles in Figure 2.3). Anti-discrimination activities include sharing anti-discrimination content online, publicly defending a victim of discrimination, joining an anti-discrimination association or campaign or publicly raising the issue of discrimination in the workplace. The intuition behind using this proxy is that people who engage in anti-discrimination are likely to have a good understanding of discriminatory treatment and that information about discrimination is more widely available in their country (Box 2.1).

As shown in Figure 2.3, self-reported discrimination rates tend to be higher in countries where people are more likely to engage in anti-discrimination engagement: for example, Sweden, Austria, France, Belgium and Estonia. In Belgium, France and Sweden, there are publicly funded campaigns to raise awareness of discrimination against a broad range of at-risk groups and what individuals can do to respond – highlighting the role governments can play in increasing anti-discrimination knowledge (Chapter 4). These results suggest that countries with lower levels of personal activity to fight discrimination may be underestimating the rate of discrimination, as the average level of awareness of discrimination is likely lower than countries with larger shares of the population engaged in spreading awareness and combatting discrimination (especially given the tendency for people to be conservative in what actions they attribute to discrimination, Chapter 1).

Notably, countries that registered large increases in their self-reported discrimination rates between 2019 and 2023 also saw growing shares of people engaged in anti-discrimination activities, for example in Romania where the proportion of the population involved in anti-discrimination activities moved from 18% to 25% and in Estonia, where the proportion grew from 13% to 21%. In Estonia, this engagement coincided with increases in the share of the population identifying as part of an at-risk group and in the self-reported discrimination rate – whereas Romania's increase in anti-discrimination activity is associated with a decline in the share of people identifying as part of an at-risk group. These different experiences underscore that there is no single driver of self-reported discrimination rates.

In summary, self-reported discrimination rates reflect a country's demographic, social, cultural, institutional and political realities. Unpicking each of these drivers is vexed by a lack of data in the EU, as well as statistical issues that are being worked through via the United Nations Praia Group on Governance Statistics (Box 2.1 and Chapter 1). Even still, evidence on the growing diversity of European societies, awareness of discrimination and discriminatory acts precipitated by recent global events (such as Russia's war of aggression in Ukraine, the war in Gaza and COVID-19), are likely to explain, in large part, the apparent increase in self-reported discrimination rates in the past five years.

Box 2.1. Using anti-discrimination actions as a proxy for knowledge of discrimination

Knowledge of discrimination is essential for identifying discriminatory behaviour and is a pre-condition for the validity of survey-based estimates. As noted by the United Nations Praia Group on Governance Statistics (2021[27]), a lack of awareness or understanding of discrimination can affect the accuracy of survey results, making it critical for discrimination to be clearly defined or specific discriminatory acts to be enumerated in surveys.

Some of these design features are included in the surveys used in this report. For example, the *Opportunities Module of the 2022 OECD Risks that Matter Survey* frames questions on discrimination using internationally agreed definitions underpinning the Sustainable Development Goal indicators 10.3.1 and 16.b.1, which relate to discrimination (United Nations Praia Group on Governance Statistics, 2021[27]).

Even where surveys do not include definitions or enumerate specific acts, results, on average, are consistent with the *Opportunities Module of the 2022 OECD Risks that Matter Survey*, which defines discrimination. As shown in Figure 2.1, the estimated self-reported discrimination rate calculated using the *Opportunities Module of the 2022 OECD Risks that Matter Survey* aligns with the 2023 *Discrimination in the EU Eurobarometer*, suggesting that survey respondents, on average, interpreted questions on discrimination similarly across survey instruments.

Moreover, only a very small minority of respondents reported uncertainty about whether they had experienced discrimination. Fewer than 1% of survey respondents to the *2023 Discrimination in the EU Eurobarometer* in each country responded that they did not know whether they had experienced discrimination in the past year, while 1.85% of EU respondents to the *Opportunities Module of the 2022 OECD Risks that Matter Survey* were not sure or refused to answer whether they had ever experienced discrimination. These findings lend further support to the validity of these survey instruments.

Nonetheless, broader knowledge of discrimination laws remains limited. Fewer than half of respondents to the 2021 FRA *Fundamental Rights Survey* reported that they have a good grasp of anti-discrimination laws. This gap may contribute to underreporting, as individuals may not recognise their experiences as unlawful discrimination – especially given people's general tendency to under-attribute unfair treatment to discrimination (Chapter 1).

The 2023 *Discrimination in the EU Eurobarometer* and the *Opportunities Module of the 2022 OECD Risks That Matter Survey* did not ask questions to gauge respondents' knowledge of discrimination laws. In their absence, this chapter uses the actions individuals take to fight discrimination as a proxy for knowledge and awareness of discrimination. Knowledge of anti-discrimination laws is positively correlated with individuals engaging in actions to fight discrimination, such as sharing anti-discrimination content online, publicly defending a victim of discrimination, joining an anti-discrimination association or campaign or publicly raising the issue of discrimination in the workplace (Figure 2.4). Notably, even people without personal experience of discrimination often take action in countries with high levels of civic engagement. This suggests that awareness is not limited to those directly affected – and supports the use of engagement as a proxy for broader understanding of discrimination and legal protections.

Given the importance of accurately measuring discrimination, efforts are continuing to enhance the validity of survey instruments and other data sources, such as administrative records. The United Nations Praia Group on Governance Statistics (2021[27]) is developing guidance on using survey and administrative data sources to measure discrimination and disadvantage consistently across countries, which is anticipated to be released in 2026.

Figure 2.4. Knowledge of the law is positively correlated with taking anti-discrimination actions

Correlation between self-reported knowledge of equality law and respondents taking action to fight discrimination, by EU 27, 2023 and 2021
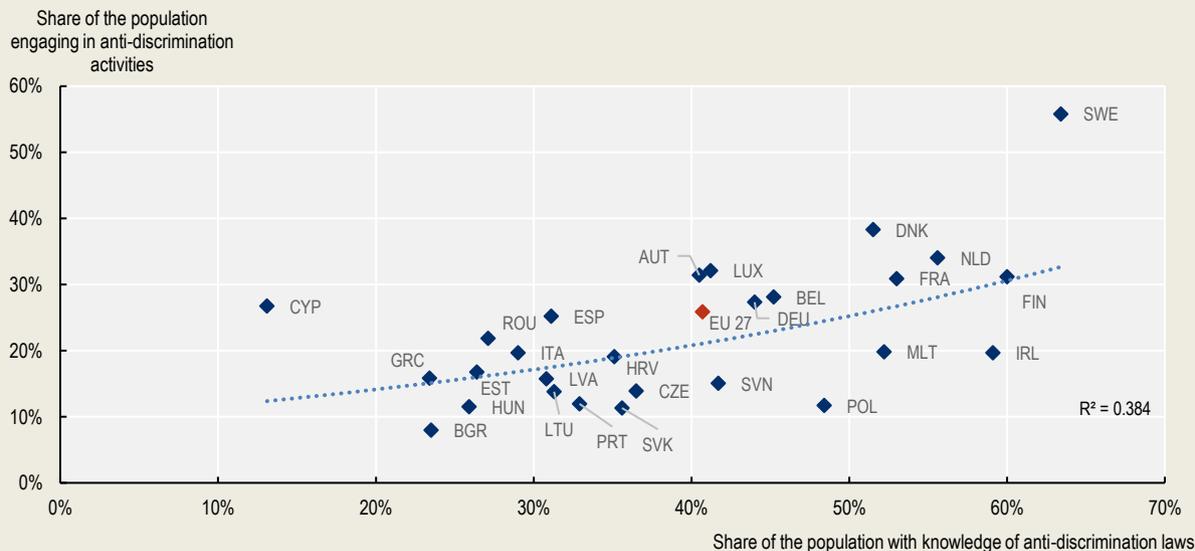
Note: The horizontal axis measures the share of respondents in each country that confirm their awareness of national laws forbidding discrimination against job applicants because: they are a woman or a man; of their age; they have a disability; of their ethnic origin; of their skin colour; of their religion or belief; of their sexual orientation; of their gender identity; and they are overweight/obese. The vertical axis presents the share of respondents in each country who have engaged in anti-discrimination actions in the past 12 months. Anti-discrimination actions include sharing online content about discriminatory incidents, publicly defending a victim of discrimination, joining an anti-discrimination association or campaign or publicly raising the issue of discrimination in the workplace.

Source: OECD calculations based on the European Commission (2023[1]), *Discrimination in the European Union,* Special Eurobarometer SP535, https://europa.eu/eurobarometer/surveys/detail/2972; and the European Union Agency for Fundamental Rights (2020[28]), *Fundamental Rights Survey,* https://fra.europa.eu/en/publications-and-resources/data-and-maps/2021/frs.

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2.2. Discrimination is concentrated among people who belong to at-risk groups

Discrimination is not distributed evenly across the population. More than half of individuals who identify as part of an at-risk group in the EU reported experiencing discrimination in the 12 months leading up to May 2023 – three times more than those who do not consider themselves to be a person with disabilities, an LGBTI person, or part of a minority based on their ethnicity (including Roma), skin colour or religion (Figure 2.5). Transgender and intersex people reported the highest levels of discrimination in 2023, with an average of 80% across the EU.

People who identify as part of an at-risk group also saw the largest increases in discrimination between 2019 and 2023. Self-reported rates of discrimination increased markedly from 57% to 67% for LGBTI people and those belonging to a minority group based on their ethnicity (41% to 60%) or skin colour (52% to 61%) (Figure 2.5).

Figure 2.5. Self-reported discrimination rates have increased since 2019 for most at-risk groups

Share of the EU population reporting that they experienced discrimination in the previous 12 months by self-identified group, 2019 and 2023
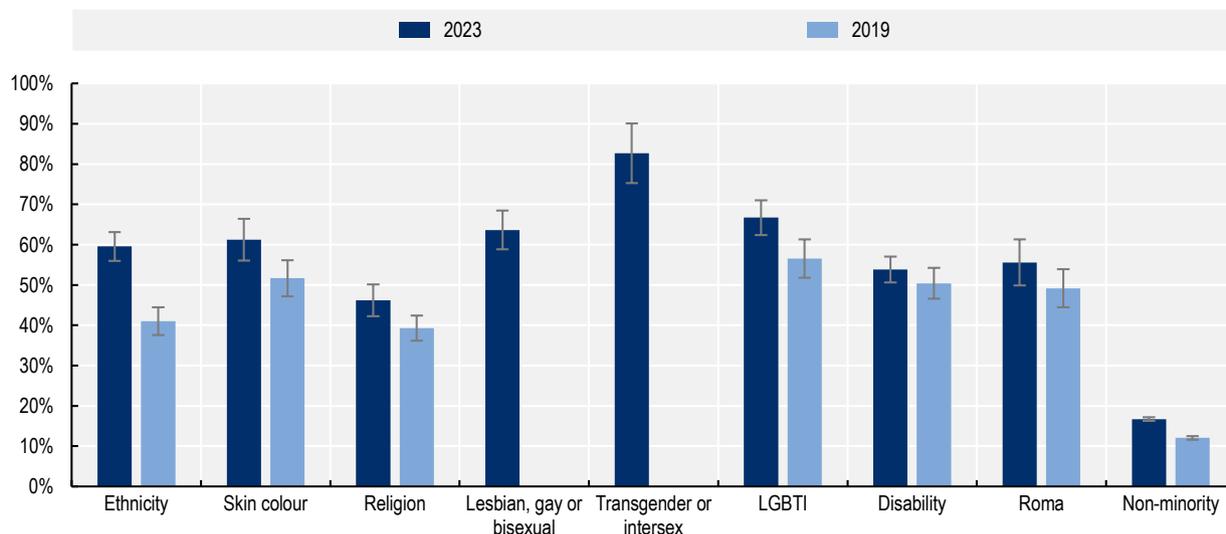
Note: The 2019 Eurobarometer did not separately ask people if they consider themselves to be lesbian, gay or bisexual, or transgender or intersex (the question in 2023), and instead asked people if they consider themselves a sexual minority (like being gay, lesbian, bisexual, transgender or intersex). As such, it is not possible to break down discrimination rates for lesbian, gay or bisexual and transgender or intersex people in 2019. However, the LGBTI rates show the changes in discrimination experiences for lesbian, gay, bisexual, transgender and intersex people between 2019 and 2023. Discrimination rates are based on the following question: "In the past 12 months have you personally felt discriminated against or experienced harassment on one or more of the following reasons? Please tell me all that apply." The following grounds are covered: ethnic origin, skin colour, sex, sexual orientation, Roma, transgender, intersex, age, religion or beliefs, disability, political opinions, social situation, general physical appearance and other reasons. Respondents were also asked if they consider themselves to be part of a group that is at risk of discrimination: based on their ethnic identity, skin colour or religion; being Roma; being gay, lesbian or bisexual; being transgender or intersex; having a disability; or for other reasons. Whiskers denote 90% confidence intervals.

Source: OECD calculations based on the European Commission (2023[1]), *Discrimination in the European Union,* Special Eurobarometer SP535, https://europa.eu/eurobarometer/surveys/detail/2972; and European Commission (2019[6]), *Discrimination in the European Union,* Special Eurobarometer SP493, https://op.europa.eu/en/publication-detail/-/publication/66ed1874-3d47-11ed-9c68-01aa75ed71a1/language-en.

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Women and young people (under 35 years) report higher rates of discrimination compared to men and older people (55 and over), and these gaps appear to have widened over time. According to the 2019 and 2023 *Discrimination in the EU Eurobarometers,* 25% of women in the EU experienced discrimination in 2023 up from 17% in 2019, while rates for men rose from 13% to 18%. Similarly, nearly 33% of young people stated they experienced discrimination in 2023 (up from 22%), compared to 16% of older people (up from 11%).

Higher self-reported discrimination rates among women likely reflect their elevated risk of experiencing sex-based discrimination, while older people may be more likely to minimise their experiences or interpret survey questions differently to younger people, which could help to explain their lower reported rates (Knäuper et al., 2016[29]). Further, older people are half as likely to self-identify as part of an at-risk group than younger people, which could indicate that they are less attuned at recognising discrimination (Section 2.1, Chapter 1).

Multiple forms of discrimination

The experience of multiple discrimination falls predominantly on people facing intersecting risk factors, for example women from racialised communities, lesbians and bisexual women (Figure 2.6, Panel A). Women who identify as part of an at-risk group are more exposed to discrimination than men, as they face compounding risks of discrimination based on their sex, ethnicity, skin colour or sexual orientation. Among women who experience multiple forms of discrimination, sex-based discrimination is frequently cited, along with discrimination based on age, religion, and physical appearance (Annex Figure 2.B.1). Moreover, women who identify as part of an at-risk group are more likely to be in non-standard work (with no work contract or a temporary contract), compared to minority men and non-minority women, which exposes them to precarity, exploitation and discrimination on the basis of their socio-economic status (Chapter 3).

While women, on average, experience multiple forms of discrimination more frequently than men (Figure 2.6, Panel B), men who identify as part of a religious minority or racialised community also face significant risks of multiple discrimination. Men from these communities tend to experience discrimination based on their ethnicity, skin colour, religion and political beliefs (Annex Figure 2.B.2). The intersection of ethnic, racial and religious discrimination for men and women who are part of a racialised community or religious minority mirrors findings from the FRA survey on people of African descent. This survey shows that 63% of people who experienced discrimination based on the colour of the skin in the past five years also felt discriminated against because of their ethnicity or immigrant background, while 12% experienced discrimination based on their religious beliefs (European Union Agency for Fundamental Rights, 2023[9]).

Although there are some overlaps in the experiences of multiple discrimination for men and women in at-risk groups, some significant differences also emerge. For instance, social class-based discrimination is often experienced by individuals from racialised communities but not by lesbian, gay, or bisexual individuals. Lesbians and bisexual women, on the other hand, are more likely to face discrimination based on their political beliefs, a form of discrimination less commonly experienced by other women but more prevalent among men from racialised communities and religious minorities (Annex Figure 2.B.1 and Annex Figure 2.B.2).

Regarding age, people younger than 35 years – especially those who identify as part of an at-risk groups based on their ethnicity, skin colour, religion, sexual orientation, gender identity and disability – are more likely than older people (aged 55 and over) to state that they have experienced multiple forms of discrimination (Figure 2.6, Panels C and D). While there are some similarities in the form that multiple discrimination takes for young people, there are also differences across at-risk groups. Young people who identify as part of a religious minority commonly report multiple discrimination on various grounds such as religion, sex, ethnicity, skin colour and political beliefs, which shows some similarities to young people from racialised communities who tend to experience multiple discrimination on the grounds of ethnicity, skin colour, religion and age. In contrast, young lesbian, gay and bisexual people, frequently experience discrimination based on their sexual orientation, sex, age and political beliefs (Annex Figure 2.B.3).

Figure 2.6. Multiple discrimination is more likely to be reported by women and young people, particularly if they are from racialised communities or are lesbian or bisexual

Shares of each group that experienced one or multiple forms of discrimination in 2023, by sex and age

Note: Discrimination rates are based on the following question: "In the past 12 months have you personally felt discriminated against or experienced harassment on one or more of the following reasons? Please tell me all that apply." The following grounds are covered: ethnic origin, skin colour, sex, sexual orientation, Roma, transgender, intersex, age, religion or beliefs, disability, political opinions, social situation, general physical appearance and other reasons. Respondents were also asked if they consider themselves to be part of a group that is at risk of discrimination: based on their ethnic identity, skin colour or religion; being Roma; being gay, lesbian or bisexual; being transgender or intersex; having a disability; or for other reasons. LGB stands for lesbian, gay or bisexual and TI stands for transgender or intersex. Whiskers denote 90% confidence intervals. The EU-27 population-weighted averages are shown.

Source: OECD calculations based on the European Commission (2023[1]), *Discrimination in the European Union,* Special Eurobarometer SP535, https://europa.eu/eurobarometer/surveys/detail/2972.

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Frequency and setting of discrimination

As highlighted by the *Opportunities Module of the 2022 OECD Risks That Matter Survey,* the frequency with which discrimination occurs also varies across the population. People who are part of visible minority groups are significantly more likely to report experiencing discrimination on a regular basis. Nearly one in three individuals who experience discrimination and identify as part of a minority group based on their ethnicity, skin colour, or religion report encountering discrimination most or all of the time. In contrast, LGBTI individuals, who often have the option to conceal their identities, report experiencing discrimination less frequently, same as those who do not consider themselves to be part of an at-risk group (Figure 2.7).[7]

Figure 2.7. Almost a third of people who experience discrimination and identify as part of a minority group based on ethnic origin, skin colour or religion experience discrimination most or all the time

Frequency of discriminatory incidents experienced by people from selected minority groups who self-report discrimination (%), EU 17, 2022
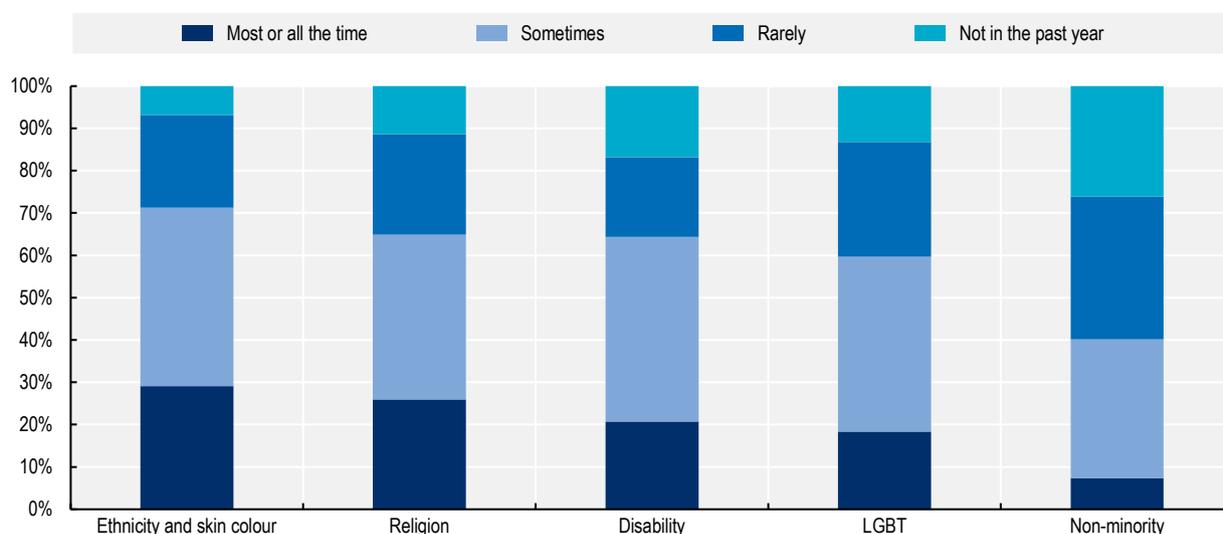
Note: Respondents were asked the question: "Thinking about your personal experiences over the past year (or since you have been in this country), how often have you felt discriminated against or harassed?", with option categories "almost all of the time", "most of the time", "sometimes", "rarely", "not in the past year" and "don't know or refuse to answer". LGBT people include those who identify as part of a minority group based on their sexual orientation or gender identity. Respondents are aged 18-64. The EU 17 average is population-weighted and includes the following countries: Austria, Belgium, Denmark, Estonia, Finland, France, Germany, Greece, Ireland, Italy, Latvia, Lithuania, the Netherlands, Poland, Portugal, Slovenia and Spain.
Source: OECD calculations adapted from Hardy and Schraepen (2024[5]), "The state and effects of discrimination in the European Union", *OECD Papers on Well-being and Inequalities*, No. 26, OECD Publishing, Paris, https://doi.org/10.1787/7fd921b9-en; and the *Opportunities Module of the OECD* (2022[2]), *Risks That Matter Survey,* OECD Publishing, Paris, https://www.oecd.org/en/about/programmes/oecd-risks-that-matter-rtm-survey.html.

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Exposure to multiple forms or repeated incidents of discrimination has compounding effects, particularly on individuals' mental health (Chapter 3). This heightened exposure reflects the possibility of experiencing discrimination across many areas of life, including public spaces, employment, public services, housing, online platforms, and businesses. While it is difficult to examine all domains in which discrimination occurs, due to data limitations of the surveys analysed in this report, the 2023 *Discrimination in the EU Eurobarometer* asks people about their most recent experience.

When it comes to the *most recent* incident, discrimination in public spaces is common – as stated by almost one-in-three people who experienced discrimination in the past 12 months (Figure 2.8). This is not unexpected, given that public spaces are frequented more often than settings like healthcare services or the housing market, making them more likely sites for discriminatory encounters.

For the most part, there are few notable differences in the location of the most recent incident of discrimination between men and women, or between younger and older people. One clear exception is online spaces, which are cited by young people at twice the rate of older individuals (Figure 2.8, Panels C and D). This difference likely reflects the greater amount of time young people spend online. While online environments can provide important sources of connection and community for youth, they also carry risks such as exposure to cyberbullying and online hate (Chapter 3).

Despite these broad similarities across sex and age, there are some material differences between people who have experienced a single or multiple forms of discrimination. meaningful differences emerge when considering whether a person has experienced single or multiple forms of discrimination. People who report a single ground of discrimination more often cite employment settings as the location of their most recent incident. In contrast, those facing multiple forms of discrimination are more likely to report that their most recent experience occurred online. This likely reflects the prevalence of online hate targeting individuals at the intersection of racial, ethnic, and religious identities – forms of discrimination that frequently co-occur.

Importantly, these results do not imply that people who report multiple discrimination are less likely to experience discrimination in employment or other settings. It merely states that the *most recent* discriminatory incident occurred online. Indeed, when looking at *all settings* within which discrimination occurs, the FRA has found that people of African descent (who face a significant risk of multiple discrimination) experience high levels of racial discrimination in employment and recruitment, housing, in public spaces, using public transport or entering bars, shops or restaurants (European Union Agency for Fundamental Rights, 2023[9]). Similarly, LGBTI people frequently experience discrimination at work, in cafés, bars and nightclubs, in education and health care (European Union Agency for Fundamental Rights, 2024[11]).

Figure 2.8. People who experience multiple forms of discrimination are more likely to report that the most recent episode of discrimination occurred in an online setting

Setting of most recent experience of discrimination by whether a person has experienced one or multiple forms of discrimination in previous year (%), sex and age, EU 27, 2023
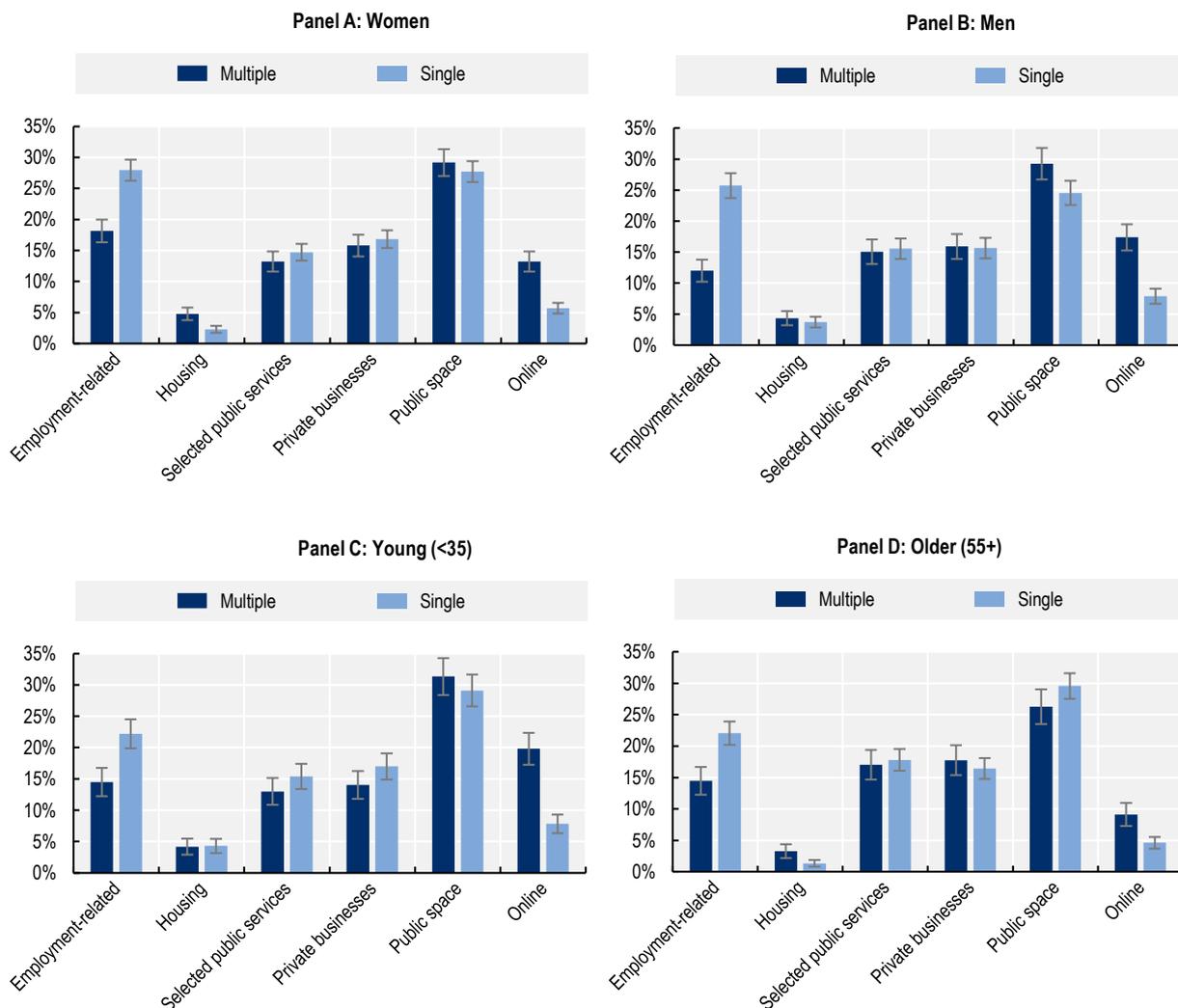
Note: Respondents who reported experiencing discrimination or harassment in the past 12 months were asked: "Thinking about the most recent time when you felt discriminated against, under what circumstances did it take place?", with option categories: "when looking for a job", "at work", "when looking for a house or apartment to rent or buy", "by healthcare personnel (e.g. a receptionist, nurse or doctor), "by social service personnel", "by school or university personnel; this could have happened to you as a student or as a parent", "at a café, restaurant, bar or nightclub", "in a shop or a bank" ,"in a public space", "online", "other" and "don't know". "When looking for a job" and "at work" are combined in the figure under the 'Employment-related' category, while 'Selected public services' comprises health care, social services, and education and university, and 'Private businesses' includes cafés, restaurants, bars, nightclubs and shops and banks. The EU 27 average is population weighted. Whiskers represent 90% confidence intervals.
Source: OECD analysis based on the European Commission (2023[1]), *Discrimination in the European Union,* Special Eurobarometer SP535, https://europa.eu/eurobarometer/surveys/detail/2972.

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Conclusion

This chapter has presented evidence on the trends in self-reported discrimination rates across the EU, revealing that the apparent rise since 2019 likely reflects the growing diversity of European populations, increasing awareness of discrimination and significant events such as COVID-19. Discrimination predominantly affects people identifying as part of an at-risk group, and especially women and young people, who are also more exposed to multiple and frequent discrimination.

These findings provide important context for the analysis in the rest of this report. As discussed in the following chapter, the experience of discrimination is linked to a range of economic and social costs, which are borne not only by the individuals affected but also by society at large. The nature of the discrimination that occurs – such as its frequency and the forms it takes – shapes its effects on the individual. For example, individuals who face multiple forms of discrimination or frequent discrimination have much poorer mental health outcomes, compared to people who experience one form of discrimination (Chapter 3).

Further, the extent and nature of discrimination offers valuable insights for policymakers, informing them where to direct policy interventions and how to tailor them to the needs of groups at risk of discrimination. These issues are explored in Chapters 4 and 5.

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Annex 2.A. Country-level forms of discrimination

Annex Figure 2.A.1. Age and sex discrimination are most commonly reported in Europe, followed by ethnicity and skin colour discrimination

Estonia

Finland

France

Germany

Greece

Hungary

Ireland

Italy

Latvia

Lithuania

The Netherlands

Poland

Portugal

Romania

Spain

Sweden

Slovak Republic

Slovenia
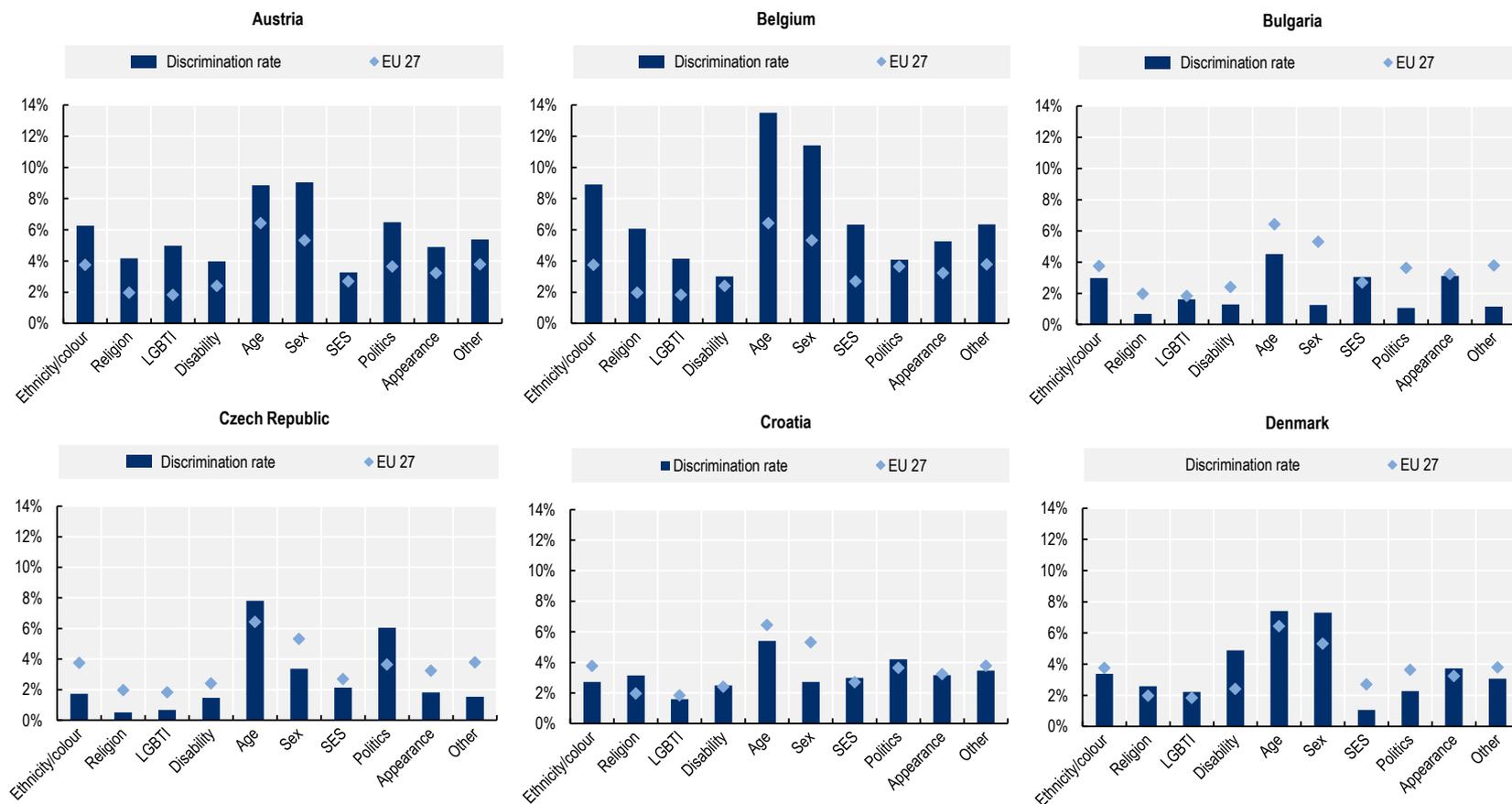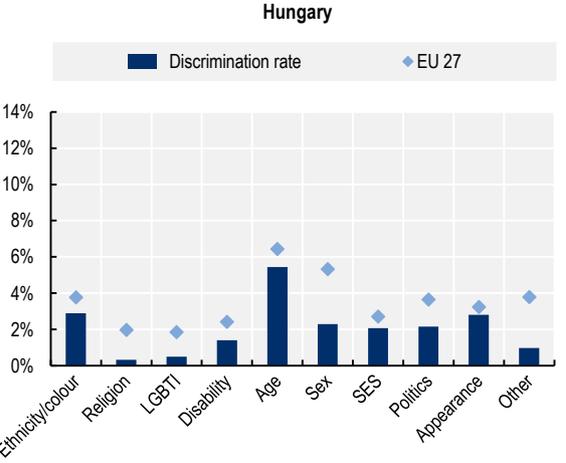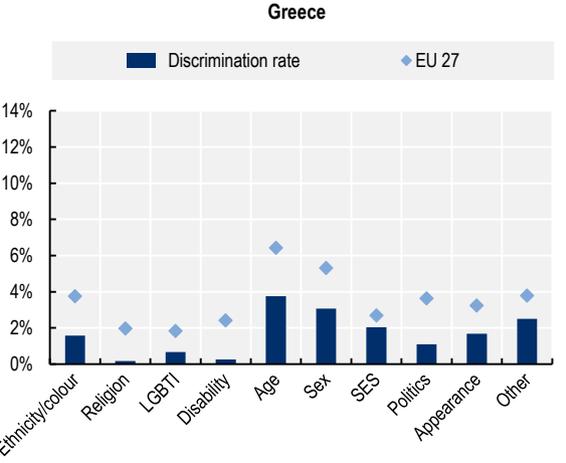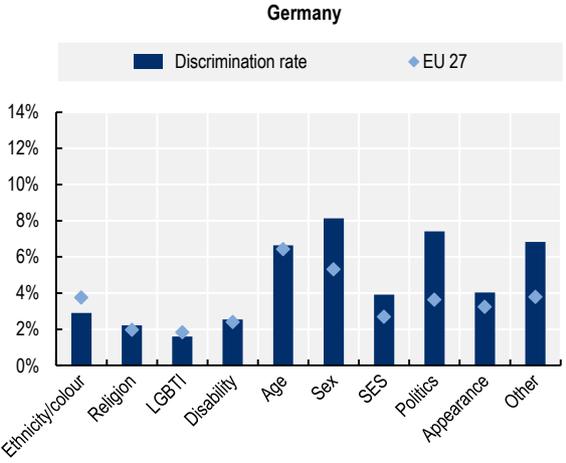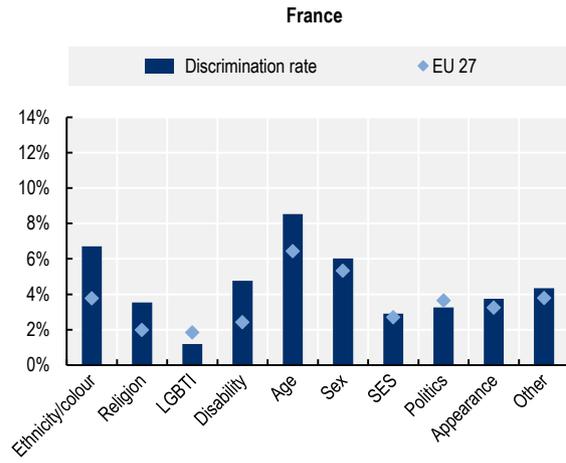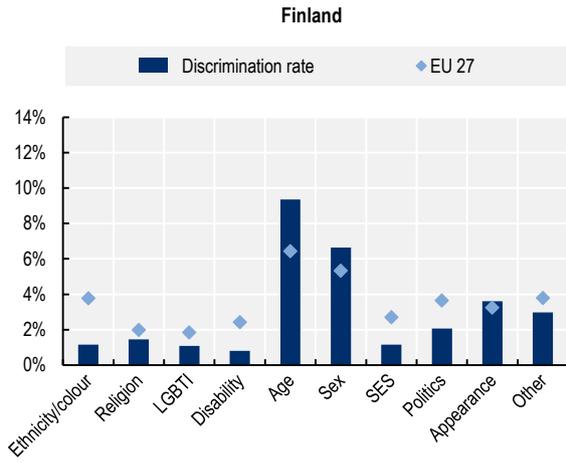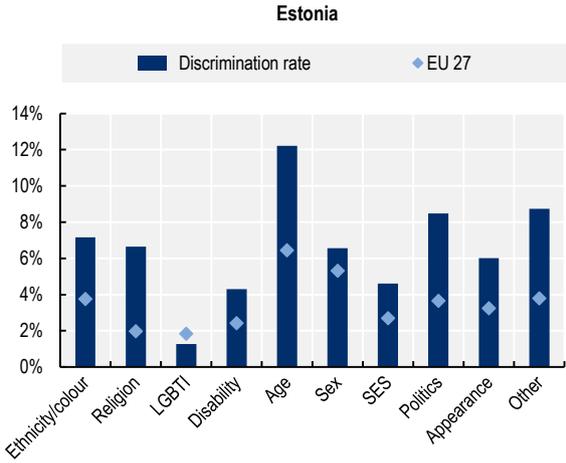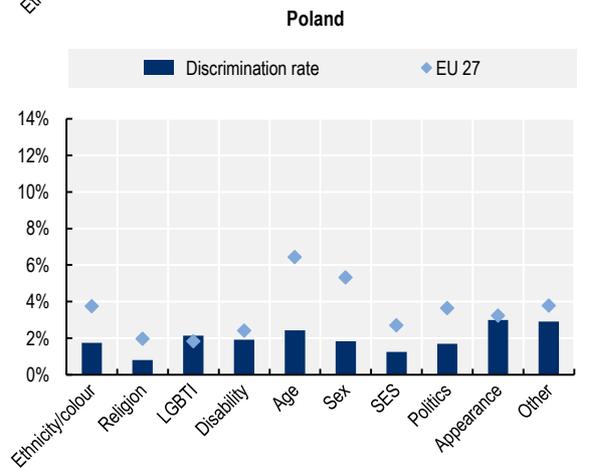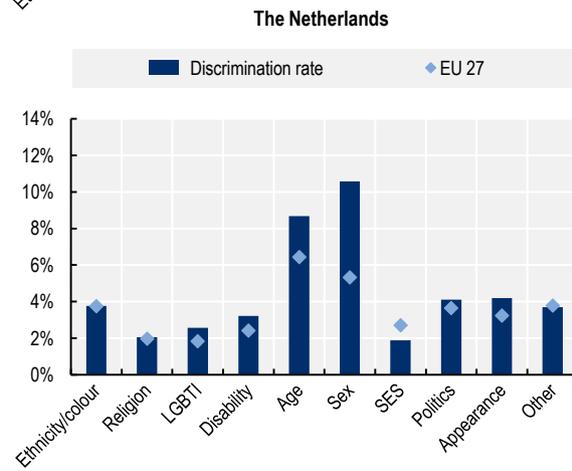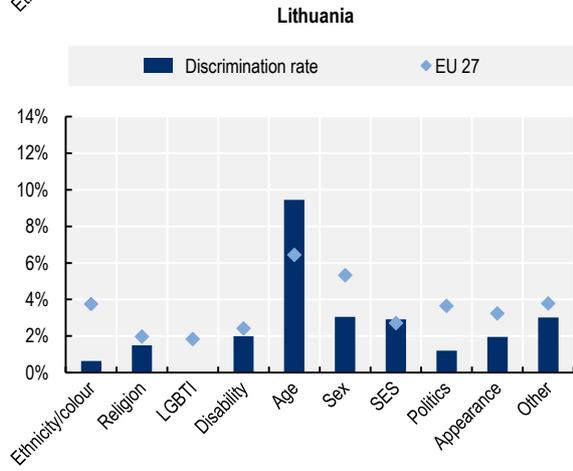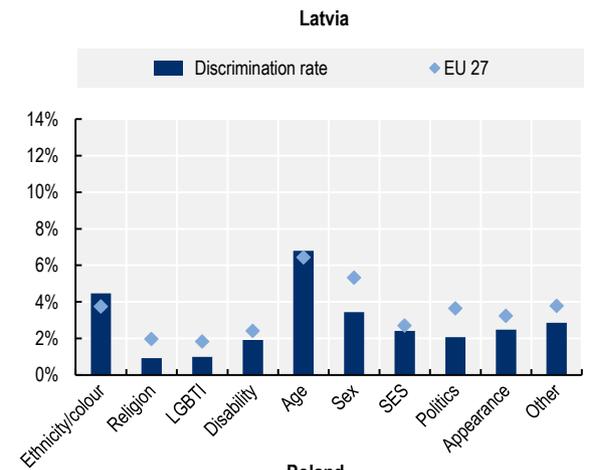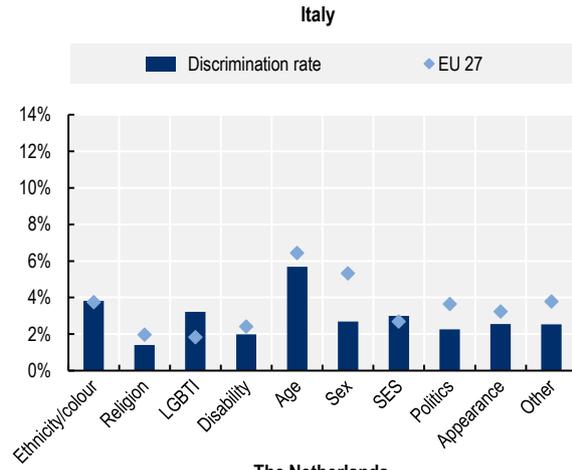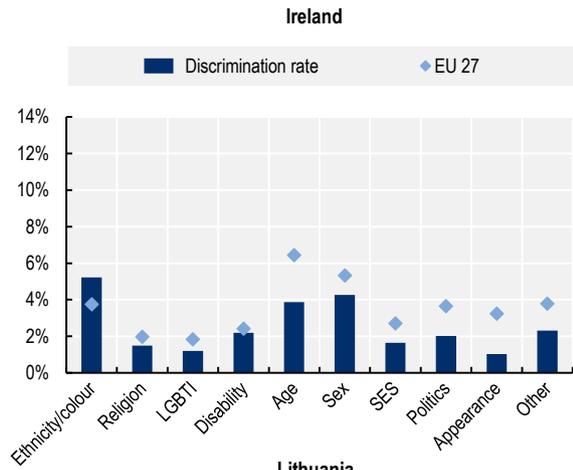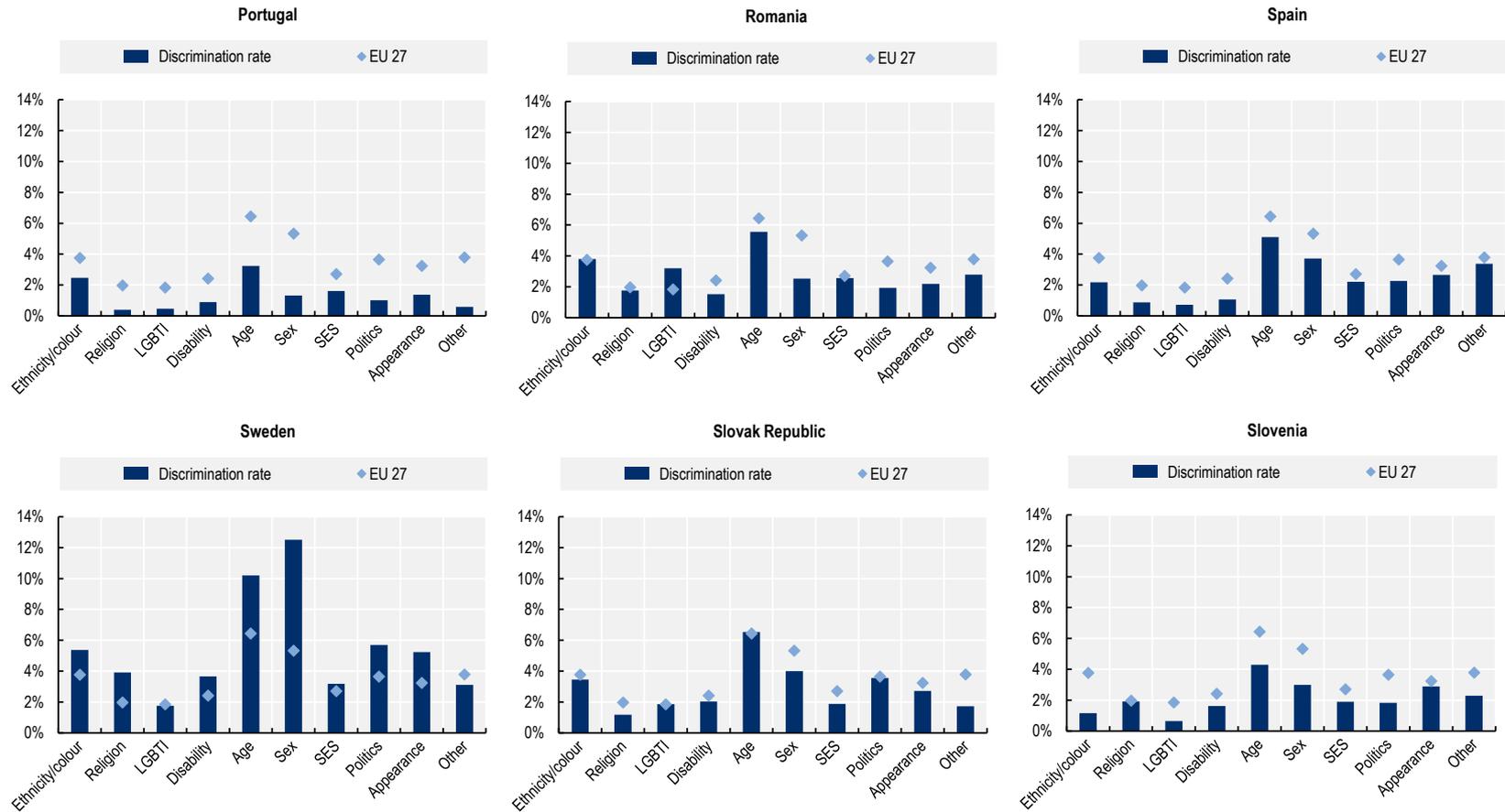
Note: Discrimination rates are based on the question: "In the past 12 months have you personally felt discriminated against or experienced harassment on one or more of the following reasons? Please tell me all that apply." The grounds covered are ethnic origin (including Roma) and skin colour, sex, sexual orientation, transgender and intersex (LGBTI), age, religion or beliefs, disability, political opinions, social situation (SES), general physical appearance and other reasons. Cyprus, Luxembourg and Malta are not presented in the chart due to small sample sizes, but they are included in the population-weighted European Union average, which is represented as EU 27.

Source: OECD analysis based on the European Commission (2023[1]), *Discrimination in the European Union,* Special Eurobarometer SP535, https://europa.eu/eurobarometer/surveys/detail/2972.

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Annex 2.B. Multiple forms of discrimination

Annex Figure 2.B.1. Women from racialised communities and lesbians or bisexual women who report multiple forms of discrimination commonly do so on the basis of sex, age, physical appearance or religion

Forms of discrimination reported by women who have experienced multiple forms of discrimination in the past 12 months, by selected at-risk groups, 2023

Note: Discrimination rates are based on the following question: "In the past 12 months have you personally felt discriminated against or experienced harassment on one or more of the following reasons? Please tell me all that apply." The following grounds are covered: ethnic origin, skin colour, sex, sexual orientation, Roma, transgender, intersex, age, religion or beliefs, disability, political opinions, social situation, general physical appearance and other reasons. Respondents were also asked if they consider themselves to be part of a group that is at risk of discrimination: based on their ethnic identity, skin colour or religion; being Roma; being gay, lesbian or bisexual; being transgender or intersex; having a disability; or for other reasons.

Source: OECD analysis based on European Commission (2023[1]), *Discrimination in the European Union,* Special Eurobarometer SP535, https://europa.eu/eurobarometer/surveys/detail/2972.

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Annex Figure 2.B.2. Men who report multiple forms of discrimination tend to do so on the basis or their ethnicity, skin colour, religion and political beliefs

Forms of discrimination reported by men who have experienced multiple forms of discrimination in the past 12 months, by selected at-risk groups, 2023

Note: Discrimination rates are based on the following question: "In the past 12 months have you personally felt discriminated against or experienced harassment on one or more of the following reasons? Please tell me all that apply." The following grounds are covered: ethnic origin, skin colour, sex, sexual orientation, Roma, transgender, intersex, age, religion or beliefs, disability, political opinions, social situation, general physical appearance and other reasons. Respondents were also asked if they consider themselves to be part of a group that is at risk of discrimination: based on their ethnic identity, skin colour or religion; being Roma; being gay, lesbian or bisexual; being transgender or intersex; having a disability; or for other reasons.

Source: OECD analysis based on European Commission (2023[1]), *Discrimination in the European Union,* Special Eurobarometer SP535, https://europa.eu/eurobarometer/surveys/detail/2972.

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Annex Figure 2.B.3. Discrimination based on sex, age, political beliefs, physical appearance and religion generally co-occur with forms of discrimination commonly experienced by young people from racialised communities and young lesbian, gay and bisexual people

Forms of discrimination reported by young people who have experienced multiple forms of discrimination in the past 12 months, by selected at-risk groups, 2023

Note: Discrimination rates are based on the following question: "In the past 12 months have you personally felt discriminated against or experienced harassment on one or more of the following reasons? Please tell me all that apply." The following grounds are covered: ethnic origin, skin colour, sex, sexual orientation, Roma, transgender, intersex, age, religion or beliefs, disability, political opinions, social situation, general physical appearance and other reasons. Respondents were also asked if they consider themselves to be part of a group that is at risk of discrimination: based on their ethnic identity, skin colour or religion; being Roma; being gay, lesbian or bisexual; being transgender or intersex; having a disability; or for other reasons. Young people are survey respondents aged under 35.
Source: OECD analysis based on European Commission (2023[1]), *Discrimination in the European Union,* Special Eurobarometer SP535, https://europa.eu/eurobarometer/surveys/detail/2972.

StatLink 🔗🖳 https://stat.link/7you6m

Notes

[1] A note on terminology: in this chapter, inclusive language is used as much as possible when referring to LGBTI people, persons with disabilities and people from racialised communities. The term "racialised communities" is based on the European Commission Against Racism and Intolerance's (2021[30]) definition, in which racialisation is "the process of ascribing characteristics and attributes that are presented as innate to a group of concern to it and of constructing false social hierarchies in racial terms and associated exclusion and hostility. Regardless of where one is from and of personal circumstances, once identified or perceived as a member of a group, one is deemed as embodying characteristics based on,

for instance, skin colour, ethnic or national origin inherent to all members of that group." The terms "at-risk group" and "minority groups" are used interchangeably. However, in some cases, the chapter deviates from using LGBTI in order to accurately present studies on population subgroups (e.g. LGBT for lesbian, gay, bisexual or transgender individuals or LGB for lesbian, gay and bisexual people).

[2] In this chapter, reported refers to when people disclosed their experiences of discrimination in a survey, and does not necessarily imply an official complaint has been made to the police or equality bodies.

[3] At the 90% confidence level.

[4] *Discrimination in the EU Eurobarometers* have been conducted every few years since 2006, but it is difficult to make comparisons with waves before 2019 due to changes in the questions and response categories. For example, the 2006 wave did not ask about people's personal experiences of discrimination and harassment, while the 2009, 2012 and 2015 waves did not include "skin colour", "intersex", "social class/socio-economic situation", or "general physical appearance" as responses.

[5] Discrimination survey data also suggest that people are largely being comfortable disclosing their identities in surveys. Small shares of survey respondents do not know or refuse to answer questions about whether they consider themselves to be part of a minority group. For example, less than 1% of respondents to the 2023 *Discrimination in the EU Eurobarometer* refuse to answer or do not know whether they consider themselves to be an ethnic minority, a minority in terms of skin colour, a religious minority, Roma, lesbian, gay or bisexual, transgender or intersex, a person with a disability, any other minority group or none. Further, just over 7% of European respondents to the *Opportunities Module of the 2022 OECD Risks that Matter Survey* preferred not to answer the question on whether they consider themselves to be part of a minority group based on their ethnicity or skin colour, language, disability, sexual orientation or gender identity, religion or belief, migrant status, political beliefs, other or not part of a minority group.

[6] Transgender and intersex people, in particular, have become more open about their identities (from 39% in 2019 to 54% in 2023, and 30% in 2019 to 50% in 2023, respectively).

[7] The act of concealing an identity to avoid discrimination is not costless and can contribute to stress, anxiety, social isolation and depression (Berkley, Beard and Daus, 2019[31]).

3. The effects of discrimination

Discrimination profoundly impacts individuals' lives; restricting economic opportunities, increasing housing and financial insecurity, threatening personal safety, limiting access to cultural, social, and civic activities, and contributing to poor physical and mental health. It also weakens national economic potential and social cohesion. This chapter builds on novel OECD research examining the adverse outcomes linked to discrimination. It finds that, after accounting for self-reported experiences of discrimination, individuals from racialised communities, persons with disabilities, LGBTI people, and religious minorities have outcomes comparable to the general population. This suggests that discrimination itself – rather than group membership – drives disparities in outcomes. These findings reinforce the need for policies to combat discrimination, particularly as evidence in this chapter indicates that strong anti-discrimination laws and inclusion policies are associated with greater social acceptance of minority groups.

As highlighted in the previous chapter, discrimination remains a common phenomenon experienced by people from racialised communities, persons with disabilities, lesbian, gay, bisexual, transgender and intersex (LGBTI)[1] people and religious minorities. Across the European Union (EU), more than half of people who identify as part of these groups report experiencing discrimination in the past 12 months (Chapter 2). This high prevalence is of concern, not only because it undermines individuals' dignity and equal opportunities, but also because of its far-reaching consequences. Over the past four decades, research has consistently shown that discrimination negatively affects employment, income, educational attainment, political participation and health, while also generating broader economic and social costs (Pager and Shepherd, 2008[1]; OECD, 2024[2]; 2025[3]). However, most of this evidence has been collected in the United States.

In Europe, the European Union Agency for Fundamental Rights (FRA) regularly surveys groups at risk of discrimination to examine the contexts in which discrimination occurs, and the effects of harassment and hate-motivated violence on people's lives. For instance, FRA studies (2023[4]; 2019[5]; 2022[6]; 2024[7]; 2024[8]) indicate that Muslim people, Jewish people, LGBTI people and people of African descent who experience hate-motivated violence or harassment commonly suffer psychological harm, feel unsafe in public places and are afraid to seek medical attention after a physical attack. While these studies reveal how people react to a discriminatory or hate-filled violent experience, they offer limited information on how the lives of people exposed to discrimination compare with those of the general population. This is largely because FRA's surveys focus primarily on at-risk groups, rather than on representative samples of the population at large.

Recent OECD research addressed this gap by providing new evidence from general population surveys on how the lives of people who self-report experiences of discrimination in the EU compare to those who do not disclose experiences of discrimination (Hardy and Schraepen, 2024[9]). The analysis examined how the experience of discrimination among people from racialised communities, persons with disabilities, LGBTI people and religious minorities differs from the experiences of discrimination reported by people who do not identify as part of an at-risk group. Once the experience of discrimination was factored into the analysis, there were negligible differences in outcomes between groups at risk of discrimination and the general population – indicating that disparities in outcomes between groups are likely driven by the experience of discrimination (Box 3.1).

Building on this OECD research, this chapter explores less-studied dimensions of life that may be shaped by discrimination. In addition to the economic, mental health, civic engagement and public safety outcomes previously analysed, Section 3.1 examines people's perceptions of the effects of discrimination, how cultural participation, people's social lives and physical health are associated with the experience of discrimination. Section 3.2 then turns to the economic and social costs of discrimination, highlighting the role strong anti-discrimination laws and policies can play in fostering social acceptance of groups at risk of discrimination. Indeed, OECD EU countries that are more accepting of minorities also have strong anti-discrimination laws and inclusion policies, as revealed by the *OECD Anti-Discrimination Questionnaire*, completed by 21 out of 22 OECD EU countries. This questionnaire canvasses laws and policies that are aimed at fighting discrimination and promoting equality and inclusion – uncovering gaps in OECD EU countries' initiatives, as well as good practices, which are discussed in Chapters 4 and 5 (see Annex 3.A for more information about the *OECD Anti-Discrimination Questionnaire*).

3.1. Discrimination affects people's lives in many ways

Discrimination can affect nearly every aspect of people's lives. It limits access to employment, education, housing, health care, social trust, a sense of safety and willingness to engage in civic and social life. The experience of discrimination in one area of life can trigger negative effects in other areas of life, for instance being discriminated while searching for a job can affect a person's mental health and lead to economic insecurity, which in turn can affect their ability to secure housing or care for their children.

This section presents evidence on the lives of people who experience discrimination and how their economic, social, civic and health outcomes compare to people who do not self-report discrimination. Drawing on multiple survey sources – including the *Opportunities Module of the 2022 Risks that Matter Survey,* the 2023 *Discrimination in the EU* Eurobarometer and various waves of the *AXA Mind Health Survey* – this analysis offers a multidimensional view of how discrimination affects well-being. These surveys are used in combination because they capture different aspects of life and provide complementary insights.

The analysis is guided by the *OECD Well-Being Framework*, which encompasses the material conditions that shape people's economic options (e.g. income and wealth, work and job quality, housing) and factors that affect people's quality of life, what they know and can do, how they spend their time and the safety, health, and social connectedness of their communities (OECD, 2024[10]). Key well-being indicators are developed for sub-groups of the population based on individuals' identification with various groups at risk of discrimination (e.g. ethnicity and skin colour or racial origin, disabilities, sexual orientation and gender identity, and religion). Well-being indicators for people who identify as part of an at-risk group are then compared to the general population – with comparisons specifically made between at-risk groups that report having (or not) experienced discrimination against the general population that also states that they have (not) experienced discrimination, after controlling for a range of other relevant factors such as sex, age, employment status, place of residence and country.

The surveys used in this chapter have the benefit of capturing information on self-reported experiences of discrimination, people's views on the identity groups they belong to, and indicators of individuals' material conditions and quality of life. However, there are limitations with using these surveys. As discussed in Chapter 1 and Box 3.1, surveys that ask people to recall experiences can be open to subjective interpretation and may not accord with reality (i.e. discrimination may be observed even though it has not occurred, and vice versa). Notwithstanding this limitation, this chapter primarily uses the *Opportunities Module of the 2022 OECD Risks that Matter Survey*, which provides a definition of discrimination to increase the consistency with which survey respondents interpret the question.[2] Moreover, this section's analysis is complemented by evidence from other European sources, including experimental studies, which provide a more objective measure of the effects of discrimination (albeit in a restricted number of life domains (Box 3.1)).

In addition, the surveys used in this section are representative of the general population and tend to have small sample sizes (ranging between 500 and 2 000 respondents per country, which translates to a handful of people who identify as part of a group at risk of discrimination, in some cases). While these surveys enable the analysis to draw out the similarities and differences in the experiences of various at-risk groups compared to the general population, small sample sizes make it difficult to conduct a granular analysis of every group at risk of discrimination (and their intersections). As a consequence, this section presents results at the EU-level rather than for each country, and conducts a limited intersectional analysis based on how people's well-being is shaped by their self-reported experience of discrimination, age, sex and self-identified at-risk status. The level of granularity of the results also depends on the detail captured by the surveys. In some cases, results cannot be disaggregated by individual at-risk groups, and are instead presented at the level of "at-risk groups" compared to the "non-minority group".

Box 3.1. Empirical approaches for studying the effects of discrimination

As discussed in Chapter 1 and Hardy and Schraepen (2024[9]), there are a few broad approaches for estimating the effects of discrimination on individuals – all with advantages and limitations. The first approach is to design experiments (e.g. correspondence and audit studies) to identify the effect of discrimination objectively by developing fictional people who are identical in all ways except for some indication of their at-risk status (e.g. their name or skin colour). Applications for these fictional people are then submitted for jobs or rental properties, and researchers examine whether there are differences in success rates based on names or skin colour or on other markers of minority status. While these approaches can confidently attribute differences in outcomes to discrimination, they can only feasibly be conducted in a few settings, such as job recruitment or rental applications (OECD, 2020[11]; Valfort, forthcoming[12]), and it can be difficult to scale them up for population-level analysis.

Second, statistical approaches can be used to compare the life outcomes of people at risk of discrimination with the rest of the population (e.g. wage levels or health outcomes). Census, administrative and social survey data with rich demographic and economic variables can be used to compute the gap in outcomes between the at-risk group of interest and the general population. After controlling for a range of additional factors that contribute to people's outcomes (such as age, sex, education and location), the remaining gap is interpreted as indicating the presence of discrimination and other influences that are not directly observed (although because discrimination is not measured, its effects cannot be known with certainty (OECD/European Union, 2015[13]; OECD, 2020[11]; Valfort, forthcoming[12])). In Europe, this type of analysis is limited to the outcomes of persons with disabilities, migrants, women and people at risk of age discrimination, given the paucity of census and representative social survey data on other groups at risk of discrimination – except in countries that collect information on people's ethnicity, racial origin and sexual orientation (e.g. Ireland and Malta).

Alternatively, self-reported discrimination survey data can be used to examine the effects of discrimination on individuals. Discrimination surveys have the benefit of asking people about their identities and experiences of discrimination, and some include a wide range of information on outcomes of interest such as income, housing, safety and health. This information enables the effect of (self-reported) discrimination to be observed, after controlling for other explanatory factors. Nevertheless, this approach is not without limitations. It is likely that not all people disclose their identities or experiences of discrimination, while some others may not be aware they experienced discrimination. Further, some people may identify treatment as discriminatory even where this is not the case (OECD/European Union, 2015[13]), although evidence suggests that under-reporting is more common than over-reporting (Habtegiorgis and Paradies, 2013[14]) (Chapter 1).

Material conditions

Discrimination frequently arises during job searches, in the workplace and when seeking housing (Chapter 2). These experiences can lead to economic insecurity (OECD, 2023[15]), and in turn, reinforce disadvantage by exposing individuals to discrimination based on their socio-economic status.[3] As shown in Figure 3.1, people who have experienced discrimination in the previous year are more likely to be at the bottom of the income distribution and to be worried about their financial position and housing affordability over the long term, compared to people who do not report experiencing discrimination. These results hold for all groups – including people who do not identify as part of an at-risk group – although some groups, such as persons with disabilities face a higher likelihood of having poor material conditions across all indicators than other groups.

The heightened risks of poor material conditions for persons with disabilities are consistent with OECD research (2022[16]), which shows persistent disability gaps in employment, unemployment and poverty. The average employment rate for persons with disabilities in Europe is 53%, compared with 77% for others, while employment rates for women with disabilities and young people with disabilities are even lower at 49% and 47%, respectively (European Disability Forum, 2023[17]). While there are many possible reasons why persons with disabilities have lower-than-average employment rates, correspondence studies, which compare the effects of discrimination on various groups, reveal that persons with disabilities face high levels of discrimination in hiring – receiving 40% fewer callbacks than persons without disabilities, according to one study (Lippens, Vermeiren and Baert, 2023[18]). In light of the employment barriers persons with disabilities face, the *OECD's Anti-Discrimination Questionnaire* indicates that over 85% of OECD EU respondents have focused their efforts on boosting employment opportunities for persons with disabilities by developing disabilities employment quotas, employment incentives and programmes to support persons with disabilities in obtaining and keeping a job (Chapter 4).

The nature of employment is also likely affected by discrimination. There is evidence to suggest that people who experience discrimination – particularly people who identify as part of an at-risk group – face higher levels of job insecurity in terms of fear of losing their jobs and being in non-standard work (which includes working without a contract or being on a temporary contract). According to the *Opportunities Module of the OECD 2022 Risks that Matter Survey*, 50% of people who have experienced discrimination and identify as part of an at-risk group based on their ethnicity or skin colour are concerned about losing their jobs in the next year compared to 40% of people who do not report discrimination but identify as part of these groups. Almost 30% of at-risk women who experience discrimination are in non-standard work compared to 20% of other women and at-risk men who self-report discrimination.

These results align with qualitative research on migrant women in non-standard work in Europe. The FRA (2018[19]) interviewed 237 female domestic workers about the exploitation they experience. Almost all of the women who participated in the study stated that they experienced bullying, harassment, emotional and/or physical abuse or violence at the hands of their employers or their family members. Many of the women believed that racism and discrimination were the reasons for their exploitation, along with their economic desperation, need to support family members, fear of deportation and uncertainty around their migration status, and lack of power relative to their employer.

People who self-report experiencing discrimination – especially people from racialised communities – are also more likely to be concerned about housing than those who do not disclose discrimination (Figure 3.1). European experimental evidence suggests that discrimination is at play in the difficulties people from racialised communities face in finding housing. For example, an Irish field experiment found that Nigerian applicants were 40% less likely than Polish applicants to receive invitations to view rental accommodation, who were in turn, 15% less likely than Irish applicants to be invited for an inspection (Gusciute, Mühlau and Layte, 2020[20]). Similarly, a recent correspondence test from Belgium found that people of North African descent face discrimination when trying to find an apartment to rent, particularly when looking for apartments in higher socio-economic and less ethnically diverse areas – indicating that people from racialised communities can get "locked into" disadvantaged areas (Ghekiere and Verhaeghe, 2022[21]).

Figure 3.1. People who self-report discrimination have poorer well-being outcomes

Outcomes for at-risk and non-minority groups by their experience of discrimination in the previous year, EU 17, 2022

		Probability of being in the bottom income quintile (%)	Probability of being concerned about household's financial situation (%)	Probability of being concerned with housing in the long term (%)	Probability of being concerned about being a victim of violence (%)	Probability of being dissatisfied with public safety services (%)	Probability of thinking that governments do not listen to people like themselves (%)
Non-minorities	Self-reported discrimination	21	80	68	63	24	64
	No self-reported discrimination	14	69	51	52	17	54
Ethnicity and skin colour	Self-reported discrimination	21	80	74	69	21	56
	No self-reported discrimination	14	69	59	55	14	45
Religion	Self-reported discrimination	22	80	72	65	25	62
	No self-reported discrimination	14	70	56	50	17	52
Disability	Self-reported discrimination	26	84	75	69	21	58
	No self-reported discrimination	17	75	60	52	15	48
LGBT	Self-reported discrimination	21	82	71	66	24	58
	No self-reported discrimination	13	73	55	51	17	47

Note: Probabilities are derived from logistic models predicting the likelihood of: being in the bottom income quintile; concern about household's financial situation; concern about housing; concern about being a victim or violence; dissatisfaction with public safety services; or believing that governments do not listen to people like themselves. The income model uses household disposable income and controls for experience of discrimination in the previous year, at-risk identity, sex, age, employment status, occupation, industry, educational level, partner's employment status, place of residence, country, and number of children. In addition to these controls, the models of concern about household's financial situation and housing concerns control for household income. The model of concerns about being a victim of crime or violence controls for experience of discrimination in the previous year, at-risk identity, age, sex, willingness to pay an addition 2% in taxes for public safety services, household income, education, number of children and country. For the dissatisfaction with public safety services model, the dependent variable is disagreement with the statement "I think that my household and I have/would have access to good quality and affordable public services in the area of public safety (e.g. police)", and the independent variables are experience of discrimination in the previous year, at-risk identity, age, sex and country. Finally, in the model of perceptions about voice counting, the dependent variable is disagreement with the survey question: "I feel the government incorporates the views of people like me when designing or reforming public benefits and services" and the control variables are experience of discrimination in the previous year, at-risk identity, sex, age, household income, number of children and country. In all models, at-risk identity refers to respondents who consider themselves to belong to an at-risk group based on their ethnicity and skin colour, religion, disabilities and sexual orientation and gender identity (LGBTI). Survey respondents are aged 18-64. The EU 17 average is population weighted and includes the following countries: Austria, Belgium, Denmark, Estonia, Finland, France, Germany, Greece, Ireland, Italy, Latvia, Lithuania, the Netherlands, Poland, Portugal, Slovenia and Spain. All differences in outcomes between those who do and do not experience discrimination are statistically significant at the 10% level except for ethnicity and skin colour minorities at the bottom of the income distribution, ethnic and skin colour minorities who are dissatisfied with public safety services and ethnic and skin colour minorities who do not believe their voice counts.

Source: OECD analysis adapted from Hardy and Schraepen (2024[9]), "The state and effects of discrimination in the European Union", *OECD Papers on Well-being and Inequalities*, No. 26, OECD Publishing, Paris, https://doi.org/10.1787/7fd921b9-en, and based on the *Opportunities Module of the OECD* (2022[22])*, Risks that Matter Survey*, OECD Publishing, Paris, https://www.oecd.org/en/about/programmes/oecd-risks-that-matter-rtm-survey.html.

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Even when people at risk of discrimination find housing, it is more likely to be of poor quality (i.e. lacking access to essential energy services such as heating, hot water, cooling, lighting and energy for appliances (so-called energy poverty)). North African migrants and Syrian migrants experience higher-than-average rates of energy poverty – at 19% and 31%, respectively (compared to an average of 9% across the EU) (European Union Agency for Fundamental Rights, 2024[23]). Twenty-one per cent of Roma people face energy poverty and more than 50% live in situations classified as housing deprivation – with 34% in housing without an indoor shower or bathroom, 33% without an indoor toilet, 19% in housing that is too dark, and 25% living with a leaking roof, damp walls or signs of rot (European Union Agency for Fundamental Rights, 2022[6]). By contrast, the rate of housing deprivation is 17% for the EU (European Union Agency for Fundamental Rights, 2022[6]).

Discrimination may also affect people's economic opportunities in ways that are difficult to measure. For example, the systemic barriers that at-risk groups face in participating equitably may require them to work harder to achieve similar results to the majority of the population. As such, even if at-risk groups have comparable economic outcomes to the general population, statistics do not show the disproportionate levels of effort they needed to achieve their results. However, experimental studies highlight that at-risk groups need to expend more effort to secure employment. For instance, a field experiment in Sweden revealed that Arab women needed to be more qualified (by having one to three years more experience) than their non-Arabic counterparts to receive the same number of callbacks for advertised jobs (Arai, Bursell and Nekby, 2015[24]). Likewise, religious Muslims face barriers when applying for jobs in France unless they are "outstanding" in terms of graduating from high school with honours, professing a level of mastery of key employment skills, and English fluency (Valfort, 2020[25]).

The effects of discrimination may also extend beyond the immediate outcomes, accumulating over time and across generations to shape individuals' long-term material conditions. While these effects are difficult to observe in the EU due to limited longitudinal data, American studies indicate that the effects of racial discrimination, for instance, endure. A meta- discrimination analysis of correspondence studies has found that racial discrimination in recruitment has not changed since the late 1980s (Quillian et al., 2017[26]). Reasons for the persistence of discrimination and racial inequality include inadequate access to health care and well-funded schools for ethnic and racial minorities, housing insecurity and exposure to toxins, and lower household income, wealth and neighbourhood resources (National Academies of Science, Engineering, and Medicine, 2023[27]). These disadvantages begin early: children from racialised communities enter school at a disadvantage compared to their peers – a gap that grows throughout their education and entry into the labour market (Carneiro, Heckman and Masterov, 2005[28]).

Although equivalent longitudinal analysis is scarce in the EU, many OECD EU countries have implemented policy initiatives that recognise the long-term barriers that discrimination creates. More than half of the OECD EU countries that responded to the *OECD Anti-Discrimination Questionnaire* tailor their educational funding and programmes to students from at-risk groups (Chapter 4). In particular, there are programmes to increase the educational inclusion of Roma students by including students' families and communities in the school environment. Such initiatives seek to break the intergenerational cycle of exclusion and discrimination by creating fairer opportunities for future generations.

Feelings of safety and participation in cultural, civic and social life

Beyond its material effects, discrimination is associated with a range of negative quality-of-life indicators such as feeling unsafe or perceiving that governments do not listen to people like themselves (Figure 3.1). People who experience discrimination believe they have at least a two-in-three chance of being the victim of crime or violence – much higher than people who do not self-report discrimination. Safety concerns are particularly pronounced for people from racialised communities.

In addition to safety concerns, people self-reporting discrimination are much more likely to be dissatisfied with public safety services, including the police – especially if they are part of a religious minority, LGBT

people or not part of an at-risk group. Surprisingly, despite their exposure to racial profiling by the police, racialised people report lower-than-expected dissatisfaction rates. This could reflect a fall in the frequency of police stops of people of African descent, as documented by the European Union Agency for Fundamental Rights between 2016 and 2022 (European Union Agency for Fundamental Rights, 2023[4]). Declining police stops of people of African descent coincides with efforts in many OECD EU countries for police to build trust with racialised communities and eradicate racial bias in policing, including in Austria, Finland, Germany and Luxembourg, which have witnessed significant falls in police stops of people of African descent in the midst of legal and policy changes to prompt more racially inclusive policing practices (Chapter 4). Another possibility is that some racialised individuals have internalised discriminatory treatment as routine and thus do not register dissatisfaction, despite negative experiences.

Discrimination also limits cultural participation and self-expression. People who experience discrimination are two to four times more likely than others to state that they face difficulties in accessing cultural goods, events, places and services (Figure 3.2). Cost and age are most frequently cited as obstacles across the whole population who experience discrimination (Figure 3.2, Panel A), although more than a quarter of people who experience discrimination and identify as part of an at-risk group state that they faced difficulties in participating in cultural activities because they felt uncomfortable or at risk of harassment or because there was a lack of disability accessibility (Figure 3.2, Panel B).

Figure 3.2. People who self-report discrimination face many barriers to cultural participation

Share of respondents who note barriers to cultural participation and expression, by self-reported experience of discrimination and at-risk status, EU 27, 2023
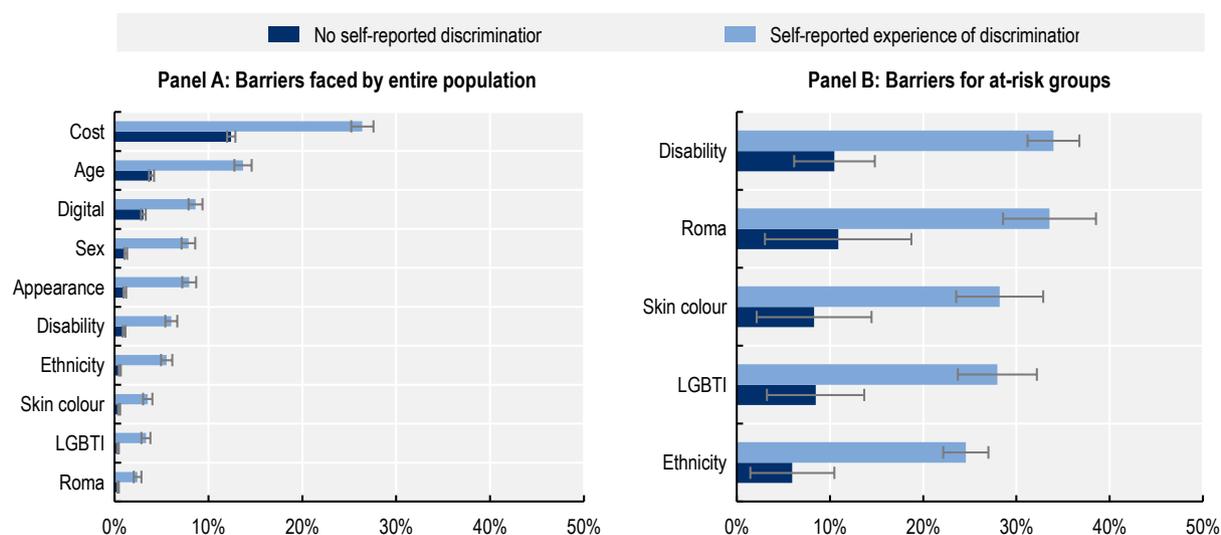
Note: The survey asked whether respondents face barriers when trying to access cultural goods, events, places and services in their country. Response categories were: Cost, Lack of accessibility for persons with disabilities, Lack of digital knowledge or skills, Feeling too young or too old, Feeling intimidated and at risk of LGBTI-based harassment, Feeling intimidated and at risk of ethnic-origin-based harassment, Feeling intimidated and at risk of skin-color-based harassment, Feeling intimidated and at risk of sex-based harassment; Feeling intimidated and at risk of physical-appearance-based harassment; Feeling intimidated and at risk of harassment because of being Roma, No, Don't know. Multiple answers were possible. Panel A shows the results for the entire population, while in Panel B selected barriers are shown for people who identify as part of an at-risk group. Whiskers denote 95% confidence levels. Respondents aged 18 and over were included in the survey and results are shown for the population-weighted average.

Source: OECD calculations based on the European Commission (2023[29]), *Discrimination in the European Union*, Special Eurobarometer SP535, https://europa.eu/eurobarometer/surveys/detail/2972.

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These limitations on cultural participation can contribute to broader civic disengagement. In Europe, cultural activities promote democracy and social cohesion by increasing the likelihood of voting, volunteering and developing positive social attitudes (European Commission, 2023[30]). However, people who experience discrimination are more likely to believe that governments do not listen to them – particularly if they identify as part of a religious minority (Figure 3.1). Other European evidence suggests that people who experience racial, religious or disability discrimination are less likely to vote or get involved in civic activities, even when they express interest in politics and engage in protests and activism against discrimination (Martin, 2017[31]; Mattila and Papageorgiou, 2017[32]; OECD, 2025[33]).

Disengagement from cultural and electoral life may also be illustrative of difficulties maintaining meaningful social relationships. Loneliness is commonly felt by people who identify as part of an at-risk group and experience discrimination. About 35% of at-risk men and women who experience discrimination report feeling lonely "most or all the time", compared to 20% of at-risk men and women who do not state they have experienced discrimination (Figure 3.3, Panel A).[4] This "discrimination effect" is also observed for non-minority men and women, though to a lesser extent (with 25% of non-minority men and women self-reporting discrimination feeling lonely 'most or all the time') (Figure 3.3, Panel A).

Examining loneliness by age groups presents a more nuanced picture. While the association between discrimination and loneliness is apparent for older individuals and younger non-minorities, loneliness rates are especially elevated among young at-risk groups regardless of whether they report experiencing discrimination (Figure 3.3, Panel B). Indeed, almost 30% of at-risk youth who do not self-report discrimination feel lonely most or all the time – double the rates of non-minority youth and older at-risk people. Young people may be more susceptible to loneliness than older people because they are at a life stage of discovering who they are and moving into new phases of life where they leave established social supports (like going to university or starting a job) (Mental Health Foundation, 2024[34]). Social media may also play a role, although the overall effects are ambiguous. On one hand, social media can help young people connect and build online communities with their peers; but on the other hand, it also exposes them to bullying and hate (Mental Health Foundation, 2024[34]). As noted in Chapter 2, online spaces are one of the most frequently cited areas in which young people experience discrimination, in contrast to older people, which aligns more closely with the interpretation that the dominating effect of social media is that it alienates young people rather than bringing them together.

Strong social support networks do not fully protect people who experience discrimination from feeling lonely. Panels C and D of Figure 3.3 indicate that the chances of lacking strong social supports are unaffected by the experience of discrimination for at-risk groups – even though these groups report higher rates of loneliness. This apparent paradox reflects a broader distinction highlighted in OECD research on social connectedness: while social supports refer to people's perceptions of the level of support they receive from their inter-personal relationships, loneliness is a subjective experience of being isolated when a person does not wish to be or feeling their needs are not met by their relationships (Mahoney et al., 2024[35]). Similarly, qualitative research in the United Kingdom challenges assumptions that Black and Asian people, as well as other people with ethnic minority backgrounds, cannot be lonely because they often live in large, multi-generational households (British Red Cross, 2019[36]). In reality, people can live in large households and still feel like they do not have close, meaningful relationships to those around them.

Figure 3.3 Loneliness is commonly felt by those who self-report discrimination

Share of respondents who lack of strong social supports and are lonely, by discrimination experience, at-risk status, sex and age, EU 6, 2022 and 2023
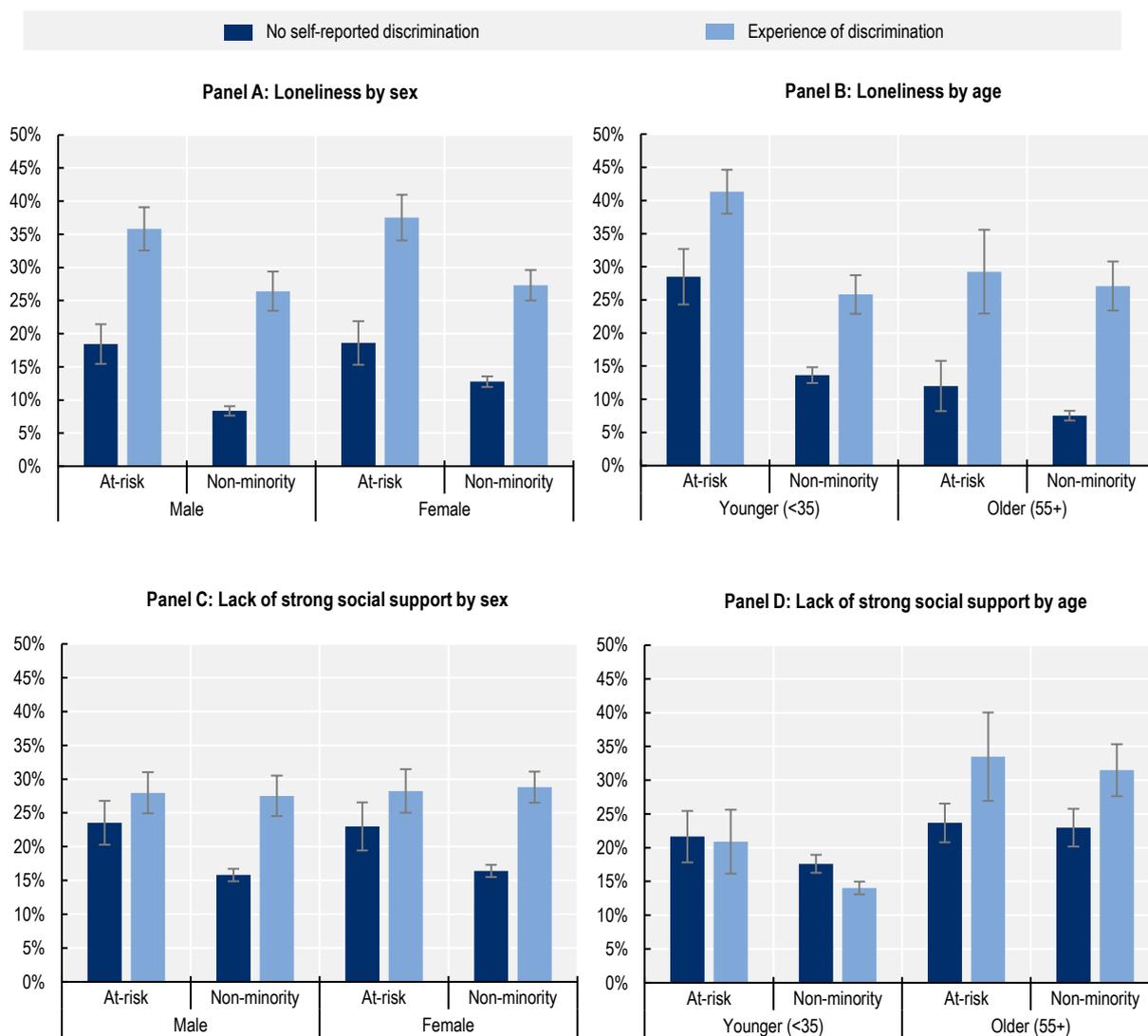
Note: The *AXA Mind Health Surveys* asked how often over the last four weeks they felt lonely: "All of the time", "Most of the time", "Some of the time", "A little of the time", "None of the time", "Don't know". Panels A and B show the aggregations of the "All of the time" and "Most of the time" responses. Panels C and D show the responses that strongly disagree and disagree to the statement "I have a great social support network of people I value and trust". At-risk individuals are those who self-identify as part of an at-risk group based on ethnicity or skin colour, language, disability, sexual orientation or gender identity, religion or belief, migrant status, political opinion or other. Non-minority are those who do not consider themselves to be part of an at-risk group. The EU average is population weighted and based on responses from Belgium, France, Germany, Ireland, Italy and Spain. People aged 18-75 years were surveyed. Whiskers denote 95% confidence intervals.
Source: OECD calculations based on AXA (2024[37]), "Mind your health in the workplace", *2024 Mind Health Report*, https://www-axa-com.cdn.axa-contento-118412.eu/www-axa-com/d41133bc-5fa9-4a5d-b664-316282190d78_axa_mind_health_report_2024.pdf.

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These results underscore the importance of addressing loneliness directly, rather than assuming it is a problem that does not exist in communities at risk of discrimination, given perceptions that they are large and close-knit. Loneliness is emerging as a key policy issue, as it is detrimental to physical and mental health, life satisfaction, educational attainment and labour market outcomes, as well as trust in government and support for democratic norms (Mahoney et al., 2024[35]). Qualitative research in the United Kingdom emphasises the need for inclusive services to forge a sense of belonging for Black and Asian people, along with other people with ethnic minority backgrounds, particularly age – and culturally appropriate services that are embedded in the community (British Red Cross, 2019[36]). Chapter 4 discusses efforts in OECD EU countries to design policies, programmes and services in ways that are inclusive of groups at risk of discrimination.

Compounding effects on people's health

Discrimination has far-reaching implications for physical and mental health. People who experience discrimination are more likely to state that they have poor physical and mental health than those who have not disclosed experiencing discrimination. As shown in Figure 3.4, individuals who self-report discrimination are twice as likely to rate their physical health as poor (Figure 3.4, Panel B), and an almost three times higher likelihood of poor mental health compared to people who do not report experiencing discrimination (Figure 3.4, Panel D). They are also less likely to rate their physical and mental health as "good" compared to people who do not report experiencing discrimination (Figure 3.4, Panels A and C).

These patterns hold for all groups experiencing discrimination – whether based on ethnicity and race, sexual orientation and gender identity, religion, or not part of an at-risk group. The only notable difference across groups is that persons with disabilities are more likely to rate their physical health as bad, which could relate to the nature of their disabilities (Figure 3.4, Panels A and B respectively).

Figure 3.4. People who experience discrimination rate their physical and mental health lower

Self-rated physical and mental health status by experience of discrimination in the past 12 months and self-identified at-risk status, EU 6, 2023
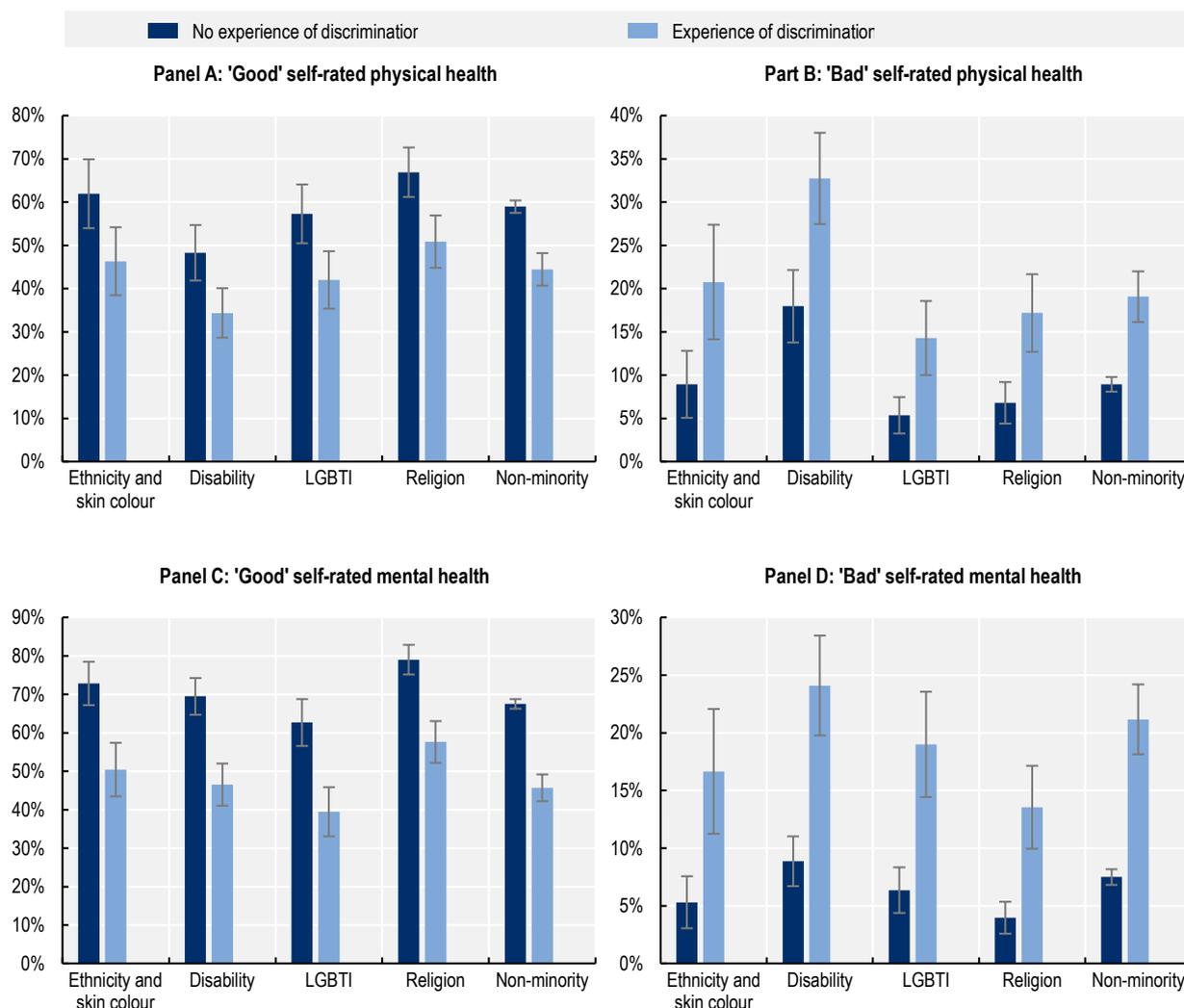
Note: The survey asked respondents to evaluate their physical health and their mental health. Respondents could choose from very good, good, average, bad, very bad, and prefer not to say. Panels A and C aggregate "very good" and "good" responses, while Panels B and D aggregate "very bad" and "bad". The results shown control for age, sex, chronic physical health conditions, mental health conditions, smoking, heavy alcohol consumption, eating habits, exercise, stress levels, income, education attainment, perceived effectiveness of treatment for mental health conditions, loneliness and country. The data represent a population-weighted average across Belgium, France, Germany, Ireland, Italy, and Spain. Whiskers represent 90% confidence intervals.
Source: OECD calculations based on AXA (2024[37]), "Mind your health in the workplace", *2024 Mind Health Report*, https://www-axa-com.cdn.axa-contento-118412.eu/www-axa-com/d41133bc-5fa9-4a5d-b664-316282190d78_axa_mind_health_report_2024.pdf.

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Discrimination appears to have a compounding effect on mental health, as people who experience multiple forms of discrimination report higher rates of depression, anxiety and high stress levels (Figure 3.5). Experiencing multiple forms of discrimination is associated with poorer mental health outcomes, compared to experiencing a single form of discrimination or none. After controlling for age, sex, income and feelings of loneliness, those experiencing multiple forms of discrimination are 5 percentage points more likely to have depression than people who have experienced a single form of discrimination and 15 percentage

points more likely than people who have not been exposed to discrimination (Figure 3.5, Panels A and B). This relationship is consistent across both at-risk and non-minority groups – underscoring that it is the experience of discrimination itself, rather than demographic identity alone, that drives poor health.

Figure 3.5 People who self-report multiple forms of discrimination have high rates of depression, anxiety and stress

Mental health outcomes by experience of discrimination and self-identified at-risk status, EU 6, 2022-2023
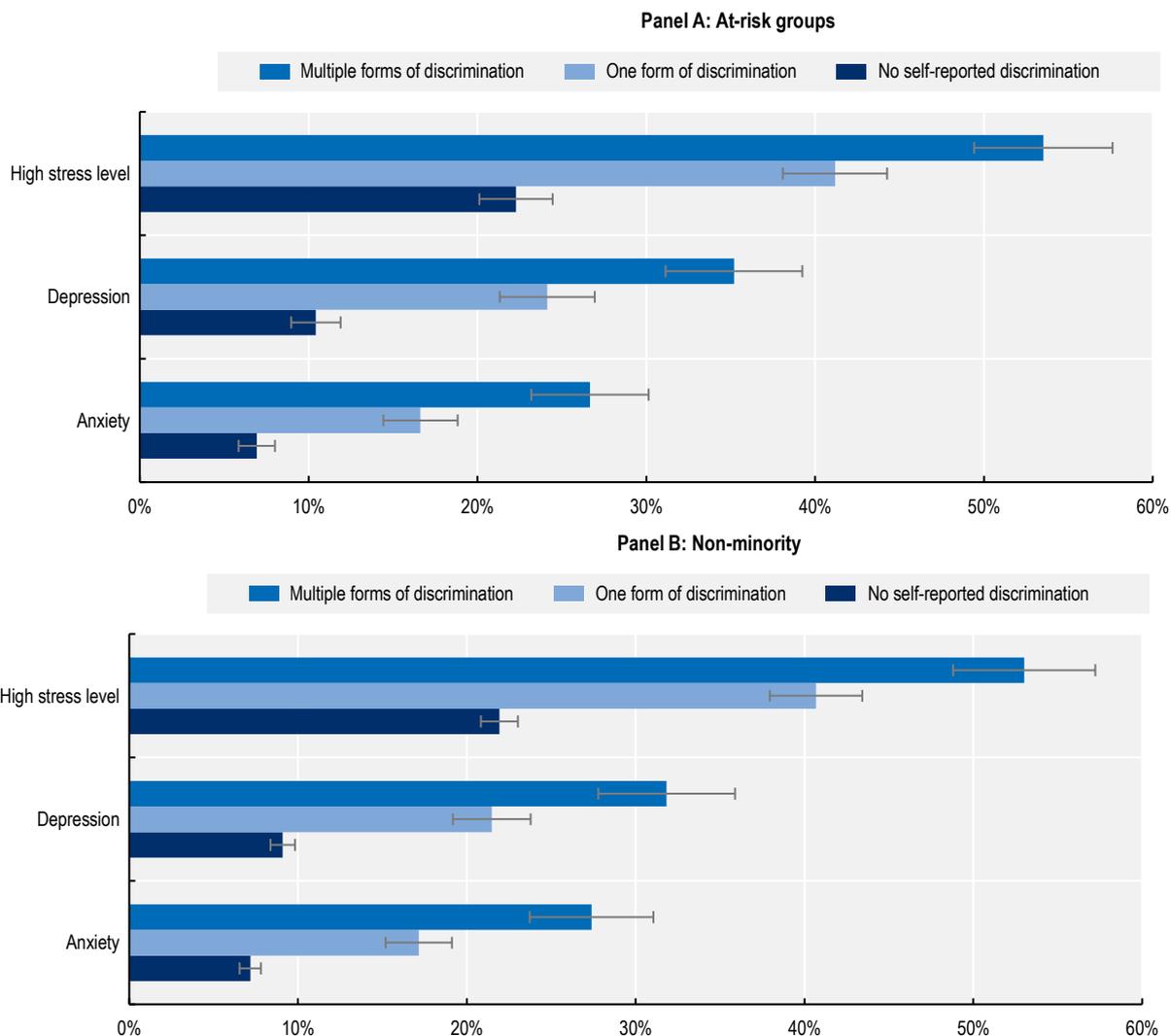
Note: This figure shows the share of affirmative responses to questions about people's current mental health conditions such as depression and anxiety, after controlling for respondents' age, sex, income, social supports, loneliness and country. Respondents were also asked to rate their stress levels over the past 12 months. Stress levels are measured on a 0-to-10-point scale, with 0 meaning "no stress" and 10 indicating "extremely severe stress". Self-rated scores above eight are considered high. The share of respondents with high stress levels is shown, after accounting for age, sex, income, social supports, loneliness and country. At-risk individuals are those who self-identify as part of an at-risk group based on ethnicity or skin colour, language, disability, sexual orientation or gender identity, religion or belief, migrant status, political opinion or other. Non-minority are those who do not consider themselves to be part of an at-risk group. The figures shown are the population-weighted average of Belgium, France, Germany, Ireland, Italy and Spain. Whiskers represent 90% confidence intervals.
Source: OECD calculations based on AXA (2024[37]), "Mind your health in the workplace", *2024 Mind Health Report*, https://www-axa-com.cdn.axa-contento-118412.eu/www-axa-com/d41133bc-5fa9-4a5d-b664-316282190d78_axa_mind_health_report_2024.pdf; and AXA (2024[38]), *Mind Health Index 2024*, https://www-axa-com.cdn.axa-contento-118412.eu/www-axa-com/f5356e90-f204-4848-bac4-aea6b732ff18_axa_mind_health_index_2025.pdf.

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These results align with a well-established body of international research. Studies conducted over the past two decades consistently link discrimination with adverse mental health outcomes such as depression, anxiety and psychological distress, as well as physical conditions including hypertension, breast cancer, obesity and substance use (Remes, Mendes and Templeton, 2021[39]; Pascoe and Richman, 2009[40]; Williams et al., 2019[41]; Paradies et al., 2015[42]). The biological mechanism is clear: discrimination activates stress pathways in the brain and body – such as elevated cortisol levels and blood pressure – which can impair immune, metabolic, and cognitive functioning (Berger and Sarnyai, 2015[43]; OECD, 2023[44]). Chronic stress can also weaken self-control, which can contribute to the uptake of unhealthy behaviours such as smoking and using alcohol and drugs excessively (Pascoe and Richman, 2009[40]) – which is sometimes used as a coping strategy for dealing with the toll of discrimination (Goreis et al., 2020[45]).

Individuals who experience multiple forms of discrimination are also more likely to perceive that one of the most common effects of discrimination is negative emotional states, such as shame, fear and negative self-esteem (Box 3.2). The FRA has made similar findings in its recent surveys of people of African descent, Muslims and LGBTI people, noting that psychological problems are the most commonly selected response (61% and 55%) among people who report being the victim of severe forms of hatred such as racial violence or (63%) hate-motivated physical or sexual violence (European Union Agency for Fundamental Rights, 2023[4]; 2024[8]; 2024[7]).

Another pathway through which discrimination can affect physical and mental health is via structural inequalities that occur throughout a person's life. Discrimination and inequalities in opportunities have been called "the causes of the causes" of disease as they shape many health risk factors (Compton and Shim, 2015[46]). For instance, discrimination in employment, education and housing can constrain economic opportunities and lead to people living economically disadvantaged lives where they are at risk of food and energy insecurity and other deprivations that increase the risk of poor health (OECD, 2023[44]; Shim and Compton, 2020[47]; Compton and Shim, 2015[46]).

In addition, the health system may be a site of discrimination, particularly in terms of a lack of access to care and lower quality of care. Research by FRA (2019[5]; 2022[6]) shows that 16% of LGBTI people in EU and 14% of Roma and Travellers experienced discrimination in the previous 12 months in healthcare settings. Similarly, the AXA (2023[48]) *Mind Health Survey* reveals that people who experience discrimination are less likely to believe the health system provides timely support in treating mental health conditions, and are slightly less likely to feel they know how to access health care if they need it than people who have not experienced discrimination.

Discrimination in health care may result in people not receiving correct diagnoses or adequate treatments or feeling stigmatised. In a recent survey of over 11 000 people from marginalised communities in France, Brazil, Japan, the United Kingdom and the United States revealed that 66% of LGBTI people and 73% of people from racialised communities and persons with disabilities had healthcare experiences that damaged their trust in the system (compared to 56-58% of the general population) (Sanofi, 2022[49]). Maternal mortality for black women is almost four times higher than for white women in the United Kingdom and 2.6 times higher in the United States (House of Commons 2023, 2023[50]; NCHS Health E-Stats, 2023[51]). In the case of the health inequities faced by LGBTI people, a review of studies found that some LGBTI people have been denied medical treatment, and have had healthcare providers make assumptions (and being judgmental) about their sexual practices, and not show respect for trans people's names or pronouns (Medina-Martinez et al., 2021[52]). Poor treatment discourages people from engaging with the health system unless their medical issues become severe.

Disengagement from the health system, and other essential government services, is a key challenge in the fight against all forms of discrimination, especially systemic discrimination. The next chapter examines what OECD EU countries are doing to tailor their health responses to groups at risk of discrimination in order to overcome the structural barriers people face in fully and freely participating in society (Chapter 4).

Box 3.2. The perceived effects of discrimination

How people perceive the effects of discrimination has been understudied relative to other types of perceptions, such as the perceived extent of discrimination and the public perceptions of the effects of inequality on people's lives and society (OECD, 2023[53]; 2021[54]; 2024[55]). The lack of attention paid to the perceived effects of discrimination is a concern, since this research can give an insight into how closely individuals' views on discrimination accord with lived reality, and can in turn prove useful when crafting awareness campaigns and other anti-discrimination policy measures.

This chapter provides the first glimpse of people's perceptions of the effects of discrimination by analysing new questions in the *Opportunities Module of the 2022 OECD Risks that Matter Survey* on what areas of life people believe to be most affected by discrimination. Results show that a vast majority of people (about 80%) believe that discrimination has negative effects on people's lives, although people's perceptions depend on their own experiences of discrimination and their sense of identity. More than half of persons with disabilities, LGBT people and those who do not identify as part of an at-risk group who experience discrimination believe that negative emotional responses – such as feelings of shame, fear and negative self-esteem – are one of the main effects of discrimination. For members of these groups who do not report discrimination, the corresponding shares range between 35% and 43% (Figure 3.6, Panel A).

By contrast, people from racialised communities and religious minorities who experience discrimination commonly report a lack of economic opportunities as a key effect of discrimination (45% and 41%, respectively) – much larger shares than members of these communities who do not self-report discrimination (27% and 29% respectively; Figure 3.6, Panel A). These results are consistent with more objective measures of the constrained economic opportunities facing people from racialised communities and religious minorities who experience discrimination – particularly among women who are most exposed to working a temporary job or without a contract (discussed above).

While men and women rank negative emotional responses as the most common effect of discrimination, differences between the sexes point to the relative economic precarity women face (Figure 3.6, Panel B). Women in the EU are more likely than men to be single-income-earners and have weaker attachments to the labour market, which puts them at a heightened risk of economic insecurity (OECD, 2023[15]). Women who experience discrimination frequently report a lack of economic opportunity as a key effect of discrimination, with 38% nominating this option compared to 27% of women who do not self-report experiencing discrimination (for men the shares are 31% and 28% respectively). In contrast, men who experience discrimination are more likely than women to state that the main effects of discrimination include constraints on political, religious, social and cultural expression and participation: with 26% of men who experience discrimination selecting this option compared to 19% of women experiencing discrimination.

Figure 3.6. People who self-report discrimination generally believe the main effects of discrimination to be negative emotions, although lack of economic opportunities is commonly selected by racialised communities, religious minorities and women

Perceived effects of discrimination by experience of discrimination, at-risk groups and sex, EU 17, 2022
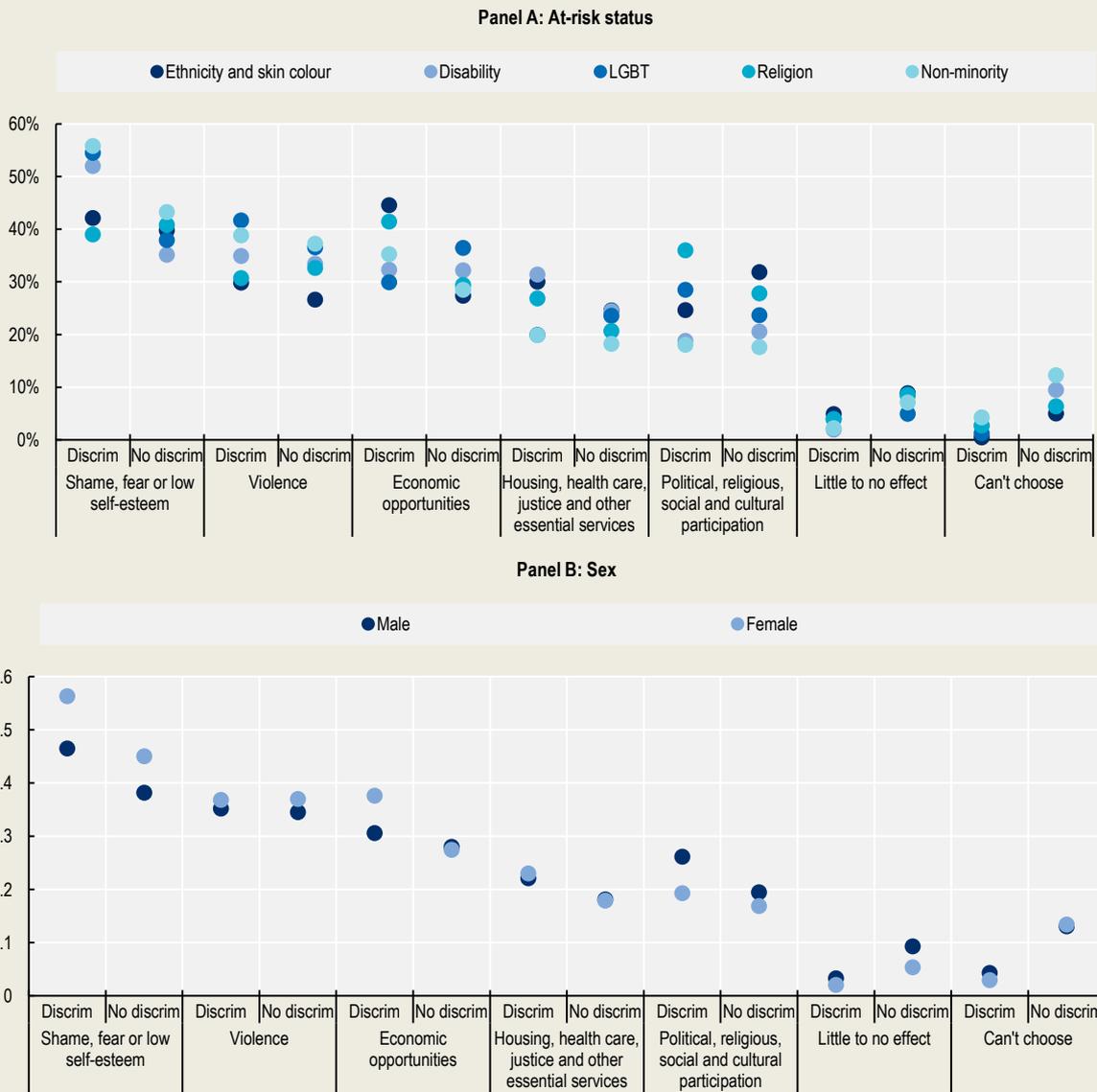
Note: Survey respondents were asked what the ways are, in their opinion, that discrimination and harassment affect people's lives in their country. Respondents could choose two options from the following: limiting access to good jobs, business opportunities and education (labelled economic opportunities in the chart), limiting access to housing, health care, justice, and other essential services, constraining political, religious, social and cultural expressions and participation, violence, increasing feelings of shame, fear or low self-esteem, little to no effect or can't choose. In addition, respondents were asked whether they have experienced discrimination in the past year and whether they identify as part of an at-risk group based on their ethnicity and skin colour, disabilities, sexual orientation and gender identity, religion or none. Survey respondents are aged 18-64. The EU 17 average is population weighted and includes the following countries: Austria, Belgium, Denmark, Estonia, Finland, France, Germany, Greece, Ireland, Italy, Latvia, Lithuania, the Netherlands, Poland, Portugal, Slovenia and Spain.

Source: OECD calculations based on the *Opportunities Module of the OECD* (2022[22]) *Risks that Matter Survey*, OECD Publishing, Paris, https://www.oecd.org/en/about/programmes/oecd-risks-that-matter-rtm-survey.html.

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3.2. The impacts of discrimination spread beyond those directly affected

Section 3.1 outlined the manifold ways in which discrimination is associated with poor well-being outcomes for the individuals affected, including income insecurity, housing stress, mental ill-health, loneliness, lack of civic engagement, or barriers to cultural participation. While those directly affected bear the brunt of these costs, the effects extend far beyond the individual, impacting the wider economy and society. This section explores the mechanisms through which discrimination can affect even those whose lives it does not directly touch.

Economic costs

In economic terms, discrimination represents a loss of potential output. It hampers people's ability to realise their equality of opportunity, leading them to work in roles that are not commensurate with their talents or requiring them to work harder than they otherwise would to achieve their goals (thereby diverting their efforts away from other valuable endeavours). Discrimination may also lead to underperformance at work due to the mental health strain, or a suboptimal level of economic development if people at risk of discrimination drop out of the labour market or do not invest in their education, believing their hard work will not be rewarded in terms of higher-paying jobs (OECD, 2020[11]; OECD/European Union, 2015[13]). People belonging to groups at risk of discrimination are more likely than non-minorities to believe factors outside of a person's control are key to getting ahead in life and put relatively less stock in the belief that hard work pays off (OECD, 2023[53]).

In addition to the labour market effects, the economic costs of discrimination include both personal and public healthcare expenditure resulting from poor living conditions, mental health strain and hate-motivated violence, for example. Social benefit spending may also be higher in the presence of discrimination for people who cannot find employment suited to their skills and experience (Perlov et al., 2020[56]; van Ballegooij and Moxom, 2018[57]). Similarly, tax revenue may be lower if individuals who face discrimination are unable to earn a sufficient income.

Although the broader economic effects of discrimination are well understood in theoretical terms, quantifying them is challenging since discrimination is rarely observed in data collections (Chapter 1). In the absence of direct measures of discrimination, studies typically estimate the size of the benefit that would accrue to the economy if groups at risk of discrimination had similar employment and earning patterns to the rest of the population. This approach measures the benefit of levelling the playfield (known as closing the gap), but it may overstate the effect of discrimination if other factors explaining differences in outcomes between groups are not considered, such as differences in age distributions of groups, which could affect their years of professional experience and hence earnings. Further, studies rarely account for the investments that countries need to make to achieve parity, for example, increases in funding for educational and training, monitoring and enforcement mechanisms, or the effects of the taxes levied to fund the closing of the gap.

On the other hand, only the costs that can be easily quantifiable are included, which could lead to an underestimation. The primary economic effects that are considered are employment and earnings (and their implications for taxation revenue collections). Some studies include the mental health costs of discrimination, which affect labour force participation and public health expenditure, the costs of hate-based violence on people's physical and mental health, and the associated costs on health and justice systems. Notably absent are the costs that stem from the possibilities that never come to fruition – the new ideas, innovation and creativity that could have emerged if people had the opportunity to fully participate in society.

Whether studies over- or under-estimate the costs of discrimination depends largely on the data available. Data collections with rich demographic information on the groups at risk of discrimination and their life outcomes allow a more meaningful analysis of the costs of discrimination (through identifying more costs

and alternative explanations of individuals' outcomes). In Europe, undertaking this type of analysis is stymied by the lack of data on particular groups at risk of discrimination, particularly based on ethnicity and racial origin, LGBTI status or religion (Chapters 1 and 5; Hardy and Schraepen (2024[9])).

However, a handful of studies have estimated the drag that discrimination has on national European economies, at least for some grounds where data are available. In Spain, the direct cost of workforce exclusion of persons with disabilities is estimated to stand at 0.9%-2.4% of GDP, and once the flow-on effects on consumption are included, the costs rise to 1.5%-4% of GDP (Cámara, Martínez and Santero-Sánchez, 2020[58]). This study models various scenarios for the inclusion of persons with disabilities, with one scenario focusing only on closing the labour-force-participation gap between persons with and without disabilities (but not changing the sectors in which people work), and another also closing the education gap, which then contributes to the desegregation of the labour market, as persons with disabilities have the skills to undertake the same work as persons without disabilities.

For LGBT discrimination, the annual costs have been estimated to be 0.21%-0.43% of GDP in Poland, 0.14%-0.23% of GDP in Hungary, and 0.63%-1.75% of GDP in Romania (Perlov et al., 2020[56]).[5] These costs are calculated based on the assumption that without discrimination LGBT people would experience similar wages and patterns of disease and mental health rates as the general population. In the absence of nationally representative data on the size of the LGBT community in Central and Eastern Europe, these costs assume that LGBT people represent 3% of the total population. However, these cost estimates are similar to recent OECD (2024[2]) research, which uses a rich source of nationally representative microdata to estimate the size of the LGBTI community in the United States. After adjusting for location, demographics, occupation and sector, the report finds that LGBTI people are 7% less likely to be employed and those who are employed receive 7% less than their cisgender, heterosexual peers. If these employment and earnings gaps could be closed by 2050, the United States' economy could be 2.6% larger (as compared to baseline GDP) – equivalent to an annual increase of 0.1%.

Unlike most cost studies that focus on a single ground of discrimination, some studies estimate the economic costs of discrimination across various grounds. In France, GDP could be 3.6% to 14.1% higher if discrimination on the basis of sex, disability status, residence, and migration status was eliminated (Bon-Maury et al., 2016[59]). The lower end of the range represents the additional GDP from closing the wages gap of these groups at risk of discrimination to the national average, while the upper end of the range closes the gaps in employment status, number of hours worked and the level of education as well.

Across the EU as a whole, the costs of discrimination based on ethnicity and racial origin, sexual orientation, religion, disability, sex and age have been estimated to run into the billions (van Ballegooij and Moxom, 2018[57]). One study quantifies the economic costs of discrimination through a few main channels, although different channels are identified for some groups based on the types of risks they face and data availability.

- **Ethnicity and race, religion, sexual orientation and age**: the costs of discrimination are the lost earnings stemming from the heightened risks of unemployment and poor health. The risks of unemployment and poor health (due to hate-motivated violence) are estimated using logistic regression techniques, which adjust for demographics, education level, income insecurity, and place of residence. These risks are then applied to the number of people who state that they belong to a group at risk of discrimination to calculate the number of people likely to experience these effects. The number of people affected is then converted to a monetary term by multiplying by the average gross wage in the EU to arrive at an estimate of lost economic output (GDP). Lost tax revenue is calculated by assuming a tax rate of 36% on labour (based on the OECD average rate in 2017).

- **Disability**: the costs of discrimination are estimated in terms of the lost earnings resulting from the risk of unemployment and the risk of not completing tertiary education. Weighted likelihoods of unemployment and educational non-completion are estimated based on individuals'

self-identification of their level of limitations on daily activity. To estimate the size of the affected population, the estimated risks are then applied to the number of people who report being at risk of discrimination because of their disability. Similar to other grounds of discrimination, the number of people affected is then converted to a monetary term by multiplying by the average gross wage in the EU to arrive at an estimate of lost GDP, which is then used to derive the figure of lost tax revenue.

As shown in Table 3.1, the estimated economic costs reflect the size of the groups at risk of discrimination – with those subjected to age discrimination incurring the highest costs by virtue of large swathes of the population being at risk of this type of discrimination.[6] Indeed, the estimates are based on the *European Social Survey*, in which only small fractions of the sample identify as part of a group at risk of discrimination. For example, only 4% of people identify as part of a group at risk of discrimination based on their skin colour or ethnicity, religion, disability, sexual orientation or gender identity in the *European Social Survey*, compared to 9% in the *2023 Discrimination in the European Union Barometer*. As a result of the small samples of minorities and the inability to quantify all relevant costs, the estimates are likely to be conservative.

Table 3.1. Discrimination is associated with large annual GDP losses (EUR, 2022 price levels)

	Race and ethnicity	Religion and belief	Sexual orientation	Age	Disability
GDP	2.8-12.7 billion	234 million	30-89 million	289-364 billion	0.84-1.42 billion
Tax revenue	1.1-4.6 billion	84 million	11-33 million	104-130 billion	302-493 million

Note: The annual GDP losses across different grounds of discrimination are not perfectly comparable due to different costs included in the calculation. In particular, the costs of disability discrimination include barriers to education, while health-related costs are quantified for all grounds except disability. Estimates have been adjusted from 2016 to 2022 price levels using Eurostat's average annual Harmonised Index of Consumer Prices (HICP) (18.6% increase over the period).
Source: OECD analysis adapted from Hardy and Schraepen (2024[9]), "The state and effects of discrimination in the European Union", *OECD Papers on Well-being and Inequalities*, No. 26, OECD Publishing, Paris, https://doi.org/10.1787/7fd921b9-en; van Ballegooij and Moxom (2018[57]), *Equality and the Fight Against Racism and Xenophobia – Cost of Non-Europe Report*; European Parliament, 2018, https://data.europa.eu/doi/10.2861/1791; and Eurostat (2023[60]), *Harmonised Indices of Consumer Prices (HICPs) - All Items - Annual Average Indices*, https://doi.org/10.2908/TEC00027.

Despite the difficulties in quantifying the costs of discrimination, the extant European literature indicates there is a considerable drag on economic performance related to lost employment, wages and poor health. These, however, are not the only ways in which the effects of discrimination spread beyond those directly affected. Discrimination also undermines social cohesion and the trust that facilitates all interactions in society.

Social cohesion

By definition, discrimination is contrary to social cohesion. As discussed in Section 3.1 and highlighted in Hardy and Schraepen (2024[9]), experiences of discrimination are associated with factors that have the potential to erode social cohesion. This includes feelings of loneliness, and disengagement from society, cultural activities and civic participation. In contrast, socially cohesive societies foster a sense of belonging and fight exclusion and marginalisation to promote the well-being of all including through granting everyone the opportunity of upward social mobility (OECD (2011[61]; 2011[62]), Box 3.3). Public support for social cohesion goals remains strong across Europe, with surveys showing that qualities like "tolerance and respect for others" and a "sense of responsibility" are considered more important for children than individualistic traits like "hard work" (OECD, 2011[61]).

Box 3.3. Social cohesion and economic development

Empirical studies have demonstrated that social cohesion contributes to economic growth. Notably, intergroup cohesion – characterised by the absence of ethnic, linguistic, or religious conflicts – has been shown to have a positive and substantial impact on GDP per capita (Pervaiz and Chaudhary, 2015[63]). Societies that embrace multicultural and liberal values often exhibit higher levels of trust and solidarity, which are associated with economic development (Breidahl, Holtug and Kongshøj, 2018[64]).

Conversely, undermining equality of opportunity and meritocracy as the path towards upwards social mobility creates resentment and disillusionment among those who unfairly miss out. This can give rise to social discontent, and, in some cases, the desire to upend the social hierarchy through more drastic means, including revolution (Hamilton and Hamilton, 2024[65]). Unequal treatment of people can sow mistrust of those who are different, and cause people who are subjected to discrimination to feel like they do not belong in their country or place of residence, which can thwart efforts to cooperate economically (by inhibiting business ventures and lending) and undermine support for governments, public investment and trust in institutions (van Ballegooij and Moxom, 2018[57]; Easterly, Ritzen and Woolcock, 2006[66]; Ekici and Yucel, 2015[67]).

One way to demonstrate the link between social cohesion and economic development is to measure the correlation between the size of the economy and the general population's support of at-risk groups (using the social acceptance index described above). In the EU, countries with higher GDP per capita are more accepting of people from at-risk groups, although it is unclear whether higher economic development leads to more social cohesion or vice versa (Figure 3.7). Indeed, acceptance of minorities is strongly positively correlated with GDP per capita in EU countries, with an R-squared of 0.7.

Figure 3.7. Countries where people are more accepting of minorities have a higher GDP per capita

Real GDP per capita (2022) and acceptance of minorities (2023) by country
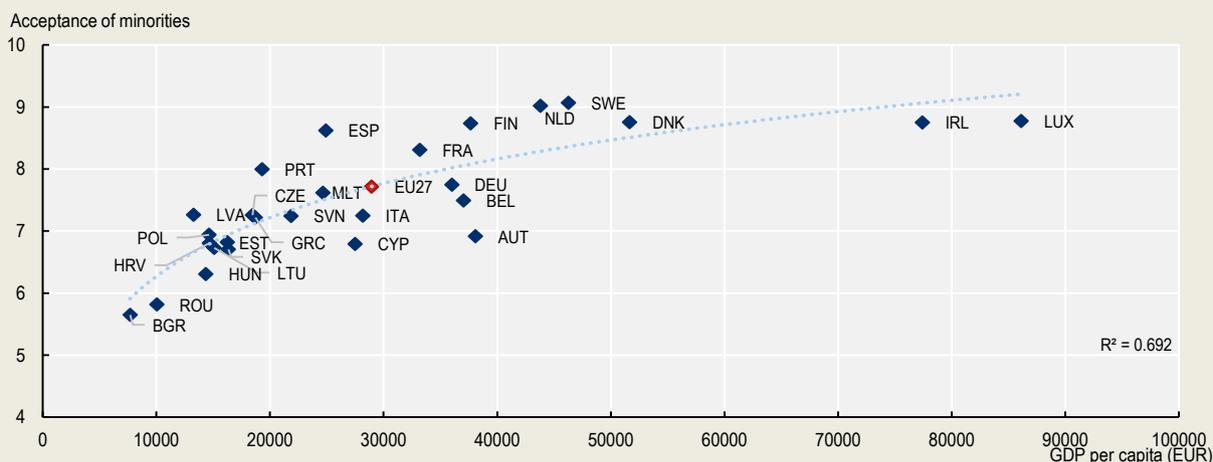
Note: The acceptance of minorities index is constructed by averaging the acceptance levels for: how comfortable one is to have a minority in the highest elected political position, at work with whom they are in daily contact, as a partner of one of their children in a romantic relationship, and to which extent one thinks school lessons and materials should include information about diversity. Levels are aggregated for persons with disabilities, racialised people, Roma people, religious minorities, and LGBTI people. The EU 27 average is population-weighted. Source: OECD analysis adapted from Hardy and Schraepen (2024[9]), "The state and effects of discrimination in the European Union", *OECD Papers on Well-being and Inequalities*, No. 26, OECD Publishing, Paris, https://doi.org/10.1787/7fd921b9-en; European Commission (2023[29]), *Discrimination in the European Union*, Special Eurobarometer SP535, https://europa.eu/eurobarometer/surveys/detail/2972; and Eurostat (2024[68]), *Real GDP per capita*, https://doi.org/10.2908/SDG_08_10.

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To explore the relationship between social cohesion and discrimination, this section presents analysis of social acceptance of minorities and several indicators of social cohesion. These include societies' willingness to undertake anti-discrimination action, perceptions that governments are not doing anything to promote diversity, the diversity of social groups and views that "my voice counts in my country" (Figure 3.8). The social acceptance of minorities index is based on the level of public support – on a 0 to 10 scale, where 0 stands for "not at all comfortable" and 10 stands for "totally comfortable" – people have for: being in close working relationships with people from minority groups; people from minority groups being in political leadership positions; their children being in romantic relationships with children from minority groups; information on diversity included in school lessons. An index is created for each at-risk group individually – racialised communities, persons with disabilities, LGBTI people, Roma and religious minorities – and then averaged to obtain the overall social acceptance of minorities index.

Despite rising self-reported rates of discrimination in most EU countries (as shown in Chapter 2 and in Hardy and Schraepen (2024[9])), social acceptance of minority groups is generally high – and rising – across the EU (Figure 3.9). Between 2019 and 2023, the level of acceptance of all minority groups rose in most EU countries, with the largest increases seen in Czechia, Finland, Greece, Italy, Latvia, and Lithuania. EU countries are gradually converging towards higher levels of acceptance, particularly for LGBTI people. However, acceptance remains relatively low for LGBTI and Roma people in a few countries, which pulls down the average level. Bulgaria, Romania, Hungary and the Slovak Republic record low levels of LGBTI acceptance, while for Roma acceptance, Bulgaria's score is relatively lower than other EU countries. Further, acceptance fell between 2019 and 2023 in Romania (mainly due to a decrease in the acceptance of people with an ethnicity different than the majority) and in Poland (lower support for persons with disabilities and a religion different than the majority).

Figure 3.8. There are strong positive relationships between social cohesion indicators and acceptance of minorities
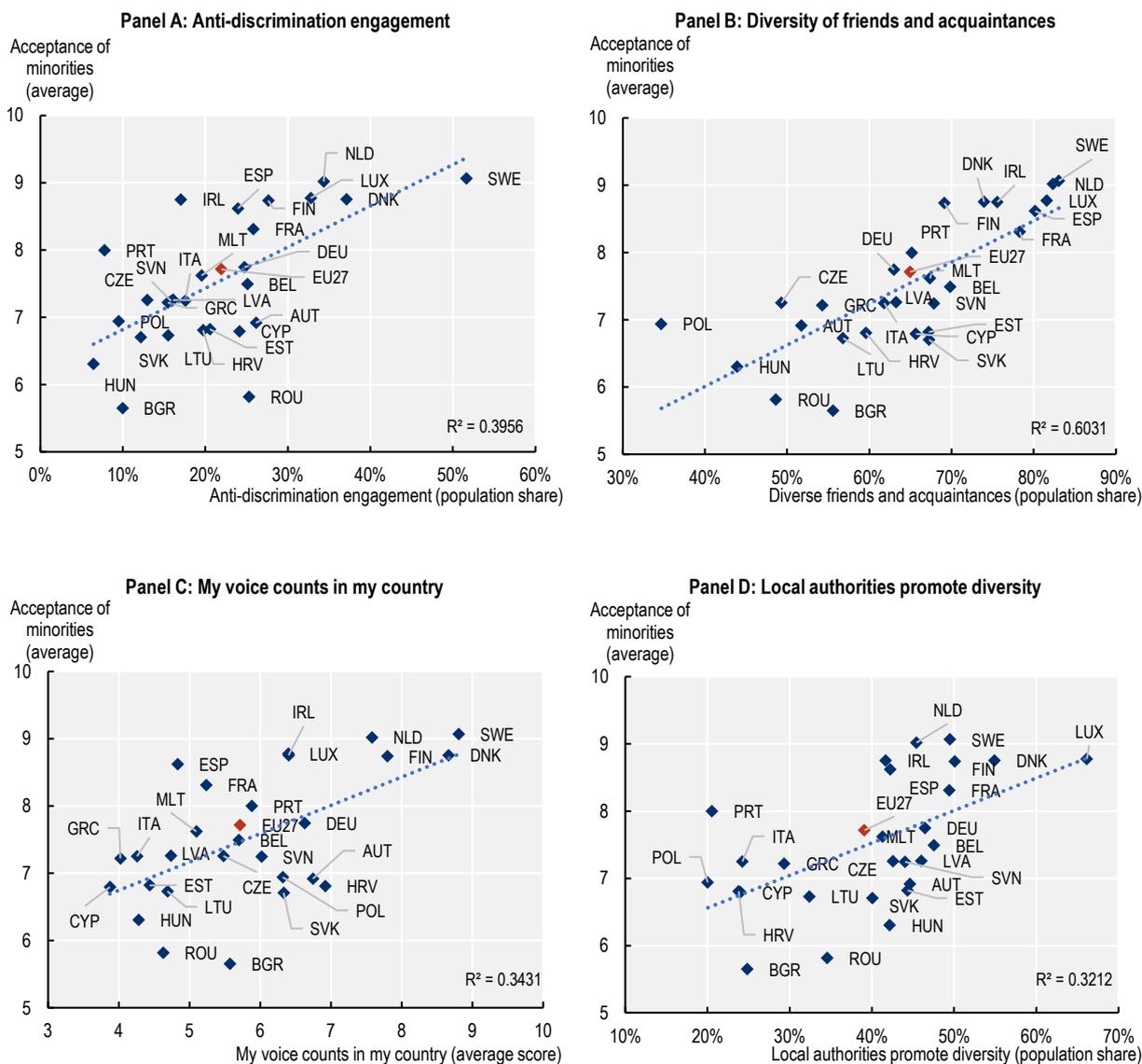
Panel A: Anti-discrimination engagement

Panel B: Diversity of friends and acquaintances

Panel C: My voice counts in my country

Panel D: Local authorities promote diversity

Note: The acceptance of minorities index is constructed by averaging the acceptance levels for: how comfortable one is to have a minority in the highest elected political position, at work with whom they are in daily contact, as a partner of one of their children in a romantic relationship, and to which extent one thinks school lessons and materials should include information about diversity. An index is created for each group at risk of discrimination: persons with disabilities, racialised people, Roma people, religious minorities, and LGBTI people. The acceptance of minorities index is the simple average of these individual indexes. In Panel A, anti-discrimination engagement reflects the share of the population that has done one of the following actions: shared online content about discriminatory incidents, publicly defended someone who was the victim of discrimination, joined an association or campaign that defends people against discrimination and/or publicly raised the issue of discrimination in the workplace in the past year (see Chapter 2 and Hardy and Schraepen (2024[9])). In Panel B, the share of the population with diverse friends or acquaintances is based on responses to the question "Do you have friends or acquaintances that are…?" The share is the unweighted average of whether the respondent has a friend or acquaintance for each of the following five groups: persons with disabilities, ethnicity or skin colour different from the respondent, Roma people, religion different from the respondent, and LGBTI people. Panel C shows the share of people who indicate that their voice counts in their country. Panel D shows the share of people that responded "yes" to the question "Do you think enough is being done to promote diversity in the area where you live by your local authority?".
Source: OECD calculations based on the European Commission (2023[29]), *Discrimination in the European Union*, Special Eurobarometer SP535, https://europa.eu/eurobarometer/surveys/detail/2972.

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Figure 3.9. Acceptance of minority groups varies across countries, but is slowly converging
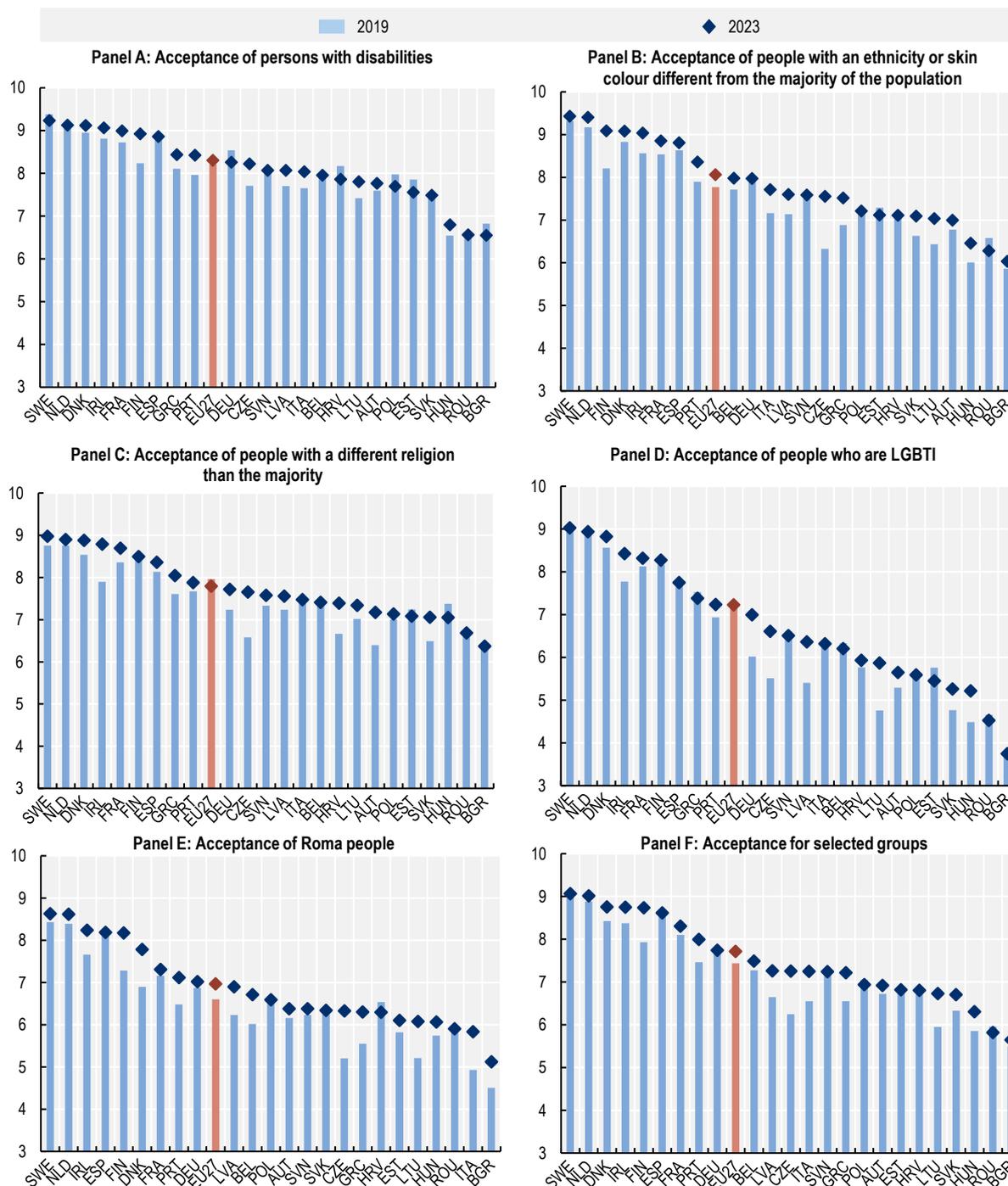
Note: The acceptance of minorities index is constructed by averaging the acceptance levels for how comfortable one is to have a minority: in the highest elected political position; at work with whom they are in daily contact; as a partner of one of their children in a romantic relationship; and to which extent one thinks school lessons and materials should include information about diversity. Levels are computed separately for persons with disabilities, racialised people, Roma people, religious minorities, and LGBTI people. Panel F includes the acceptance for all aforementioned minority groups (equally weighted). Cyprus, Luxembourg and Malta are not presented in the chart due to small sample sizes, but they are included in the population weighted European Union average, which is represented as EU 27.
Source: OECD analysis adapted from Hardy and Schraepen (2024[9]), "The state and effects of discrimination in the European Union", *OECD Papers on Well-being and Inequalities*, No. 26, OECD Publishing, Paris, https://doi.org/10.1787/7fd921b9-en; and the European Commission (2023[29]), *Discrimination in the European Union*, Special Eurobarometer SP535, https://europa.eu/eurobarometer/surveys/detail/2972.

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As discussed in Chapter 2, the rise in the social acceptance of at-risk groups has occurred during a period in which self-reported discrimination rates have grown in most EU countries. This apparently paradoxical relationship can be explained by the wide range of factors that influence self-reported discrimination rates. Self-reported discrimination rates reflect demographic, social, cultural and political factors, including the diversity of a country's population and people's willingness to attribute their treatment to discrimination (Chapter 2 and Hardy and Schraepen (2024[9])). In countries with greater social acceptance, people may be more likely to disclose experiences of discrimination, partly because they feel more comfortable sharing and may be more knowledgeable about what constitutes discrimination, as accepting societies tend to disseminate more information about discrimination (Chapters 2 and 4, and Hardy and Schraepen (2024[9])).

Moreover, rising social acceptance coincides with concerted EU and national-level legislative and policy efforts to fight discrimination, as symbolised by the introduction of the Union of Equality in 2019, and the expansion of rights in some EU countries (such as the recent recognition of same-sex marriage in Estonia, Greece and Slovenia) (Chapter 4). The introduction of inclusion policies and laws is linked to increase the level of social acceptance across OECD and EU countries, for example through workplace policies (OECD, 2020[69]), the introduction of legal protections for LGBTI people (OECD, 2020[11]) and migrant integration policies (Solano and Huddleston, 2020[70]).

Findings from the *OECD Anti-Discrimination Questionnaire* support these observations. OECD EU countries with stronger laws, policies and mainstreaming initiatives to fight discrimination and promote equality and inclusion are more accepting of groups at risk of discrimination (Figure 3.10). In general, the OECD EU countries that responded to the *OECD Anti-Discrimination Questionnaire*[7] have focused their efforts to combat ethnic and racial, and disability discrimination – reflecting the relatively high levels of social acceptance of these groups, their exposure and vulnerability to discrimination (in terms of the extent of discrimination they experience and the severity of its effects), and the strength of EU protections for these grounds (Figure 3.10, Panels A and B, Chapter 4). Nevertheless, some countries including Denmark, France, Finland, the Netherlands, Luxembourg, Spain and Sweden, have pursued equality policies broadly across these grounds, which corresponds to high levels of social acceptance for people from racialised communities, persons with disabilities, LGBTI people, and religious minorities (Figure 3.10, Panels A, B, C and D respectively).

Laws and policies that prohibit discrimination and promote equality and inclusion shape societal values, norms and expectations, which can help to combat the prejudice, stigma and stereotypes that drive discrimination (Office of the United Nations High Commissioner for Human Rights, 2023[71]). The developers of the Migrant Integration Policy Index (Solano and Huddleston, 2020[70]) note that "integration policies are one of the strongest factors shaping the public's willingness to accept and interact with immigrants", while evidence shows that legal changes to promote LGBTI equality improve people's attitudes towards LGBTI people (OECD, 2020[11]). People perceive legal changes as a reflection of what is socially acceptable, and many are willing to adopt these norms (Tankard and Paluck, 2017[72]; OECD, 2020[11]). This is exemplified by the rapid increase in acceptance of homosexuality in European countries after the passage of same-sex marriage laws (Aksoy, 2020[73]).

Figure 3.10. Social acceptance of minorities is positively correlated with strong anti-discrimination policies, laws and mainstreaming efforts

Correlation between social acceptance of various minority groups and policy, law and mainstreaming indices derived from responses to the *OECD Anti-Discrimination Questionnaire*, EU 21
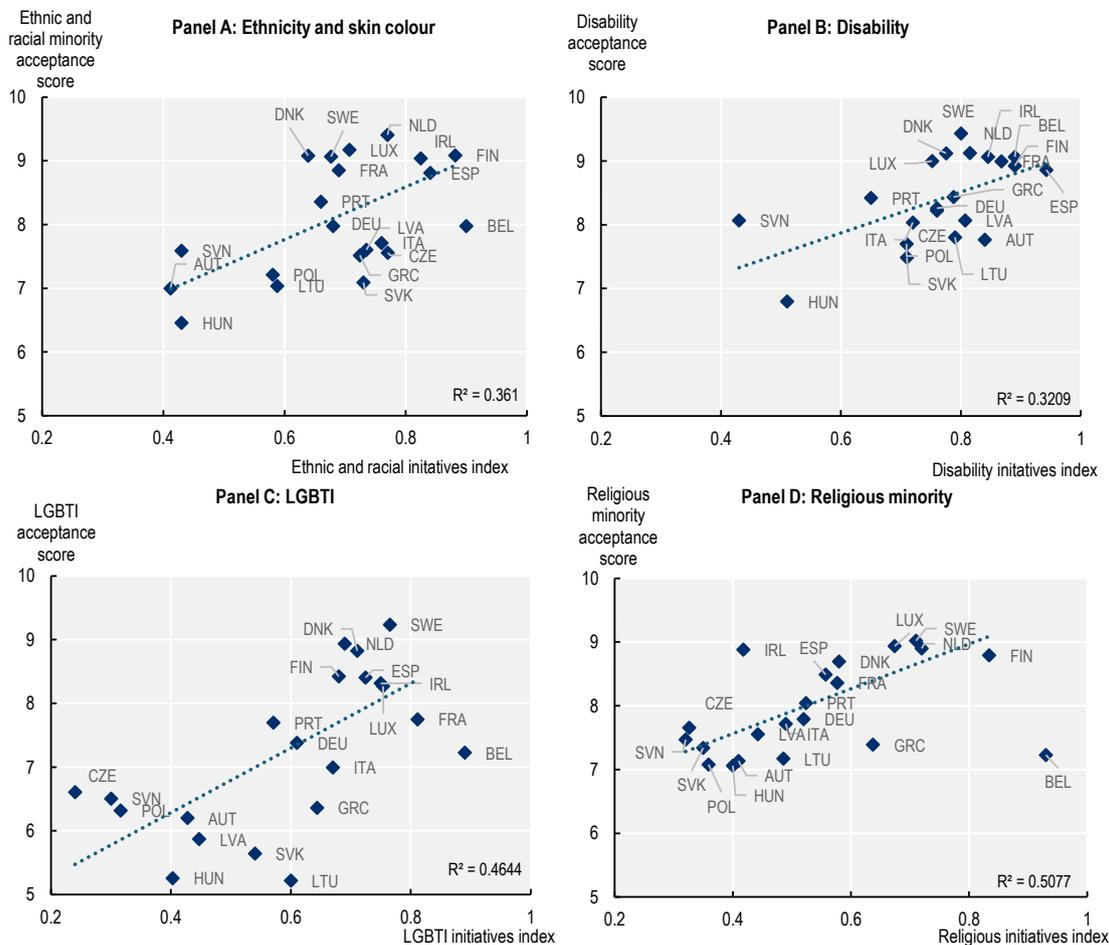
Note: The acceptance of minorities scores are constructed for each at-risk group by averaging the acceptance levels for: how comfortable one is to have a minority in the highest elected political position, at work with whom they are in daily contact, as a partner of one of their children in a romantic relationship, and to which extent one thinks school lessons and materials should include information about diversity (see Hardy and Schraepen (2024[9]) for further details). The "initiative indices" capture information on OECD EU countries' laws, policies and mainstreaming efforts to fight discrimination and promote equality and inclusion, based on responses to the *OECD Anti-Discrimination Questionnaire*. The construction of these indices is described in Annex 3.A. The interpretation of the initiative indices is as follows: a score of 1 means that the country has comprehensive anti-discrimination laws (prohibiting a broad range of forms of discrimination across key areas of life, permitting positive actions and requiring reasonable accommodations for persons with disabilities), as well as a suite of policies and programmes that are tailored to the needs of at-risk groups in employment, education and training, health, justice, public accessibility and awareness campaigns. Finally, a score of 1 also requires a country to have robust equality and inclusion mainstreaming practices in relation to policy coordination mechanisms, stakeholder engagement processes, staff training, policy and programme evaluation and data collections. In terms of country coverage, while Belgium is included in the figure, it is excluded from the lines of best fit, as it is not directly comparable with the other OECD EU countries that responded to the *OECD Anti-Discrimination Questionnaire*. Belgium's response to the *OECD Anti-Discrimination Questionnaire* comprised national and regional policies and mainstreaming efforts, which differs from the national approach of all other questionnaire respondents. Belgium is included in this figure to show the scope of its anti-discrimination activities across at-risk groups, which can highlight whether Belgium has comprehensively rolled out initiatives for all at-risk groups or whether efforts have focused on particular groups. The analysis is based on national government responses from Austria, Czechia, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Hungary, Latvia, Lithuania, Luxembourg, the Netherlands, Poland, Portugal, Slovak Republic, Slovenia, Spain and Sweden, and national and regional responses from Belgium.

Source: OECD calculations based on European Commission (2023[29]), *Discrimination in the European Union*, Special Eurobarometer SP535, https://europa.eu/eurobarometer/surveys/detail/2972 and responses to the *OECD Anti-Discrimination Questionnaire*.

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Conclusion

This chapter has shown that discrimination is associated with negative well-being outcomes, such as income and housing insecurity, weaker social, cultural and civic participation, a lack of a sense of safety and poor health. After accounting for self-reported experiences of discrimination, the analysis revealed that individuals from racialised communities, persons with disabilities, LGBTI people, and religious minorities have outcomes comparable to the general population. This suggests that it is discrimination itself – rather than group membership – that drives disparities in outcomes.

In addition, the chapter has examined how the effects of discrimination extend beyond those directly affected. Discrimination constrains economic potential by frustrating people's efforts to realise their equality of opportunity. This leads them to work in roles that are not commensurate to their talents, or requires them to work harder than they otherwise would to achieve their goals (thereby diverting their efforts away from other valuable endeavours). Discrimination may also lead to underperformance at work due to the mental health strain, or a less-than-optimal level of economic development if people at risk of discrimination drop out of the labour market or do not invest in their education, believing their hard work will not be rewarded in terms of higher-paying jobs.

Moreover, the chapter has shown how discrimination can erode social cohesion by marginalising at-risk groups – denying them opportunities to participate in the economy and society. Discrimination can cause people to feel like they do not belong, which can thwart economic cooperation (by inhibiting business ventures and lending) and undermine support for governments, public investment and trust in institutions. It can also compromise people's participation in social and cultural events, which may strain community development and civic engagement.

Finally, the chapter has presented evidence that EU countries with strong anti-discrimination protections and inclusive policies are more accepting of minorities. This highlights a potential pathway for combatting discrimination and promoting social cohesion, since minority acceptance is a key component of social cohesion. The next chapter delves more deeply into what OECD EU countries are doing to combat discrimination and promote equality and inclusion. It covers anti-discrimination laws and policies in key areas of life such as employment, education and training, health, justice and safety, and access to public spaces. Good examples in each of these areas are raised, which can serve as inspiration to other countries seeking to eliminate discrimination and foster inclusion and social cohesion.

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Annex 3.A. Methodology for constructing the anti-discrimination law, policy and mainstreaming index

The indices presented in Figure 3.10 are derived from responses to the *OECD Anti-Discrimination Questionnaire*, which was developed to gather information on laws and policies to promote inclusion and fight discrimination based on a person's ethnicity or race, disability status, sexual orientation or gender identity, religion and age. Twenty-one OECD EU countries responded to the questionnaire and provided examples of the current, or planned, policies and mainstreaming initiatives (current as of April 2024). To ensure consistency across countries, the OECD supplemented these responses with desktop research. Further details on the law and policy aspects of the questionnaire can be found in Chapter 4, while Chapter 5 focuses on equality and inclusion mainstreaming.

The *OECD Anti-Discrimination Questionnaire* comprises three components.

- The **law component:** Guided by the Office of the United Nations High Commissioner for Human Rights (2023[71]), the law component focuses on comprehensive anti-discrimination legislation that addresses all areas of life regulated by law – including employment, education and training, the health, social services, public safety and justice, online and in the media, the provision of and access to products and housing – while prohibiting various forms of discrimination. The questionnaire covers direct discrimination, indirect discrimination, victimisation, segregation, harassment, hate crimes, hate speech, multiple discrimination, intersectional discrimination, discrimination by association and discrimination by assumption (definitions are provided in Chapter 4). It also includes measures to ensure access to rights, such as reasonable accommodation for persons with disabilities and positive actions to redress disadvantage.

- The **policy component:** In addition to legal prohibitions on discrimination, the questionnaire collects information on policies that promote equality of opportunity and social equality for people at risk of discrimination. It captures policies and programmes designed around the specific needs and circumstances of those at risk of discrimination. This includes ways to: dismantle barriers in education, health and justice services; create incentives to improve economic opportunities; develop campaigns to increase awareness of the nature of discrimination; and design more inclusive societies. To gain a holistic view of key government services, the questionnaire covers early childhood education and care (ECEC), school, tertiary education and transitions to work, community-based primary health services, hospitals, preventative health care, police, and legal assistance, among others.

- The **mainstreaming component:** This component examines efforts to embed non-discrimination and equality throughout government processes (mainstreaming), including cross-departmental coordination, national equality strategies, inclusive stakeholder engagement, equality data collections, policy evaluations, funding for equality initiatives, and training for public officials.

Three separate indices have been developed to enable comparisons of the protections afforded to the groups at risk of discrimination that are examined in this study. For each at-risk group, a law index, a policy index, and a mainstreaming index have been created (Annex Figure 3.A.1 visually represents each index).

- The **law index** reflects the breadth and depth of anti-discrimination laws. It combines information on the number of forms of discrimination that are prohibited, the areas of life covered by anti-discrimination laws, whether positive actions are permitted and whether there is a requirement

to make reasonable accommodations for persons with disabilities. First, a score is given based on the number of forms of discrimination that are prohibited for each protected ground (where a score of 1 is given if all of the following are covered in law: direct and indirect discrimination, harassment, discrimination by association, assumption and instruction, multiple and intersectional discrimination, victimisation, segregation, hate crimes and hate speech). A similar scoring method is used for the number of areas of life regulated by the law (where a score of 1 is given if employment, education and training, health, social services, justice, online and media, provision of and access to products, and housing are covered by anti-discrimination laws). Scores of 1 are then given if positive actions are permitted. These scores are then summed and divided by 3 to create an overall score between 0 and 1, where 0 means there is no legal protection against discrimination and a score of 1 means all forms of discrimination are prohibited in all areas of life considered, as well as whether positive actions are permitted. For the disability ground, the law index also includes whether the law requires reasonable accommodations (0 for no, 1 for yes). This score is averaged with the other components for an overall score between 0 and 1.

- The **policy index** assesses government initiatives aimed at addressing the needs of groups at risk of discrimination. It examines various types of initiatives that sit within the policy areas of employment, education and training, health, justice and safety, disability accessibility and awareness campaigns. The types of initiatives that are considered within each policy area are outlined in the light-blue boxes under the policy index part of Annex Figure 3.A.1. Each broad policy area receives a score between 0 and 1, where 1 is given if a country has examples of all the types of initiatives that are covered. For example, a country will score 1 for health policy if they have community-based programmes, targeted health campaigns and tailored care in mainstream settings, and 2/3 if they have two of these three initiatives. Scores for the broad policy areas are then averaged to create an overall policy score.

- The **mainstreaming index** evaluates efforts to mainstream non-discrimination and equality throughout government processes. It assigns scores based on whether countries have mechanisms like coordination processes, national equality strategies, inclusive stakeholder engagement, and training for public officials (depicted in the light blue boxes of Annex Figure 3.A.1). For some mechanisms, countries receive a point if they have them and 0 otherwise (such as whether coordination processes are in place). In the case of equality strategies, countries receive a point if their strategy considers intersectionality and structural discrimination, which is best practice (European Network Against Racism, 2019[74]). Countries receive a score of 1/3 for having an equality strategy without either of these features, 2/3 if they have one of these elements and 0 if they do not have an equality strategy. Similarly, for data collections and staff training, scores account for scope. Countries receive a score of 1 if they collect data in all areas of interest (e.g. employment, education and training, health and justice) and train staff in all key policy areas. Fractional scores are given for the share of areas covered by equality data collections and staff training, and 0 is given if no data are collected on at-risk groups and staff training is not offered. The scores for all mainstreaming mechanisms are then averaged to obtain an overall mainstreaming score between 0 and 1.

- Finally, the **law, policy and mainstreaming indices** are averaged to create an overall index for each protected ground. The three sub-indices are given equal weight in the overall index, consistent with the approach used in previous OECD efforts to build anti-discrimination and inclusion indices (e.g. the OECD (2020[11]) LGBTI-Inclusivity Index). Scores closer to 1 indicate that countries have strong legal, policy and mainstreaming efforts for the ground specified, while a score closer to 0 suggests weaker protections.

Annex Figure 3.A.1. Visual representation of the law, policy and mainstreaming indices

Law index		Policy index	
Discrimination forms *(1 point if all forms of discrimination prohibited)*	**Discrimination areas** *(1 point if laws cover all key areas of life)*	Are there **employment and economic opportunity** programmes for at-risk groups such as quotas or targets, employer and entrepreneurship incentives, and information for employers, employees and jobseekers? *(1 point if all types of policies in place)*	Are there **education and training** programmes for at-risk groups in primary, secondary, and tertiary settings, and to facilitate transition to work? *(1 point if all types of programmes in place)*
Is positive action permitted? *(1 point for yes)*	Are reasonable accommodations required for persons with disability? *(1 point for yes)*	Have **products and services**, and the **built environment** become more accessible for persons with disability in the past 5 years? *(1 point for yes)*	Are there **health** programmes for at-risk groups such as community-based services, targeted health campaigns and/or tailored care in mainstream healthcare settings? *(1 point if all types of programmes in place)*
		Are there policies to promote **safety and justice** including police initiatives, community-based strategies, legal assistance, alternative dispute mechanisms and equality bodies? *(1 point if all types of policies exist)*	Are there anti-discrimination **awareness campaigns** that share information, aim to change behaviour and presented in accessible formats? *(1 point if all elements in place)*

Mainstreaming index			
Is there an **equality strategy**? If so, does it acknowledge **intersectionality** and/or **structural** discrimination? *(1 point if strategy has all elements)*	Are there **policy coordination** processes in place? *(1 point if yes)*	Are there **inclusive policymaking processes** that facilitate consulting/engagement with at-risk groups? *(1 point if yes)*	Is **equality data** collected for outcomes such as employment, education, health, justice, poverty/social deprivation, life satisfaction and/or other *(1 point if collected for all outcomes)*
Are there formal **evaluation** processes in place? *(1 point if yes)*	Is **predictable funding available**, for example set out in equality strategies or multi-year budget cycles? *(1 point if yes)*		Is there **training** in services affecting at-risk groups, including education and training, health, employment services, justice, social security and public/social housing *(1 point if training exists in all areas)*

Source: Based on the *OECD Anti-Discrimination Questionnaire.*

Notes

[1] A note on terminology: in this chapter, inclusive language is used as much as possible when referring to LGBTI people, persons with disabilities and people from racialised communities. The term "racialised communities" is based on the European Commission Against Racism and Intolerance's (2021[75]) definition, in which racialisation is "the process of ascribing characteristics and attributes that are presented as innate to a group of concern to it and of constructing false social hierarchies in racial terms and associated exclusion and hostility. Regardless of where one is from and of personal circumstances, once identified or perceived as a member of a group, one is deemed as embodying characteristics based on, for instance, skin colour, ethnic or national origin inherent to all members of that group". The terms "at-risk groups" and "minority groups" are used interchangeably. However, in some cases, the chapter deviates from using LGBTI in order to accurately present studies on population subgroups (e.g. LGBT for lesbian, gay, bisexual or transgender individuals or LGB for lesbian, gay and bisexual people).

[2] The other surveys analysed in this chapter – *2023 Discrimination in the EU Eurobarometer* and *AXA Mind Health* – do not define discrimination in the framing of the questions on people's experiences of discrimination, which makes it difficult to test whether respondents interpreted the questions in the same way. However, the results presented in Chapter 2 indicate that people had similar interpretations, as the self-reported discrimination rates across these surveys and the *Opportunities Module of the 2022 OECD Risks that Matter Survey* were closely aligned.

[3] The 2023 *Discrimination in the EU Eurobarometer* indicates that 13% of respondents who experienced discrimination in the past year stated that it was due to their socio-economic status.

[4] These results are consistent with qualitative research from the United Kingdom, which indicates that loneliness felt by people from Black, Asian and Ethnic Minority (BAME) communities stems from being treated with less respect or courtesy because of their ethnicity (in 46% cases) and religion (in 49%) (British Red Cross, 2019[36]). Loneliness rates were higher among BAME-identifying people who stated that they did not feel like they belonged, felt unsafe or had experienced discrimination or racism. Almost half of people who had experienced discrimination at work or in their local neighbourhood reported being always or often lonely, compared with just over a quarter of people who had not experienced discrimination (British Red Cross, 2019[36]).

[5] Estimates are calculated by considering a wage gap using a 3% LGBT incidence rate and a 15% loss of productivity, and by attributing a cost to the excess prevalence rate due to LGBT discrimination.

[6] The estimated costs for each group at risk of discrimination are uplifted to 2022 prices using Eurostat's Harmonised Consumer Index of Prices.

[7] The *OECD Anti-Discrimination Questionnaire* was completed by 21 OECD EU countries, comprising Austria, Belgium, Czechia, Denmark, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, the Netherlands, Poland, Portugal, Slovak Republic, Slovenia, Spain and Sweden.

4. Laws and policies for combatting discrimination and promoting equality and inclusion

Over the past 60 years, European countries have intensified their efforts to fight discrimination and promote equality and inclusion, in step with European Union (EU) legislative and policy developments. In this context, this chapter draws on the *OECD Anti-Discrimination Questionnaire* to examine national laws and policies aimed at fostering inclusion and equality for groups facing discrimination. While some OECD EU countries adopt comprehensive approaches to address discrimination against all at-risk groups, many focus on specific populations. Most prominently, prohibitions against racial and ethnic discrimination and disability discrimination generally outstrip protections for LGBTI people and religious minorities – reflecting differences in the scope of EU anti-discrimination laws, national political priorities, demographic trends, patterns of discrimination, societal attitudes and levels of support for policy reform. To further improve protections, EU laws should be harmonised across grounds and countries should continue their efforts to design policies that meet the needs of at-risk groups.

The scope and purpose of the European Union's (EU) anti-discrimination legislative and policy framework have evolved significantly over the past 60 years. What began as a narrow focus on nationality rights and equal pay for women to facilitate the common market, has since expanded to encompass a broad set of economic, social, political and human rights for all.[1] The EU now has policy guidance and legislation to promote the equality and inclusion of people based on their ethnicity and race, disability, sexual orientation, age and religion.[2]

The rise of inclusion and equality measures in the EU reflects a strong belief in their efficacy – with 69% of Europeans stating in 2023 that efforts to fight discrimination in their country are moderately or very effective, and 58% agreeing that Roma integration in the fields of education, health, housing, and employment is effective, up from 57% and 38% in 2012, respectively (European Commission, 2023[1]; European Commission, 2012[2]). Similarly, the *Opportunities Module of the 2022 OECD Risks that Matter Survey* shows there is broad support for continued action to fight discrimination and promote inclusion in the EU. Most European survey respondents believe that efforts should go further to address discrimination and promote inclusion of persons with disabilities and people with low socio-economic statuses, while 42% want more effort directed at fighting ethnic and racial discrimination (Annex 4.A). Public support for greater policy action is highest among people who state that they have experienced discrimination, particularly if they are women and younger than 35.

Outside of public perceptions that anti-discrimination laws and policies are effective and should be more widely adopted, empirical research also indicates that these initiatives can mitigate inequalities, at least in some contexts (e.g. labour markets in the United States), and for some groups such as people from racialised communities, lesbian, gay, bisexual, transgender and intersex (LGBTI)[3] people and persons with disabilities (OECD, 2020[3]; Delhommer and Vamossy, 2024[4]; Donohue III, 2005[5]). For example, persons with disabilities report that their lives have improved since the introduction of disability equality laws in the United States – with more opportunities to participate in society spurred by accessible transport and buildings, and community inclusion (US Commission on Civil Rights, 2000[6]) – even though their employment outcomes have not materially increased (Acemoglu and Angrist, 2001[7]).[4]

Further, laws that prohibit discrimination and policies that promote inclusion can also help shape social norms, values, and expectations – combatting the prejudice, stigma and stereotypes that often drive discriminatory behaviour (Office of the United Nations High Commissioner for Human Rights, 2023[8]). For example, in many OECD countries LGBTI acceptance increased after the introduction of same-sex marriage laws, as people perceived the legal changes as symbolic of a shift in social attitudes (OECD, 2020[9]; Valfort, 2018[10]) (Chapter 3).

In light of this strong public support and evidence on the effectiveness of anti-discrimination initiatives, this chapter takes stock of laws and policies in OECD EU countries, based on responses to the *OECD Anti-Discrimination Questionnaire*. The questionnaire collected information on the coverage of national anti-discrimination laws and policies to promote the equality and inclusion of groups at risk of discrimination (the forms of discrimination considered in the questionnaire are defined in Box 4.1 and more detail about the questionnaire is provided in Box 4.2). The *OECD Anti-Discrimination Questionnaire* has enabled the creation of a unique dataset of initiatives that promote inclusion for key protected grounds in a wide range of policy areas – employment, education and training, health, justice, as well as anti-discrimination campaigns and efforts to increase the accessibility of the built environment, products and services for persons with disabilities. This holistic data collection exercise supports an examination of the gaps in national laws and policies, and highlights good practices that could be more widely adopted.

Most of the 21[5] OECD EU countries that responded to the questionnaire provide different levels of legal protection and inclusion policies across grounds, with more efforts tailored to persons with disabilities and people from racialised communities than other at-risk groups, including LGBTI people and religious minorities.[6] Laws prohibiting racial discrimination and disability discrimination generally apply to more areas of life than laws covering other forms of discrimination. Likewise, inclusion policies in employment,

education, training, and justice are more commonly targeted at people from racialised communities and persons with disabilities, while policies for other groups tend to be solely focused on promoting justice. The greater levels of protection afforded to persons with disabilities and people from racialised communities reflect a range of factors, such as their experiences of discrimination (Chapters 2 and 3, Hardy and Schraepen (2024[11])), national political priorities, social attitudes towards at-risk groups (Chapter 3 and Hardy and Schraepen (2024[11])) and public support for stronger policy efforts for these groups (Annex 4.A).

Differences in protections across grounds also reflect the scope of EU law. The main anti-discrimination EU laws – the *Racial Equality Directive (2000/43/EC)* and the *Employment Equality Directive (2000/78/EC)* cover different areas of life. Racialised communities are protected from discrimination in employment, education and training, social security, health and access to goods and services, whereas discrimination based on sexual orientation, age, disability and religion or belief is prohibited only in employment-related fields (although, additional laws have enshrined duties to make products, services, audiovisual communications and the built environment more accessible for persons with disabilities). In effect, the EU minimum legislative standards provide relatively limited (i.e. employment-related) protection against discrimination based on sexual orientation, age and religion or belief.

Nevertheless, some OECD EU countries, notably Spain, have comprehensive legislative approaches to combat discrimination, and many others have developed policies and programmes to boost the inclusion of at-risk groups in society. While policy measures reflect national contexts and institutions, successful initiatives identified as part of the *OECD Anti-Discrimination Questionnaire* share a few key features. Policies designed around the needs and circumstances of the at-risk groups they serve are crucial for overcoming the barriers facing marginalised and stigmatised communities – whether they are community-based programmes, tailored responses in mainstream service settings, or connector/mediator programmes that act as a bridge between the community and mainstream services. These types of policies and programmes should be seen as important complements to the universal programmes and services that are important for securing equality of opportunity for all.

This chapter is structured as follows. Section 4.1 sets out an approach for assessing measures to combat discrimination and promote inclusion and equality that are discussed in subsequent sections. Section 4.2 outlines recent developments in EU anti-discrimination laws, providing context for analysing the breadth of national laws (in Section 4.3) and policies (in Section 4.4). The chapter concludes by summarising the levels of protection and inclusive policies each OECD EU questionnaire respondent has developed for at-risk groups – highlighting where countries have concentrated their efforts and where gaps have emerged (Section 4.5).

4.1. Approach used to assess laws and policies to promote equality and inclusion

This section sets out a conceptual approach for understanding the laws and policies for combatting discrimination and promoting the inclusion of at-risk groups. It outlines the rationales and objectives of anti-discrimination laws and inclusion policies, while identifying key principles that underpin effective initiatives. These principles are distilled from political philosophies on equality and research on the design of laws and policies that enable equality and inclusion. In the sections that follow, these principles are applied to analyse responses to the *OECD Anti-Discrimination Questionnaire*, with the aim of identifying good practices. The assessment of good practices is primarily principles-based, due to data limitations, though it draws on programme evaluations where available. As discussed in Chapters 1 and 5, data collection is patchy with respect to the well-being of at-risk groups and other information that could be used to assess policies and laws for fighting discrimination.

Principle: Comprehensive anti-discrimination laws

Anti-discrimination laws serve as an important line of defense in the fight against discrimination. They "translate international legal commitments to equality into actionable and enforceable rights under national law [and provide] the national legal framework necessary to define the forms of discrimination, the scope of the rights to equality, effective remedies, procedural safeguards required to secure justice for victims, and establishing positive duties to advance equality" (Office of the United Nations High Commissioner for Human Rights, 2023, p. vii[8]). According to the Office of the United Nations High Commissioner for Human Rights, comprehensive anti-discrimination laws should:

- prohibit all forms of discrimination based on an extensive list of grounds in all areas regulated by law (Box 4.1).
- permit positive action (also known as affirmative action) to overcome the barriers to equality faced by people belonging to at-risk groups and require reasonable accommodations for persons with disabilities;
- provide for effective remedies, which could include sanctions, restitution and recognition;
- establish independent equality bodies with sufficient resources, powers and functions;
- enable other measures to dismantle structural discrimination including equality impact assessments.

Box 4.1. Protected grounds and forms of discrimination that should be covered by law

The Office of the United Nations High Commissioner for Human Rights (2023[8]) notes that comprehensive anti-discrimination laws should protect an open-ended list of grounds, including those recognised in international law. These include age, birth, family and marital status, colour, ethnicity, disability, health status, economic status, gender, Indigenous origin, migrant status, minority status, nationality, language, place of residence, political opinion, trade union membership or political affiliation, refugee or asylum status, sexual orientation, sex characteristics, social origin, social situation and any other status.

The forms of discrimination that should be prohibited in legislation include:

- **Direct discrimination**, which occurs when a person is treated less favourably because of a protected ground such as their ethnicity, sexuality or disability.
- **Indirect discrimination**, where an apparently neutral policy/rule that applies to everyone has an effect that disproportionately disadvantages people with a certain protected characteristic (sometimes called adverse effects or constructive discrimination).
- **Harassment**, which is any unwanted conduct related to a protected characteristic, which has the purpose or effect of violating the recipient's dignity and creating an intimidating, hostile, degrading, humiliating or offensive environment.
- **Discrimination by association**, marked by less favourable treatment of a person because they are linked to, or associated with, a protected characteristic (even though they do not possess the protected characteristic themselves).
- **Discrimination by assumption**, which occurs when a person is treated less favourably because they are presumed to have a certain protected characteristic (even though they may not). This form of discrimination is also called presumed discrimination or discrimination by perception.

- **Discrimination by instruction**, which occurs when one person instructs another to discriminate against a third party.
- **Victimisation**, which is any adverse treatment or adverse consequence as a reaction to a complaint or to proceedings aimed at enforcing compliance with the principle of equal treatment.
- **Segregation**, which is when people who share particular characteristics are separated and provided different access to institutions, goods, services, rights or physical environments, without their full, free and informed consent.
- **Multiple (cumulative) discrimination**, which occurs on two or more separate protected grounds.
- **Intersectional discrimination**, which acknowledges that when discrimination occurs on several grounds, it combines to create a distinct form of discrimination that is inseparable (and so cannot be treated as the addition of multiple grounds).
- **Hate crimes** (bias-motivated crimes or discriminatory violence), which are criminal offenses against a person or property, motivated wholly or in part by an offender's bias against people with certain protected characteristics.
- **Hate speech** (or vilification), which is abusive or threatening speech, writing or behaviour against a person or group based on their protected characteristics. Under international law, countries must prohibit incitement to violence, discrimination and hostility or hatred.

While essential, comprehensive laws alone cannot eliminate discrimination, particularly for highly marginalised groups, which continue to face barriers in realising their economic, social, political and civil rights (Weber, 1998[12]; OECD, 2020[3]). Legal protections must be complemented by policies that empower individuals to achieve genuine equality. For example, disadvantaged groups may not face overt discrimination in employment but may still lack access to equal opportunities due to poverty or inadequate education. Eliminating legal barriers is not enough; people require the means and capabilities to access opportunities on an equal footing (Boston, 2018[13]).

Principle: Tailored policies and services to enhance equality of opportunity for at-risk groups

Universal education and healthcare services, along with collective bargaining, employment protections and redistributive tax and benefit systems are critical for overcoming barriers people face in realising their equal opportunities (OECD, 2018[14]). However, these systems may inadvertently exclude people who are at risk of discrimination, particularly if they face extreme or intersecting disadvantages.

For example, as discussed in Chapter 3 and in Hardy and Schraepen (2024[11]), people who experience discrimination have an elevated risk of financial insecurity, which can act as a barrier to accessing universal services. They may be unaware of available services (particularly if they are marginalised), or may disengage if they encounter services that make them feel unwelcome, unsafe, unheard, stigmatised or overwhelmed (Productivity Commission, 2014[15]). Discrimination and negative experiences in healthcare settings, for instance, are common for LGBTI people, people from racialised communities and persons with disabilities, which in turn erode their trust in the system and dissuade them from seeking help in the future (Chapter 3).

To ensure that public services genuinely serve everyone, they should be designed with the intersecting needs of at-risk groups in mind – fostering trust, accessibility, and inclusion rather than relying on a one-size-fits-all model. Effective strategies can include community-based service delivery and culturally responsive services[7] that make individuals feel safe, comfortable, and confident in seeking support. In addition, inclusive design principles – such as Universal Design[8] – should be incorporated into products,

services, and built environments to ensure accessibility for all (Productivity Commission, 2014[15]; Productivity Commission, 2021[16]; Irish National Disability Authority, 2024[17]).

Principle: Policies to foster social cohesion

Enhancing equal opportunities for all people to enjoy their rights should also "tackle the cultural and social drivers of discrimination" (Office of the United Nations High Commissioner for Human Rights, 2023, p. xviii[8]; Hamilton and Hamilton, 2024[18]). Socially divisive differences in material resources, opportunities and power can contribute to segregation and breed intergroup prejudice, resentment, distrust and hatred – moving further away from socially cohesive societies where "people regard and treat one another as equals, with respect and recognition, and without divisions of social class" (Boston, 2018, p. 81[13]; Fourie, 2014[19]; Ringelheim and Ganty, 2023[20]).

At a societal level, large disparities in income and wealth, coupled with economic insecurity, can fuel the rise of political movements that scapegoat people who are highly exposed to discrimination – particularly people from racialised communities and religious minorities (Pickett et al., 2024[21]). Conversely, OECD EU countries with a broad suite of inclusive policies and laws have high levels of acceptance of groups at risk of discrimination, as outlined in Chapter 3 and Hardy and Schraepen (2024[11]). In the EU, social acceptance of groups at risk of discrimination is generally high and has risen since 2019, although there is a handful of countries with low levels of acceptance that did not witness an increase between 2019 and 2023 (which could indicate the potential for more inclusive policies and laws) (Chapter 3 and Hardy and Schraepen (2024[11])).

Social cohesion requires a commitment to equality and non-discrimination, as well as a recognition of the dignity of all people to live freely and to participate as full members of society (Council of Europe, 2004[22]). Policies that promote equality of opportunity are important pre-requisites for building social cohesion, as they reduce unfair differences in outcomes that stem from differences in people's circumstances (Balestra and Ciani, 2022[23]). However, such policies alone may not be sufficient to cultivate the shared societal values of recognition and respect, which are essential for socially cohesive societies (Broadhead, 2021[24]; Ringelheim and Ganty, 2023[20]).

While many initiatives operate at a local level (via, for example, inclusive social hubs, cultural events and celebrations, and intercultural and interfaith groups to build a shared understanding), national governments can also promote social cohesion through information campaigns and education, arts and cultural activities to represent minority groups, community-building grants, and prohibiting hate crimes and hate speech (Broadhead, 2021[24]; Office of the United Nations High Commissioner for Human Rights, 2023[8]). Awareness campaigns can be effective in preventing discrimination and reducing prejudice if information specifies how discrimination occurs (rather than spreading general messages about the immorality of discrimination) and does not shame individuals about their, often unconscious, biases (Boring and Philippe, 2021[25]; Pope, Price and Wolfers, 2018[26]). The built environment can also be a vehicle for social cohesion by dismantling residential segregation through the planning and zoning system, the creation of community spaces (such as gardens and parks), using transport systems to increase the accessibility of public spaces, and introducing co-housing projects to enable social mixing of different groups (Broadhead, 2021[24]).

Principle: Accessible enforcement mechanisms

Finally, enforcing rights to non-discrimination and equality necessitates accessible justice mechanisms (Office of the United Nations High Commissioner for Human Rights, 2023[8]). Without effective legal recourse, anti-discrimination laws lack enforcement power (Productivity Commission, 2014[15]; OECD, 2020[3]). Surveys conducted by the European Union Agency for Fundamental Rights (FRA) (2023[27]; 2024[28]; 2024[29]) indicate that discrimination is rarely formally reported: only 9% of Black respondents who experienced discrimination in the preceding 12 months reported the incident or made a complaint, while

the rate is 6% for Muslim respondents and 11% for LGBTI respondents. Overwhelmingly, the main reason why people do not report discrimination is because they believe nothing will happen – an indication that people who experience discrimination lack trust in the justice system (European Union Agency for Fundamental Rights, 2023[27]; European Union Agency for Fundamental Rights, 2024[28]; European Union Agency for Fundamental Rights, 2024[29]).[9]

The OECD's *2023 Recommendation on Access to Justice and People-Centred Justice Systems* emphasises the need for legal and justice services that meet the needs of people including those who are underserved or marginalised (e.g. women, children, Indigenous groups, older people and persons with disabilities) (OECD, 2023[30]). This includes offering legal information and assistance in a range of formats and languages and making procedural accommodations (OECD, 2019[31]). Further, independent and well-resourced judiciary and equality bodies are essential for handling discrimination complaints and ensuring that victims can access justice (Office of the United Nations High Commissioner for Human Rights, 2023[8]).

In conclusion, combatting discrimination requires a multifaceted approach that includes comprehensive anti-discrimination laws, accessible enforcement mechanisms and policies tailored around the needs and circumstances of groups at risk of discrimination in key fields such as employment, education and training, health and justice. While national institutions and political priorities (among a host of other considerations) will influence the design of legal and policy responses to discrimination, these principles can be applied across contexts. They have also been used to assess OECD EU countries' laws and policies in the sections following the discussion of key milestones in the development of national anti-discrimination laws and policies (Section 4.2).

4.2. Development of OECD EU Member States' anti-discrimination laws and policies

The past two decades have borne witness to significant developments at the EU level, which have influenced legal and policy settings in Member States. Equality has now become a primary policy objective, as highlighted by the Union of Equality in 2019 and the 2024 directives to strengthen the effectiveness of equality bodies for preventing and addressing discrimination (2024/1499 and 2024/1500) (the evolution of EU legislation and policies over the past 60 years is described in Annex 4.B).

Meanwhile, many OECD EU countries have increased the strength of their national anti-discrimination laws, at least for the protected grounds for which information is available to track developments over time. For example, protections for LGBTI people increased markedly in many OECD EU countries, with Austria, Belgium, Finland, Greece and Portugal making great strides to move from below-average levels in 1999 to above-average in 2019 (Figure 4.1, Panel A). Between 1999 and 2019, same-sex partnerships were legally recognised in most OECD EU countries, and the rights to adoption and assistive reproductive technologies were established for same-sex couples (OECD, 2020[9]), and since then Slovenia, Greece and Estonia have also adopted same-sex marriage laws.

Likewise, Czechia, Estonia, Finland, Ireland, Luxembourg, Poland, the Slovak Republic and Spain have increased protections against discrimination based on race/ethnicity, religion and nationality in the decade to 2019 (Figure 4.1, Panel B). For example, Finland introduced new anti-discrimination legislation in 2014 to combat racism and expand enforcement mechanisms for victims including by extending the mandate of the national equality body to cover age, origin, nationality, language, religion, belief, opinion, political activity, trade union activity, family relationships, state of health, disability, sexual orientation, and other personal characteristics (European Commission Against Racism and Intolerance, 2019[32]; European Union Agency for Fundamental Rights, 2016[33]).

Figure 4.1. Protections have expanded for people at risk of discrimination over the past decade

Changes in indices tracking LGBTI laws and racial/ethnic, religious and nationality anti-discrimination laws

Panel A: LGBTI Inclusivity Index

■ 2019   ◆ 1999

Panel B: Racial/ethnic, religious and nationality discrimination law index

■ 2019   ◆ 2007
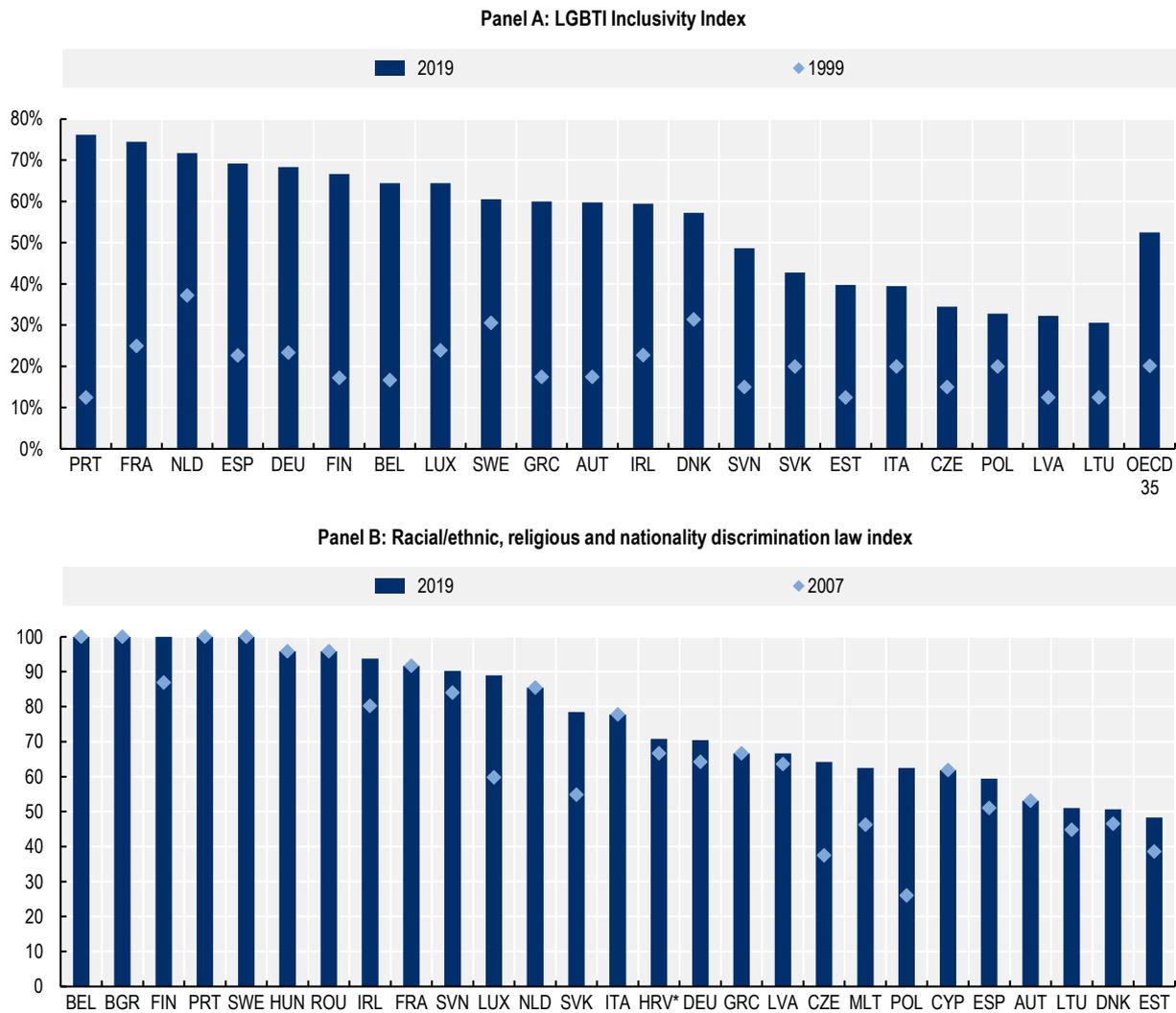
Note: Panel A shows responses to the OECD Questionnaire on LGBTI-Inclusive Laws and Policies, which collected information on laws to protect LGBTI people's civil rights, LGBTI anti-discrimination laws, protections against violence, protection against persecution abroad, inclusive human rights institutions, the decriminalisation of homosexuality, banning homosexual conversion therapy, same-sex partnership recognition, adoption rights, assisted reproduction, legal gender recognition (including non-binary gender), depathologisation of transgender identity, and postponing medically unnecessary surgeries on intersex people until they can give informed consent. OECD 35 is the average of 35 countries that responded to the questionnaire, which include Canada, Portugal, France, the Netherlands, Spain, Germany, Iceland, Australia, Finland, Belgium, Luxembourg, Norway, the United States, Sweden, Greece, Austria, Ireland, the United Kingdom, New Zealand, Denmark, Slovenia, Mexico, Slovak Republic, Estonia, Italy, Chile, Czechia, Poland, Israel, Latvia, Switzerland, Lithuania, Korea, Türkiye and Japan. Panel B depicts the Migrant Integration Policy Index (MIPEX) Anti-Discrimination Strand, which assesses countries' protections against discrimination based on race/ethnicity, religion and nationality. The assessment covers whether countries' legislation prohibits direct and/or indirect discrimination, and/or harassment and/or instruction to discriminate in employment and vocational education, education, social protection and the provision of goods and services to the public. In addition, enforcement mechanisms for victims (shifting the burden of proof away from victims to alleged perpetrators and allowing third parties to initiate proceedings and support victims), equality body mandates and the permissibility of positive actions, are also assessed. The first instance Croatia appears in the MIPEX database is 2013 rather than 2007.

Source: OECD calculations adapted from Figure 1.2 in the OECD (2020[9]), *Over the Rainbow? The Road to LGBTI Inclusion,* OECD Publishing, Paris, https://doi.org/10.1787/8d2fd1a8-en; and Solano and Huddleston (2020[34]), *Migrant Integration Policy Index (MIPEX) 2020,* https://www.mipex.eu/anti-discrimination.

StatLink 🖳 https://stat.link/am7irs

However, rights have been restricted in a small minority of countries. Hungary, for instance, banned legal gender recognition in 2020 and adopted laws that limit the sale of children's products that depict gender identities that differ from sex at birth or homosexuality in 2021 (Kádár, 2024[35]; Kádár, 2021[36]). Similarly, more than 50 local government resolutions in Poland have sought, since 2020, to create "zones free from LGBT ideology", although these were deemed by administrative courts to be legally invalid in 2023, and are now no longer in force (European Network of Legal Experts in Gender Equality and Non-Discrimination, 2024[37]).

While the OECD LGBTI Inclusivity Index and the MIPEX paint a picture of how legal protections for some at-risk groups have changed over time, they cannot give a holistic view of laws and policies for all grounds, which makes it difficult to collect equivalent data and compare the level of protection for various groups at risk of discrimination. It is important to have a consistent basis to compare the levels of protection for various at-risk groups to ensure all people have equal rights, as guaranteed under international human rights law.

The *OECD Anti-Discrimination Questionnaire* was developed to enable a comparative assessment of EU Member States's laws, and review anti-discrimination policies and mainstreaming efforts in a subset of EU OECD Member States. The *OECD Anti-Discrimination Questionnaire* builds on previous OECD (2020[3]) exercises to collect information on laws and policies to promote workforce diversity and to combat employment discrimination across grounds – by digging deeper into the substance of anti-discrimination laws and widening the policy focus to key areas of life, like education and training, health, housing, social services, justice and safety, as well as efforts to mainstream equality throughout policymaking processes.

Specifically, the *OECD Anti-Discrimination Questionnaire* collects information on the forms of discrimination prohibited and the areas of life in which they apply, for the grounds of race and ethnicity, sexual orientation and gender identity, disability, religion and age (Box 4.2). Further, the questionnaire asks OECD EU Member States about their policies and programmes for promoting equality of opportunity for at-risk groups in the fields of employment, education and training, housing and transport, health and justice, as well as information and awareness campaigns. Finally, the questionnaire gathers information on OECD EU Member States's efforts to mainstream anti-discrimination throughout their policymaking process, including by consulting with at-risk groups, training staff, maintaining predictable funding for equality activities and collecting equality data (Chapter 5).

Box 4.2. The OECD questionnaire on anti-discrimination laws, policies and mainstreaming

In 2024, the OECD designed a questionnaire to gather information on laws and policies to promote inclusion and fight discrimination based on ethnicity, race, disability status, sexual orientation, gender identity, religion and age. It is comprised of two parts: anti-discrimination laws, and policy and mainstreaming efforts. Questionnaires were sent to delegates in April 2024 from the national employment and/or social policy ministries, which were then requested to coordinate with relevant ministries, and complete the questionnaires by June 2024 (although responses were received up until January 2025).

Anti-discrimination law component

The law component of the questionnaire is guided by the Office of the United Nations High Commissioner for Human Rights (2023[8]), which recommends that comprehensive anti-discrimination legislation pertain to all areas of life regulated by law – including employment, education and training, the health, social services, public safety and justice, online and in the media, the provision of and access to products and housing – and prohibit a broad suite of forms of discrimination. The questionnaire covers direct discrimination, indirect discrimination, victimisation, segregation, harassment, hate

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crimes, hate speech, multiple discrimination, intersectional discrimination, discrimination by association and discrimination by assumption (see Box 4.1 for definitions). Further, the questionnaire captures legislative measures to ensure people can access their rights including reasonable accommodation for persons with disabilities and positive actions to redress disadvantage.

To support the development and pre-filling of the questionnaire, the OECD undertook an analysis of all OECD Members' national anti-discrimination legislation, key case law and other legal instruments with anti-discrimination protections including employment legislation, criminal law, school legislation and healthcare legislation, among others. Legal protections administered by regional or provincial governments were not considered within the scope of the law scan. All OECD EU countries are included in the legal analysis and entries have been validated by the 21 OECD EU countries that responded to the questionnaire (only Estonia's entry has not been validated). Moreover, all entries were cross-checked against the country reports of the European Network of Legal Experts in Gender Equality and Non-Discrimination (2024[38]).

Policy and mainstreaming component

In addition to legal prohibitions on discrimination, the OECD questionnaire sought to collect information on policies that promote equality of opportunity and social equality for people at risk of discrimination. This component is informed by findings from Chapter 2 and Chapter 3 on the areas in which people are most at risk of experiencing discrimination and the effects of discrimination (see also Hardy and Schraepen (2024[11])), as well as desktop research into EU Equality Strategies and standards, national discrimination reviews, policy documents and research reports.

The questionnaire focuses on policies and programmes designed around the specific needs and circumstances of those at risk of discrimination. This includes ways to: dismantle barriers in education, health and justice services; create incentives to improve economic opportunities; develop campaigns to increase awareness of the nature of discrimination; and design more accessible societies for persons with disabilities. To gain a holistic view of key government services, the questionnaire covers early childhood education and care (ECEC), school, tertiary education and transitions to work, community-based primary health services, hospitals, preventative health care, police, and legal assistance, among others. Questions on embedding non-discrimination and equality throughout government processes (i.e. mainstreaming) are also included, such as policy coordination, including affected groups in policymaking processes, equality data collection, evaluation efforts, training of public officials and funding predictability. More information on mainstreaming efforts is provided in Chapter 5.

The OECD undertook desktop research to confirm policy and mainstreaming responses and to ensure consistency across countries, for example in relation to the interpretation of ethnic-and-racial-minority equality data (Chapter 5).

However, unlike the MIPEX and OECD LGBTI Inclusivity Index, the *OECD Anti-Discrimination Questionnaire* presents a snapshot of protections at a point in time, rather than developments over time. A further limitation of the questionnaire is that it only covers national anti-discrimination protections,[10] and only captures local or regional efforts insofar as they receive national-government funding. The focus on national-level initiatives does not imply that local initiatives are not important, but is merely a byproduct of having questionnaire respondents from national-level government agencies. Local-level initiatives are particularly important for fostering social cohesion, and there are many good practices emerging, including as part of the Council of Europe's Intercultural Cities Programme, which supports cities to promote equality and share the benefits of diverse communities (Council of Europe, 2019[39]; 2024[40]). The *OECD Anti-Discrimination Questionnaire* was completed by 21 OECD EU Member States, and responses are current as of April 2024, although policy developments that have occurred or planned since then are also considered where relevant.

4.3. Key findings from the OECD Questionnaire: Anti-discrimination and inclusion laws in OECD EU Member States

Findings from the *OECD Anti-Discrimination Questionnaire* indicate that by 2024, most OECD EU countries have fully transposed the primary European-level anti-discrimination laws – the *Racial Equality Directive (2000/43/EC)* and *Employment Equality Directive (2000/78/EC)* – which protect people based on ethnicity and race, disability, age, religion or belief and sexual orientation[11] (Figure 4.3). These laws prohibit the same forms of discrimination, namely direct discrimination, indirect discrimination, harassment, discrimination by instruction and victimisation (Chapter 1). They also allow EU Members to take positive actions[12] to overcome disadvantages faced by at-risk grounds, and require employers to make reasonable accommodations for persons with disabilities.

However, there are marked differences in the scope of these laws, with the *Employment Equality Directive (2000/78/EC)* pertaining only employment-related areas, and the *Racial Equality Directive (2000/43/EC)* covering education and training, social protection (i.e. health and social security), social advantages and access to goods and services (including housing), as well as employment.

Beyond these directives, OECD EU countries' legislative prohibitions are also broadly in line with other requirements on hate crimes and hate speech, such as the *2008 Framework Decision on Combatting Racism by Means of Criminal Law*[13] – which criminalises the public incitement to violence or hatred against a person or a group based on race, colour, descent, religion or belief, national or ethnic origin.[14] In addition, most countries' criminal codes include racially or ethnically motivated bias as an aggravating factor for sentencing (also known as bias-motivated crimes or hate crimes)[15] and national laws are also in line with requirements of the *Victims' Rights Directive (2012/29/EU)* to treat victims, including victims of hate crimes, with equality and fair treatment in the eyes of the law (European Commission, 2022[41]).[16]

The transposition of EU legislation is, however, partial in some cases. For instance, in Lithuania, with the exception of disability discrimination, anti-discrimination legislation does not explicitly prohibit discrimination in the field of social protection (which includes social security and health care) – although the Lithuanian Law on Equal Treatment requires state and local government institutions to ensure that all legal acts protect equal rights and treatment (European Network of Legal Experts in Gender Equality and Non-Discrimination, 2024[42]) and guarantee equal opportunities in providing administrative and public services. Lithuanian regulators and the judiciary interpret health care to be within the scope of the Lithuanian Law on Equal Treatment, but they have noted that the protection of discrimination in social security settings lacks clarity (Guliakaitė-Danisevičienė, 2024[43]). In other examples, Ireland does not have bias-motivated crime laws,[17] and in the Netherlands, hate crimes are addressed as criminal offences with a discriminatory aspect rather than as bias-motivated crimes.[18]

Conversely, anti-discrimination protections are more expansive than the minimum EU standards in a majority of OECD EU countries, in two main ways (Figure 4.3). First, national laws prohibit more forms of discrimination than are explicated in the *Racial Equality Directive (2000/43/EC)*, *Employment Equality Directive (2000/78/EC)* and the laws covering hate speech and hate crimes. For instance:

- Over half of OECD EU countries expressly prohibit discrimination by assumption and association – aligning with key judgements of the Court of Justice of the European Union[19] and the European Court of Human Rights.[20]

- Laws covering multiple discrimination are found in Austria, Belgium, Denmark,[21] Greece, Germany, Luxembourg,[22] Portugal, Slovenia and Spain (and is also acknowledged in recital 3 of the *Employment Equality Directive* and recital 14 of the *Racial Equality Directive*). In addition, some Polish laws, such as the Labour Code, note that discrimination can occur on one or more grounds (European Network of Legal Experts in Gender Equality and Non-Discrimination, 2024[37]).

- Belgium and Spain prohibit intersectional discrimination in their legislation, while Lithuania and Italy prohibit intersectional discrimination for some cases. In Lithuania, intersectional discrimination is prohibited in disability discrimination legislation, and in Italy the differential effects of discrimination on men and women need to be considered (which is a limited form of intersectional discrimination). While in Germany, the General Act on Equal Treatment prohibits discrimination on several grounds (European Network of Legal Experts In Gender Equality and Non-Discrimination, 2024[44]) and in France, the courts allow claims on several grounds of discrimination, which has resulted in findings about multiple and intersectional forms of discrimination (European Network of Legal Experts in Gender Equality and Non-Discrimination, 2024[45]). Similarly, Finnish courts have awarded compensation on the basis of multiple discrimination and the Non-Discrimination and Equality Tribunal found that a claimant had been discriminated against based on the combined effect of gender, language, age and place of residence, which is considered intersectional discrimination by the definition used in this report (European Network of Legal Experts in Gender Equality and Non-Discrimination, 2024[46]).

- Segregation is prohibited in Spanish and Hungarian law, as well as in France and Belgium, in the case of racial or ethnic segregation, and for disability in Lithuania. Further, the Slovakian Schools Act (2023) prohibits segregation against Roma students.

- Hate crimes and hate speech offences based on disability, religion and sexual orientation exist in Austria, Belgium, Spain, Finland, Greece, Hungary, Latvia, Luxembourg and Slovenia.

Figure 4.2. Anti-discrimination legal protections are most extensive for ethnic and racial origin and disability

Forms of discrimination prohibited by law and the areas of life in which they apply, across 22 OECD EU countries
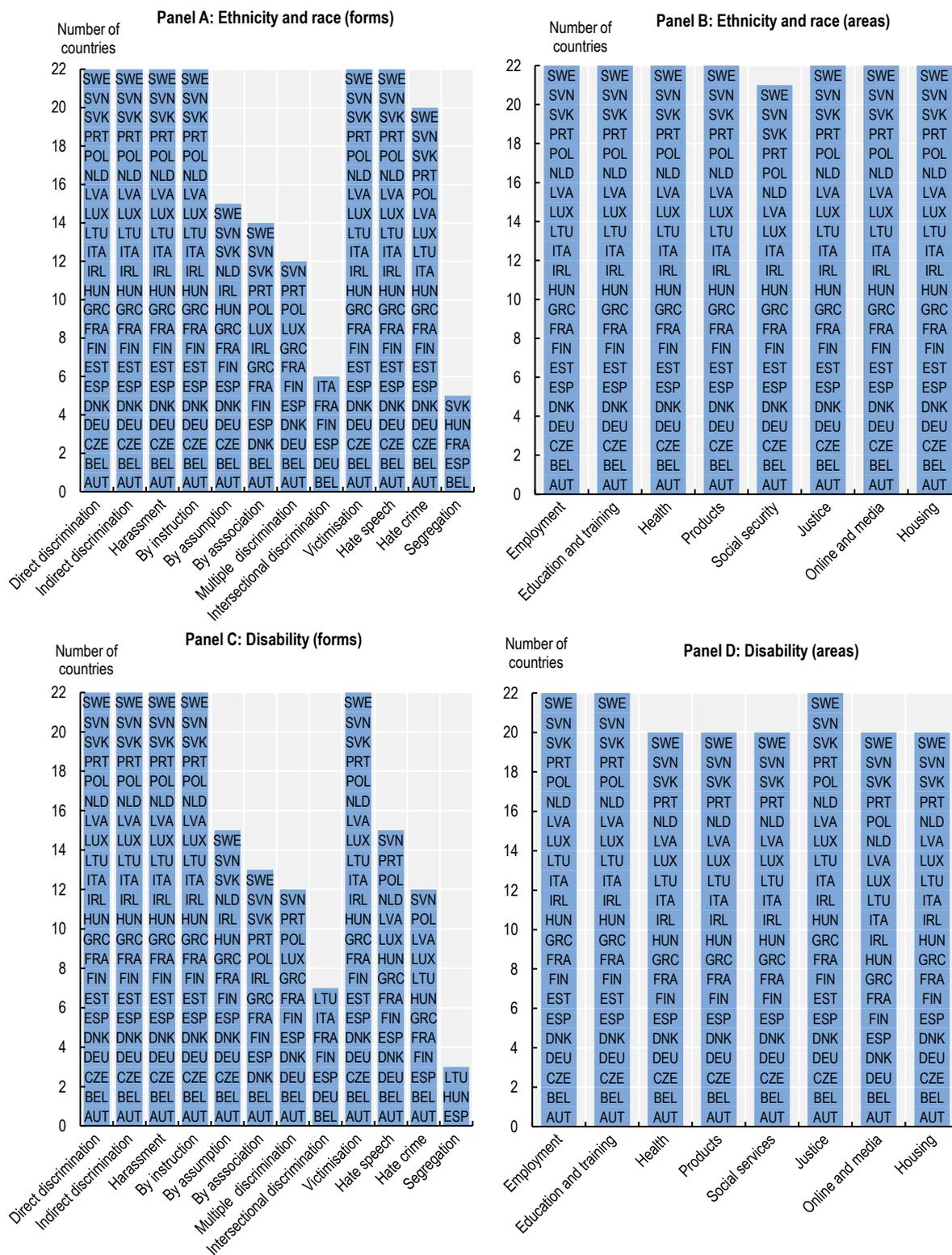
Panel E: Sexual orientation and gender identity (forms)

Number of countries
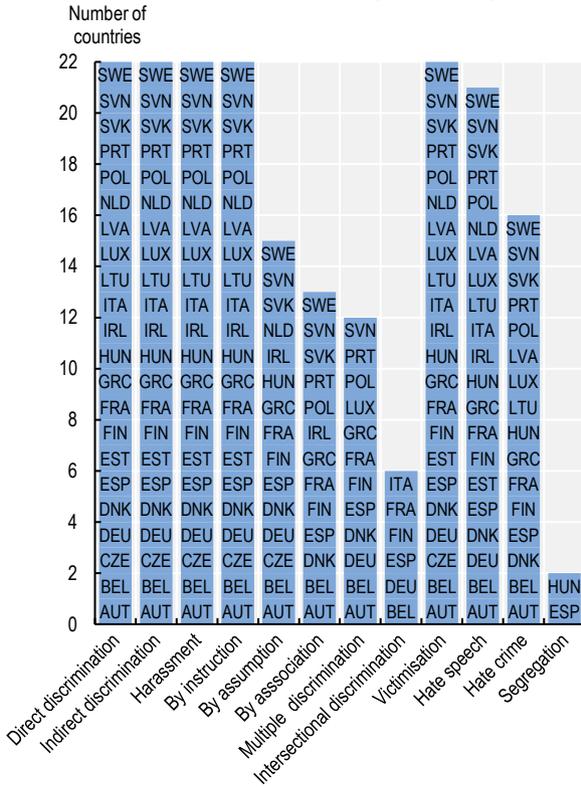
Panel F: Sexual orientation and gender identity (areas)

Number of countries
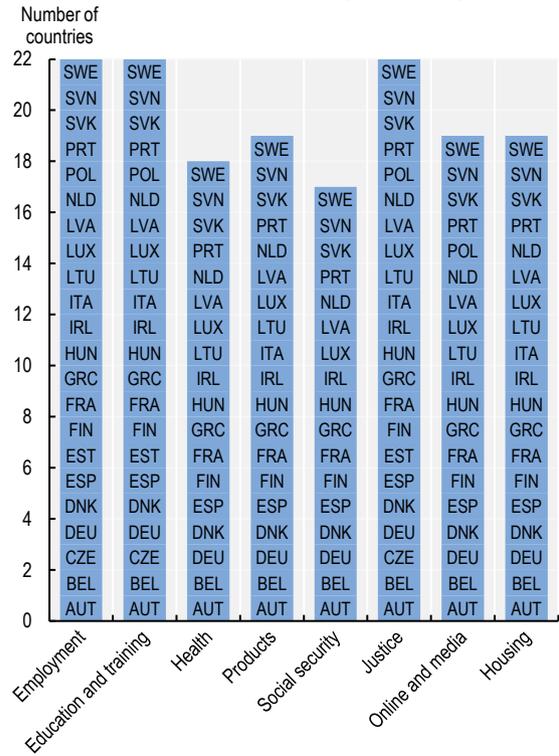
Panel G: Religion (forms)

Number of countries

Panel H: Religion (areas)

Number of countries

Panel I: Age (forms)
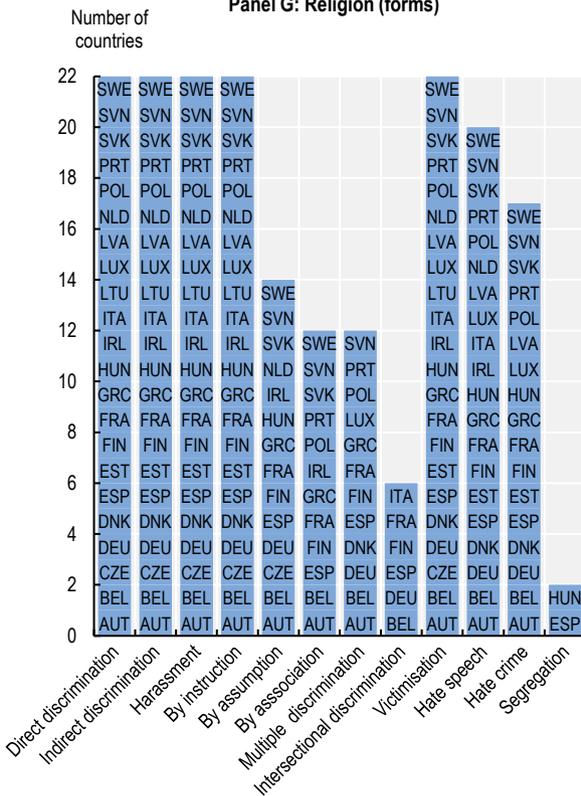
Panel J: Age (areas)
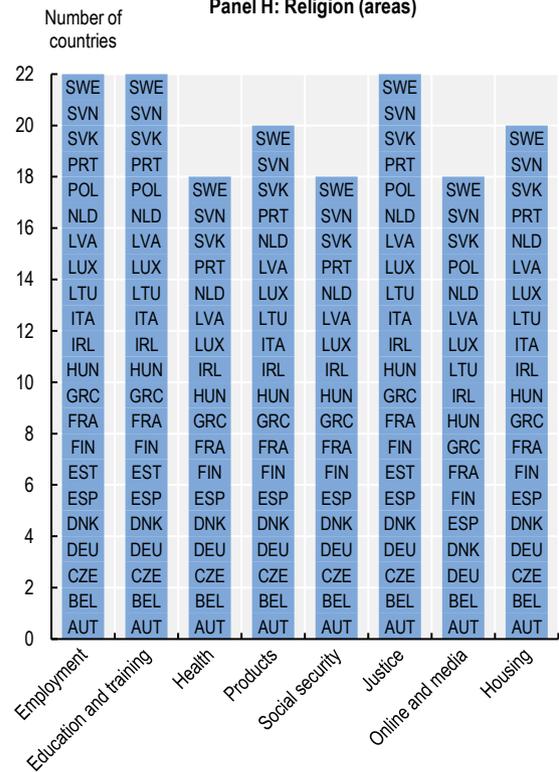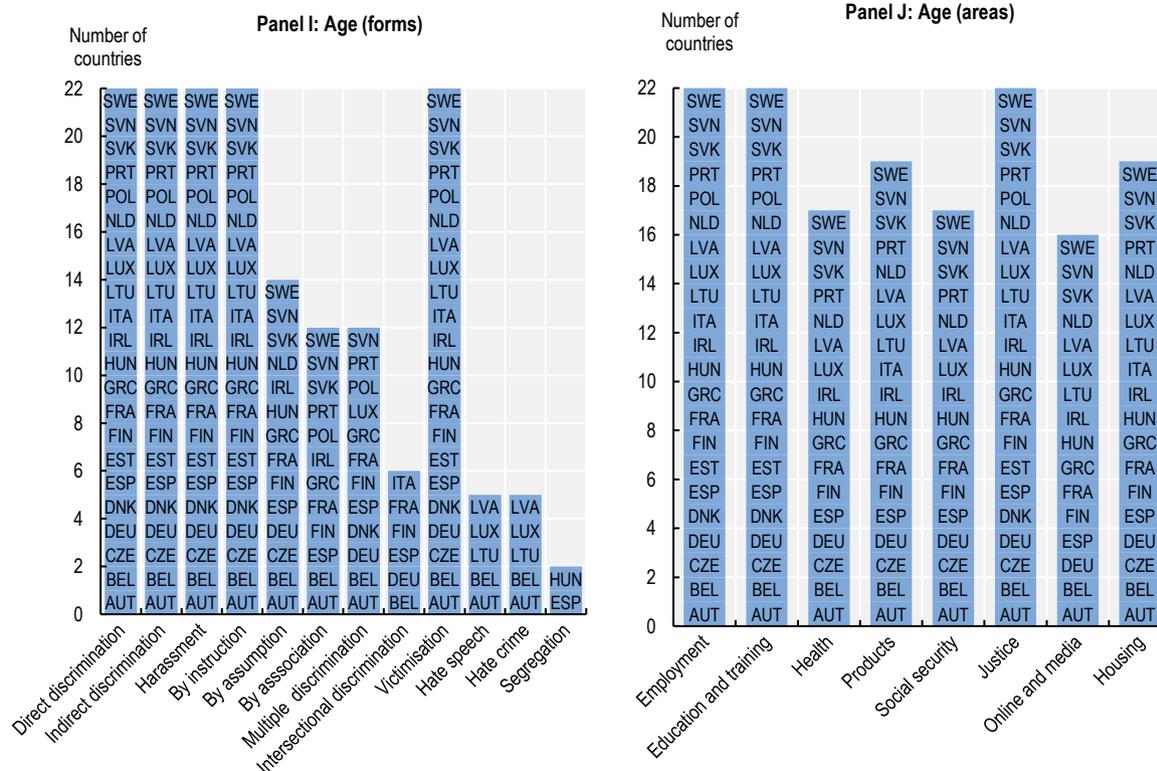
Note: In most OECD EU countries, there are similar protections against discrimination based on sexual orientation and gender identity, although approaches for legislating against gender-identity discrimination differ. In Austria, Czechia, Estonia, Denmark, Finland, Italy, Latvia, Lithuania, Luxembourg and the Netherlands gender identity is protected by gender equality or sex discrimination legislation (explicitly as gender identity or sexual identity, or implicitly because there is no conceptual distinction between gender and sex) or is considered part of the ground of sex/gender in general anti-discrimination legislation. In contrast, Belgium, France, Greece, Hungary, Portugal, Slovak Republic, Slovenia, Spain and Sweden protect gender identity as a distinct ground in general anti-discrimination legislation. In Germany, "sexual identity" in the general anti-discrimination law covers sexual orientation and gender identity. In Ireland, case law has determined that gender-based discrimination (based on whether one person is male and the other is female) includes transgender people, similarly the Polish Supreme Court has decided that gender identity is protected under sex/gender discrimination. However, there are differences in protections against sexual-orientation and gender-identity discrimination in Estonia. Gender identity is protected under the Estonian Gender Equality Act, which covers employment, education and training and the provision of goods and services, whereas sexual orientation is covered by the Estonian Equal Treatment Act, which transposes the *Employment Equality Directive (2000/78/EC)* (and thus only covers employment-related areas). As such, Panel F shows only prohibitions for sexual orientation discrimination for Estonia. In Estonia, Greece and Poland, only vocational education and training is included under "Education and training" for disability, sexual orientation, religion, and age (as well as gender identity in Greece). "Justice" refers to actions within the justice system that amount to public services rather than exercising public authority, which is not covered by the *Racial Equality Directive (2000/43/EC)* or the *Employment Equality Directive (2000/78/EC)* (although victims of crime have the right to non-discrimination when engaging with victim support, restorative justice services or a competent authority, operating within the context of criminal proceedings, as per the *Victims' Rights Directive (2012/29/EU)*).
Source: OECD analysis based on the *OECD Anti-Discrimination Questionnaire*.

The second way in which OECD EU countries exceed the EU minimum standards is through the broader scope of their anti-discrimination laws. Close to 95% OECD EU countries have anti-discrimination laws that cover areas of life beyond those required by EU law. Many countries extend the standards set by the *Racial Equality Directive (2000/43/EC)* to other grounds, such as disability, sexual orientation and gender identity, religion and age. This means that many people in OECD EU countries are protected against discrimination based on disability, age, sexual orientation and religion in the spheres of employment, education, health, social security, and when accessing goods and services, such as housing.

Some countries also prohibit discrimination by police and in online spaces, which are not explicitly addressed in the *Racial Equality Directive (2000/43/EC)*. For example, Belgium, Finland, Greece, Lithuania, the Netherlands, Poland, the Slovak Republic, Slovenia and Spain include non-discrimination by police in their criminal codes, while Belgium, Finland and Luxembourg have introduced aggravated sanctions when public servants, including the police, discriminate (European Union Agency for Fundamental Rights, 2024[47]).

The main mechanism for surpassing the minimum standards set by the *Employment Equality Directive (2000/78/EC)* is the institution of a comprehensive anti-discrimination law, which protects a broad list of grounds in a wide range of fields. Belgium, Finland, Germany, Hungary, Ireland, Luxembourg, Slovak Republic, Slovenia, Spain and Sweden all have comprehensive national anti-discrimination laws that extend protections to non-employment areas for people based on their disability, sexual orientation, religion or belief and age, in order to be in line with the standard set by the *Racial Equality Directive (2000/43/EC)*. In the case of Spain, the areas of life articulated in the law are much more expansive than what is required by the *Racial Equality Directive (2000/43/EC)* (Box 4.3).

Box 4.3. Spain's comprehensive anti-discrimination laws

Spain's Comprehensive Law for Equal Treatment and Non-Discrimination (Law 15/2022) is similar in scope to the Office of the United Nations High Commissioner for Human Rights guidance elaborated in Section 4.1. The Spanish legislation covers an extensive range of forms of discrimination and protects people based on their birth, race or ethnic origin, sex, religion or belief, age, disability, sexual orientation or identity, gender expression, illness and health status, serological situation, genetic features, language, socioeconomic status or any other condition or personal situation.

Discrimination on all grounds is prohibited in the fields covered by the *Racial Equality Directive (2000/43/EC)*, as well as citizen safety, justice, sports and culture, open public spaces, advertisements, media and information services, artificial intelligence and massive data management systems, and school segregation. Further, the law establishes stronger equality duties on public bodies and the private sector (including via public grants and procurement processes), requires the compilation of equality data based on self-identification (Chapter 5), obliges the government to prepare and monitor four-yearly national equality plans, and creates a new independent equality body (Equinet, 2022[48]).

These legal requirements underscore Spain's commitment to combatting discrimination holistically and preventatively – by targeting the structural barriers to equality and introducing processes to monitor the state of discrimination and improve responses, both at an individual level and systemically.

Nevertheless, many countries with ground-specific laws also go beyond the minimum EU standards – especially for disability. Austria, France, and Lithuania have disability equality laws promoting self-determination, participation and social inclusion of persons with disabilities.[23] Disability equality laws reflect countries' commitments under the United Nations Convention on the Rights of Persons with Disabilities, EU accessibility requirements[24] for products, services, transport and digital environments, Europeans' high levels of acceptance of persons with disabilities (Chapter 3) and demands for more policy action targeted towards persons with disabilities (Annex 4.A). In addition, disability law reform has become a priority for some countries in recent years, such as in Lithuania (Box 4.4).

Box 4.4. Lithuania's disability equality law

Amid the COVID-19 pandemic, the Lithuanian Government declared that it would "work to give persons with disabilities opportunities for self-sufficiency and education and to create favourable working conditions for them" (Seimas of the Republic of Lithuania, 2020, p. 2[49]), as well as increase access to fundamental rights, involve persons with disabilities in cultural processes and devise new personalised social policy measures to better assist persons with disabilities. As part of this commitment, the Lithuanian Parliament amended the Law on the Fundamentals of Protection of the Rights of Persons with Disabilities in 2024 to enhance the inclusion and equality of people with disabilities regardless of their gender, race, nationality, citizenship, language, origin, social status, faith, beliefs or views, age, sexual orientation, disability, ethnicity, religion or other characteristics.

The law guarantees the fundamental rights of persons with disabilities, as well as the right to accessible environments, personalised health care, the right to communicate and receive information in Lithuanian sign language, the right to education, the right to leisure time, sports and cultural activities, the right to employment and rehabilitation, and the right to an independent life. State and local government institutions and agencies must also, within the scope of their competence, ensure persons with disabilities have equal rights and treatment.

While ground-specific legislation allows for tailored protections, it can lead to **uneven legal safeguards** across different groups. It may also create obstacles for individuals seeking justice for multiple or **intersectional discrimination**, especially where various laws must be interpreted together. The fragmentation of legal protections across grounds can be seen starkly in the handful of countries that maintain the minimum EU standards. Estonia and Poland most closely follow the EU minimum standards, and so there are stronger protections against racial and ethnic discrimination than other types of discrimination, and while Italy and Czechia go beyond the minimum EU standards for some grounds, they have relatively weak LGBT discrimination protections (Figure 4.3).

A way forward for legislative reform

As discussed above, the EU anti-discrimination law currently provides unequal levels of protection depending on the ground of discrimination. Differences between the *Racial Equality Directive (2000/43/EC)* and the *Employment Equality Directive (2000/78/EC)* have created two tiers of protections, in which people from racialised communities are protected across a broader range of life areas than LGBT people, persons with disabilities, religious minorities, older people and young people.

This legislative imbalance has real-world consequences. In practice, it means that there is little legal incentive to prevent discrimination outside the workplace for groups not covered by the *Racial Equality Directive (2000/43/EC)*. As a result, LGBT people, persons with disabilities, religious minorities and others may face exclusion and unequal treatment in housing, healthcare, education, and access to services – without access to legal remedies.

Measuring the impact of these legal gaps is not straightforward, given the limitations of available data and the range of factors that influence self-reported discrimination (Chapters 1 and 2). Nevertheless, evidence from the United States (OECD, 2020[3]; Delhommer and Vamossy, 2024[4]; Donohue III, 2005[5]; US Commission on Civil Rights, 2000[6]) indicates that expanding anti-discrimination protections is linked to improved well-being for groups at risk of discrimination. Moreover, the FRA's *2022 EU Survey on Immigrants and Descendants of Immigrants* (2023[27]; 2024[28]) reveals higher rates of discrimination Muslim people report in areas where they are not protected against discrimination based on their religion, compared to Black Europeans, who are protected against racial or ethnic discrimination in employment

and non-employment settings. For example, 34% of Muslim people report experiencing discrimination in the past 12 months in housing and 17% experienced discrimination in educational settings, compared to 28% and 13% Black Europeans, respectively. Reported discrimination rates in other areas of life are comparable for these groups, and notably, 24% of Muslim people and 23% of Black Europeans reported experiencing discrimination in the previous 12 months at work, where both groups are granted protections against discrimination under the *Employment Equality Directive (2000/78/EC)* and *Racial Equality Directive (2000/43/EC)* (European Union Agency for Fundamental Rights, 2024[28]; European Union Agency for Fundamental Rights, 2023[27]). This pattern reinforces the link between legal coverage and reported experiences of discrimination, and it suggests that extending protections for religion and other grounds beyond employment could meaningfully reduce inequalities.

Recognising this disparity, the EU has attempted to close the remaining gaps in anti-discrimination protections, through its proposal for a horizontal equality directive in 2008 (European Commission, 2008[50]). The proposal extends protections against discrimination based on disability, sexual orientation, religion or belief, and age to a wider range of life areas – such as social protection (comprising social security and healthcare), education, and access to goods and services, including housing (Council of the European Union, 2023[51]; Council of the European Union, 2024[52]).

While a large majority of EU Member States support the horizontal equality directive, and the text has been redrafted to allay concerns in the original proposal[1], unanimity has not been achieved, despite concerted efforts during the 2024 Belgian Presidency to reach agreement (Council of the European Union, 2024[52]). The European Commission has since announced, in the 2025 Commission Work Programme, its intention to withdraw the proposal within six months, and is awaiting the legislator's reaction to this announcement (European Commission, 2025[53]).

In the meantime, European equality law has been strengthened through the passage in 2024 of the *Standards for Equality Bodies (Council Directives (EU) 2024/1499 and 2024/1500)*, which enhance equality bodies' ability to support of victims of discrimination and contribute to awareness raising, prevention and policy and legislative change (Section 4.4). Intensive policy development and guidance have also occurred at the European level through the support given to Member States to implement national equality strategies, invest in equality data, engage civil society organisations and share good practices (Benedi Lahuerta and Zbyszewska, 2018[54]) (Chapter 5).

As discussed in Sections 4.1 and 4.4, and in Chapter 5, policy efforts to promote equality and inclusion are important, but should be pursued concurrently with legislative changes to equalise legal protections. Equal treatment cannot be fully realised while the legal framework continues to offer stronger protections to some groups than others. The proposed horizontal equality directive can still provide an example for countries wishing to close gaps in their anti-discrimination laws. This proposal maintains broad support among EU Member States and has the benefit of aligning with already established legal instruments like the *Racial Equality Directive (2000/43/EC)*. Alternatively, countries could look to the recent Spanish reform (Box 4.3) as a model of comprehensive anti-discrimination law that goes well beyond the forms, grounds and areas of life covered by the minimum EU standards.

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[1] Some Member States expressed concerns about the original proposal and requested clarifications on the perceived lack of legal certainty, the division of competences and compliance with the principle of subsidiarity, and the financial impact of the proposal. The proposal was redrafted to clarify the substance and division of competence of the legal obligations, and by largely limiting the potential financial impact (Council of the European Union, 2024[52]).

4.4. Key findings from the OECD Questionnaire: Policies and programmes to promote equality and inclusion for people at risk of discrimination

In addition to legal prohibitions on discrimination, a raft of policies and programmes have been designed to promote equality and inclusion for people at risk of discrimination. Mainstream social and economic policies play a critical role in promoting equality for people at risk of discrimination. For example all OECD EU countries ensure universal or near-universal access to core health services[25] and education (OECD/European Union, 2022[55]), while most provide access to early childhood education and care, as well as affordable access to justice (OECD, 2023[56]). Many OECD countries have taken steps to ensure these services are affordable, well-located and timely – to overcome crucial barriers to access (OECD, 2023[56]) – and increasingly, policymakers' attention is being drawn to the specific needs, preferences and circumstances of groups at risk of discrimination.

In Europe, policies tailored to people at risk of discrimination came to the fore during COVID-19. Primary healthcare service delivery models were redesigned in many OECD EU countries to reach geographically marginalised and vulnerable groups, including people from racialised communities and people with low socioeconomic status who faced heightened mortality risks (OECD, 2021[57]). Vaccine roll-out plans explicitly considered marginalised groups, such as undocumented migrants in France, Italy, the Netherlands, Portugal and Spain, while in Luxembourg, the government engaged with the local Catholic community to build trust and allay concerns about the vaccines. Similarly, the Spanish Government worked with the Roma Network to develop and disseminate a campaign to reduce vaccine hesitancy. More generally, community-based responses were mobilised to ensure people's access to tests, care and vaccines, as well as providing information in a variety of languages and formats (Berchet, Bijlholt and Ando, 2023[58]).

Efforts to embed equality in policy design have continued beyond the pandemic. All OECD EU countries that responded to the *OECD Anti-Discrimination Questionnaire* – Austria, Belgium, Czechia, Denmark, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, the Netherlands, Poland, Portugal, the Slovak Republic, Slovenia, Spain and Sweden – shared examples of targeted policies to address barriers faced by people due to their ethnicity, or race, disability, LGBTI status, age, and religion.

This section presents an overview of the coverage of these countries' policies and programmes in the fields of employment, education and training, health, justice and safety, inclusive products, services and built environments, and anti-discrimination awareness. Good examples in each of these fields are also discussed, based on the principles articulated in Section 4.1. These examples showcase different ways of facilitating people's engagement with services, including by considering their intersecting risk factors, needs and preferences in the design and delivery of services.

In general, policies are most comprehensive for persons with disabilities and people from racialised communities, with patchier coverage for religious minorities and LGBTI people (Figure 4.3). The policy focus on these communities reflects a range of factors, including their heightened exposure to discrimination, political priorities and public support for action against racial discrimination and disability discrimination (Chapter 2, Chapter 3 and Annex 4.A). Among the most active areas of policymaking are efforts to improve access to justice and build trust in law enforcement, followed by public awareness campaigns, measures to increase the inclusiveness of products and services, employment-related initiatives such as incentives, quotas and targets, and school-based programmes (Figure 4.3). Tailored healthcare services have, however, received relatively less attention from policymakers, although good practices are present in some countries.

Figure 4.3. Policies designed for groups at risk of discrimination have focused on persons with disabilities and racialised communities in education, police and justice settings

Share of the 21 OECD EU countries that have policies and programmes targeted to groups at risk of discrimination, by initiative and target group

Panel A: Employment and economic programmes

Panel B: Education and training

Panel C: Health

Panel D: Justice and safety
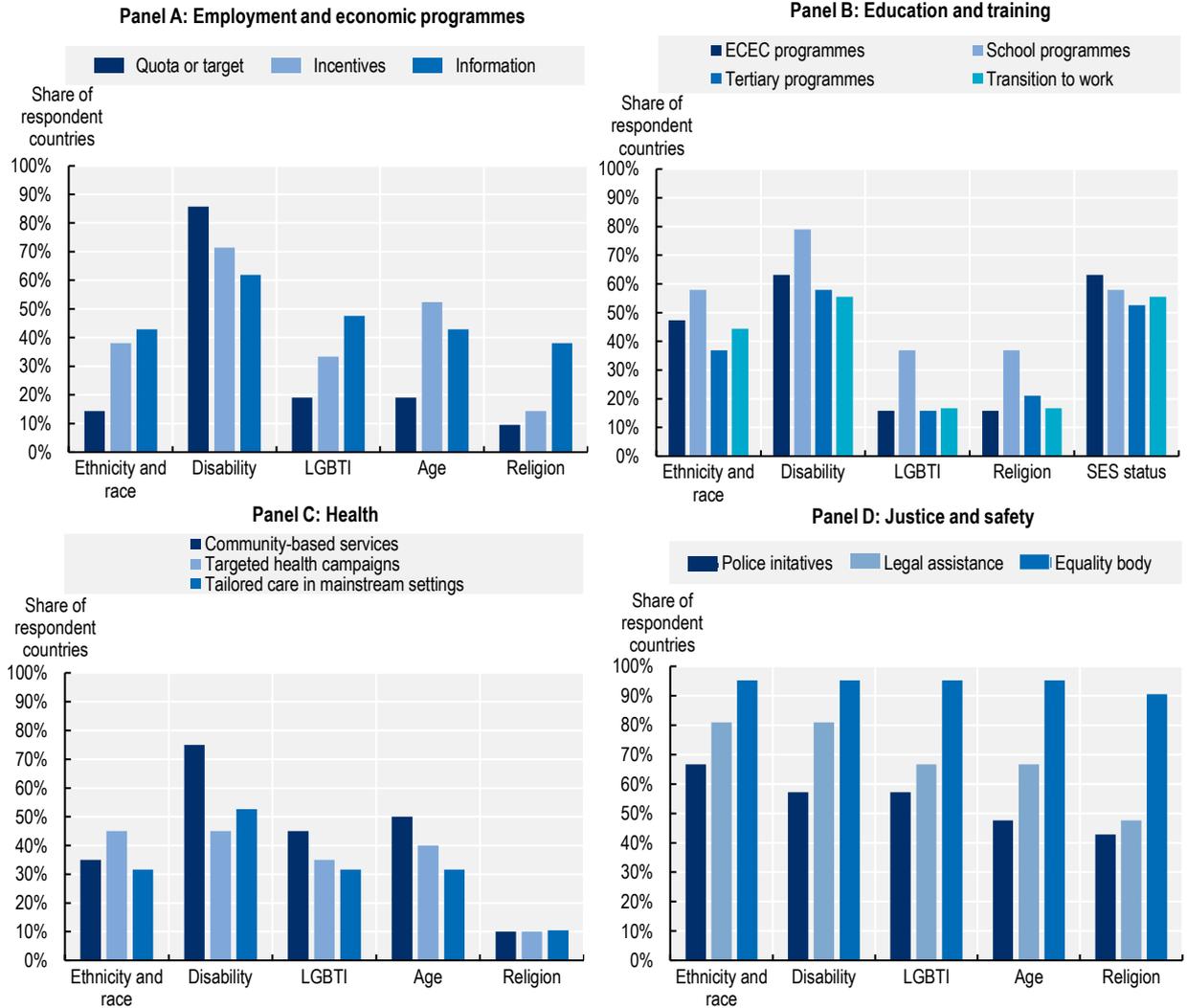
Panel E: Disability services have become more inclusive over the past 5 years

Share of respondent countries
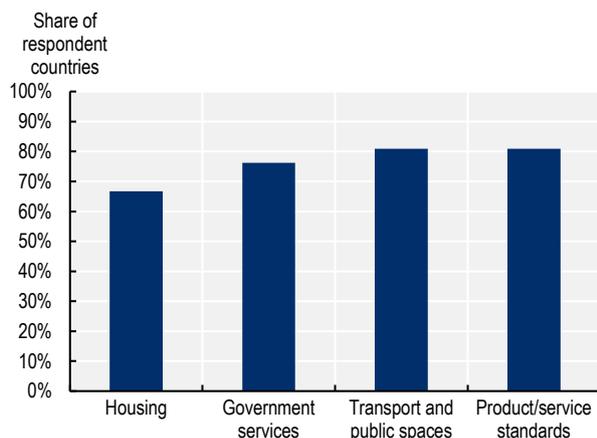
Panel F: Features of anti-discrimination campaigns

Share of respondent countries

Legend: ■ Information ■ Behaviour change ■ Accessible formats
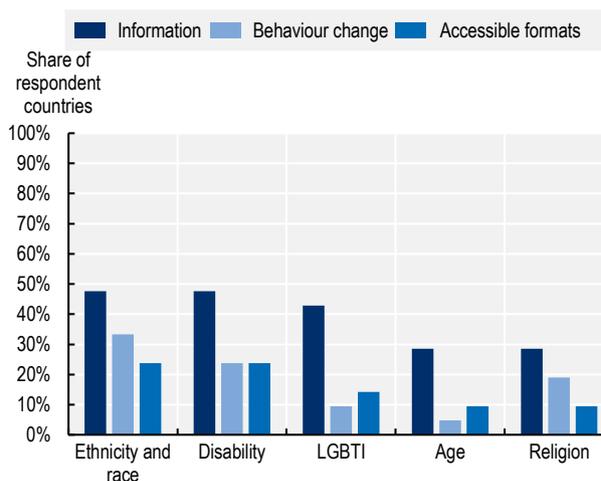
Note: The respondent countries are Austria, Belgium, Czechia, Denmark, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, the Netherlands, Poland, Portugal, Slovak Republic, Slovenia, Spain and Sweden. Czechia and Spain are not included in the analysis of education and training programmes because they are not the responsibility of national governments. In Panel A, countries were asked about the types of programmes aimed at increasing economic opportunities, including binding employment quotas and aspirational employment targets, financial incentives for employers or to create businesses, and information on employing people from groups at risk of discrimination. For education and training, countries were asked about policies and programmes for at-risk groups in early childhood education and care (ECEC), school and tertiary education settings, as well as to ease transitions from education into work (Panel B). Socio-economic status was included as a category for education and training, since many countries design education and training funding arrangements and programmes around students' socio-economic status, and groups at risk of discrimination may disproportionately benefit from these arrangements, given the likelihood they live in economically disadvantaged situations (Chapter 3 and Hardy and Schraepen (2024[11])). In Panel C, countries were asked about community-based services, health campaigns targeted to at-risk groups and tailored care in mainstream health settings (for instance culturally responsive models of care in hospitals). All respondent countries have (or are developing) equality bodies that deal with employment-related discrimination issues, as such, Panel D only shows countries where national equality bodies cover non-employment issues as well. In addition, Panel D displays infinitives to build trustworthy and responsive police services, and legal assistance services for at-risk group. Panel E shows countries that have increased the accessibility of housing, government services, transport, public spaces and product standards over the past five years. In Panel F, countries were asked about whether they have national anti-discrimination campaigns, and if so if they provide information on what constitutes discrimination, if they are aimed at changing individuals' behaviour and if they are produced in many languages and formats that are accessible for persons with disabilities.
Source: OECD analysis based on the *OECD Anti-Discrimination Questionnaire*.

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Employment and economic programmes

Employment policy has long played a central role in advancing equality of opportunity beyond the reach of anti-discrimination law. These policies range from implementing anonymised or "blind" recruitment practices – which remove identifying details such as names, gender, educational institutions and dates of graduation to reduce recruiter bias – to offering financial incentives for employers, paid parental leave schemes, and compulsory employment quotas or voluntary employment targets that aim to boost the participation of disadvantaged groups in the labour force (OECD, 2020[3]).

Across OECD EU countries that responded to the *OECD Anti-Discrimination Questionnaire*, the most extensive efforts in this area have focused on promoting employment opportunities for persons with disabilities. This reflects the substantial barriers that persons with disabilities continue to face in accessing and maintaining employment, particularly in the open labour market. The employment rate for persons with disabilities in Europe stands at 53%, compared with 77% for persons without disabilities – and drops even further for women and young people with disabilities, to 49% and 47%, respectively (European Disability Forum, 2023[59]).

To address these disparities, more than 80% of the OECD EU respondents to the *OECD Anti-Discrimination Questionnaire* have introduced quotas or targets to promote employment opportunities for persons with disabilities (Figure 4.3, Panel A). Many European countries operate quota-levy systems, under which employers that do not meet disability specific quotas pay levies that are used by governments to compensate firms that employ persons with disabilities or to encourage the labour market integration of persons with disabilities in other ways (OECD, 2020[3]).

There is, however, mixed evidence on the effectiveness of these measures. While quotas and targets can have positive employment effects for people at risk of discrimination, the size of the effects varies across target groups, with white women benefitting more from quotas and targets than ethnic and racial minorities and persons with disabilities (OECD, 2020[3]). Evidence from Italy and Norway suggests that the direct employment effects for women in leadership positions do not lead to additional employment opportunities for women in more junior positions. Moreover, quotas and targets fuel concerns about fairness, as they can privilege the most economically and socially advantaged people within at-risk groups, at the expense of people in lower socio-economic groups – stressing the need for additional policies to promote equality of opportunity for all members of society (OECD, 2020[3]).

Financial incentives also prominently feature in OECD EU countries' strategies to promote employment opportunities for persons with disabilities (Figure 4.3, Panel A). Some countries, like Belgium, Finland, Germany, Hungary, Ireland, the Netherlands, Poland and Sweden provide financial assistance to employers for workplace adaptations and assistive devices. These measures are aimed at challenging assumptions about the productivity of persons with disabilities, and at ensuring the supports needed for their effective participation in work (European Disability Forum, 2023[59]). While such support may not cover all reasonable accommodations in every country, Sweden and Finland have developed more holistic approaches to supporting employment for persons with disabilities (Box 4.5). Some countries also channel financial assistance directly to individuals. Austria and Latvia offer start-up support to persons with disabilities who want to run their own businesses, while Belgium provides expert guidance and funding to help improve existing business practices. In Latvia, persons with disabilities are allowed to retain their full disability pension while working in the open labour market, reducing financial disincentives to employment (European Disability Forum, 2023[59]).

Box 4.5. Supported employment for persons with disabilities in Sweden and Finland

Sweden and Finland exemplify more proactive approaches to disability employment through supported employment models. Supported employment is an effective way of facilitating employment by responding to employers' need, along with the needs of persons with disabilities (Swedish Public Employment Service, n.d.[60]; Inclusion Europe, 2019[61]).

Persons with disabilities apply to the Swedish Public Employment Service, which assesses each person's skills and needs, and then maps out the support that is needed to help the person succeed at work (Swedish Public Employment Service, n.d.[62]). People may first receive access to a special support person who helps individuals practice work tasks and become work ready. Jobseekers are then placed in appropriate workplaces, be they on the open labour market or in a sheltered workshop. Employers matched with people in the programme receive wage subsidies, and the employee receives continued individualised support.

A randomised control trial of 1 000 young jobseekers with disabilities found that supported employment were more effective in keeping young men with disabilities[1] in employment during the 15 months of the study, when compared to two alternative programmes (one that solely focused on the client's needs and goals, and another that promoted cooperation between the Swedish Social Insurance Agency and the Swedish Public Employment Service) (Swedish Social Insurance Agency, 2017[63]; Gustafsson, 2022[64]). The success of supported employment was attributed to the additional support provided to employees and employers.

Supported employment is also available in the City of Helsinki in Finland, where job coaches work with adults on the autism spectrum, and adults with intellectual and developmental disabilities (European Social Network, 2014[65]; Zero Project, 2021[66]). Like the Swedish model, clients of the programme work with coaches to map their skills, identify suitable roles and receive coaching and support, while employers receive wage subsidies and support in adapting their workplaces. Jobseekers are involved in all stages of the planning process, and as much as possible, they identify their goals, what support they want, and how to involve other people in their support network. Employers receive additional incentive payments if employment is maintained for more than 16 months. While the programme is majority-funded by the City of Helsinki, the Finnish Ministry of Social Affairs and Health also provides grant funding. The aim of the programme is to support persons with disabilities move into the open labour market, in line with the goals of the United Nations Convention on the Rights of Persons with Disability (European Social Network, 2014[65]).

1. There were no significant differences in employment outcomes for young women with disabilities across the three alternative employment programmes.

For other groups at risk of discrimination, employment-related initiatives tend to focus on providing information for potential employees and employers or on wage subsidies based on age. The *OECD Anti-Discrimination Questionnaire* indicates that half of OECD EU respondents provide information related to the employment of people from racialised communities and LGBTI people, while more than 40% offer information on religious minorities (Figure 4.3, Panel A). In Ireland, the Public Appointments Service undertakes outreach activities and promulgates targeted social media posts to promote employment opportunities for Roma and Travellers, LGBTI people, and Irish language groups. Similarly, public authorities in the Netherlands work with professional migrant networks, diversity groups and student associations to encourage people belonging to racialised groups to apply for public sector positions (OECD, 2020[3]).

Education and training

While discrimination based on socio-economic status is not the primary focus of this report, it is a key consideration for education policymakers and often intersects with students' other risk factors such as their ethnic and racial backgrounds, their disabilities, religion, sexual orientation and gender identity (OECD, 2023[67]). Indeed, education policies geared towards students with disadvantaged socio-economic backgrounds will likely benefit students at risk of discrimination disproportionately. As such, the *OECD Anti-Discrimination Questionnaire* asked countries about their educational policy settings that target students' socio-economic backgrounds, in addition to canvassing initiatives targeting the other groups at risk of discrimination covered in this report.

Education funding arrangements often account for a student's socio-economic status, along with their special educational needs (including disabilities). About 65% of OECD EU respondents to the *OECD Anti-Discrimination Questionnaire* take into consideration students' disabilities in school funding determinations, 50% account for students' socio-economic status, and 30% on ethnic background (mainly Roma and Indigenous populations) (Figure 4.3, Panel B). For ECEC, funding arrangements in almost 65% of respondent OECD EU countries consider students' disabilities and socio-economic status, and 45% target students from racialised communities (Figure 4.3, Panel B). Similarly, more than half of respondents provide needs-based higher education funding for students with low socio-economic backgrounds.

In some cases, like Finland, education funding arrangements recognise the interplay of barriers for students at risk of discrimination. Funding for Finnish school and ECEC accounts for the characteristics of the local area, such as the share of the population with disability, the unemployment rate, the concentration of migrants, languages spoken, remoteness and the size of the Sámi population (OECD, 2022[68]). These arrangements are aimed at fostering equity, reducing school segregation, expanding offering for students with physical impairments, encouraging inclusion in ECEC, and supporting students from language minorities.

While funding arrangements are typically targeted based on a student's special educational needs, socio-economic background or ethnic background, education programmes promote the inclusion of a wider range of groups, such as LGBTI students and students from religious minorities (in addition to students with disabilities and students from racialised communities). About 35% of OECD EU respondents to the *OECD Anti-Discrimination Questionnaire* have school programmes[26] for LGBTI students and 60% have programmes for students from racialised communities, particularly Roma students (Box 4.6; Figure 4.3, Panel B).

School programmes for LGBTI students are generally aimed at supporting self-esteem, self-understanding and bullying prevention. For example, in Denmark, inspirational education materials have been developed that contain information and lesson planning guidance on courses for the inclusion of LGBTI students that teachers can use. The inspirational materials provide step-by-step guides to design and carry out age-appropriate lessons to increase students' understanding of LGBTI issues, to help LGBTI students feel supported at school, and knowledge of referrals pathways for additional support that is specific to students' intersectional needs (for instance community groups for LGBTI students with ethnic minority backgrounds) (National Agency for Education and Quality, 2024[69]). The materials are provided on a voluntary basis for teachers.

Box 4.6. Educational programmes for the inclusion of Roma students and communities

Many Central and Eastern Europe countries, as well as some Nordic countries, have educational programmes to increase the participation of Roma students in mainstream schools, including Roma mediators. Effective programmes train Romani people as mediators to help students, and their families, to increase their performance and well-being, and foster parental involvement in education (Rutigliano, 2020[70]). Roma mediators are seen as a way of maintaining Roma identities within mainstream educational settings and supporting school desegregation. Mediators perform various tasks including facilitating classroom communication between Roma students and teachers, aiding students in completing their studies, helping students prepare for school, and strengthening the relationship between Roma families, communities and the education system (Rus, 2006[71]).

- In Greece, the Inclusive Schools for Roma programme seeks to improve the integration of Roma children in schools by deploying Roma mediators in schools and developing training and support guides for the educational community (Institute of Eduation Policy, 2021[72]). The goals of the programme are to increase the educational attainment of Roma students in Greece, improve teachers' and schools' capacity to meet the educational needs of Roma students, and create opportunities for Roma parents to be active in the school community (Inclusive Schools 4 Roma, 2024[73]). The pilot programme ran from 2020-2022 and involved 200 teachers and educators, 50 Roma mediators and 20 schools, and resulted in the publication of Roma-Inclusive Education Guidelines and a Mediator's Guide to share lessons (Inclusive Schools 4 Roma, 2024[73]).

- Hungary's Sure Start programme establishes ECEC centres that provide holistic familial support in disadvantaged areas with high proportions of Roma children (Rutigliano, 2020[70]). The aim of the programme is to prepare Roma children for success in school, as well as supporting families through nurse counselling, community programmes and parental groups.

Programmes for students with disabilities span the entire education and training system, and are vital for improving the employment of persons with disabilities down the track (OECD, 2022[74]) More than half of the OECD EU respondent countries to the *OECD Anti-Discrimination Questionnaire* stated that they have ECEC and tertiary education programmes for students with disabilities, and 80% said they have disability specific school programmes (Figure 4.3, Panel B). Good practices for disability-inclusive education programmes prioritise individualised support predominantly in mainstream educational settings (OECD, 2022[74]), although in some countries, such as Austria, parents and guardians have the choice to send their children to mainstream ("integrative") schools or special schools. Schools must develop special education plans to ensure that students with disabilities receive necessary support, including personal assistants and modifications to the curriculum (European Commission, 2023[75]).

The Finnish school system has a strong emphasis on providing specialised support to enable students with disabilities to study in mainstream educational settings rather than in special schools for students with disabilities. Students have individualised learning plans, access to special education teachers, speech therapists, psychologists within the school environment, and assistive technologies (European Agency for Special Needs and Inclusive Education, 2023[76]). Similarly, in Lithuania, schools have to accept all students without any exceptions (but had until 1 September 2024 to refer students to another school if they were unable to guarantee assistance). Lithuanian schools are now required to provide psychological, special pedagogical or social pedagogical assistance, social, healthcare and other services, educational technical support tools, special teaching tools, and adaptation to the educational environment (European Education and Culture Agency/EACEA/Eurydice, 2023[77]).

In terms of access to post-school education and training, Ireland has designed programmes to assist students at risk of discrimination access tertiary education and transition into the workplace (Box 4.7).

Box 4.7. Diversity and inclusion in Irish higher education and transition-to-work progammes

The Centre of Excellence for Equality, Diversity and Inclusion within the Irish Higher Education Authority is responsible for sharing best practices and coordinating efforts to improve higher educational access and outcomes for groups at risk of discrimination. In 2021, the Irish Higher Education Authority conducted survey-based research on the experiences and perceptions of racial discrimination in higher education institutions, the findings of which shaped the development of an anti-racism implementation plan and anti-racism principles for Irish higher education institutions (Irish Higher Education Authority, 2022[78]; Kempny and Michael, 2021[79]). This work has informed anti-racism strategies at the institution-level, for example the University of Galway (2023[80]) has developed a Race Equality Framework and Action Plan 2023-2027 to drive cultural and organisational change. More recently in May 2024, the Irish Higher Education Authority has opened an Equality, Diversity and Inclusion Enhancement Fund to advance racial equality and awareness of intersectionality in higher education institutions (Irish Higher Education Authority, 2024[81]).

There are also specific transition-to-work programmes for persons with disabilities in Ireland. For example, GetAHEAD is a network of students and graduates with disability transitioning from tertiary education to full-time employment (Irish Association for Higher Education Access and Disability, n.d.[82]). It works to upskill people with disabilities through training events and providing information covering volunteering and work experience, interview preparation, CV writing and job seeking. In addition, the Willing and Able Mentoring Programme (WAM) provides mentoring and paid work placements for graduates with disabilities. It promotes access to the labour market for graduates with disabilities and builds employers' capacities to integrate disabilities into the mainstream workplace. Since beginning in 2005, 680 graduates with disabilities have been placed in the public and private sectors (Irish Association for Higher Education Access and Disability, 2024[83]).

Health

Healthcare services and programmes across the OECD-EU are among the least likely policy initiatives to be designed with the specific needs of marginalised or discriminated groups in mind. Fewer than half of OECD EU respondent countries to the *OECD Anti-Discrimination Questionnaire* tailor their health promotion and health services to the circumstances and needs of people at risk of discrimination within mainstream healthcare settings – called culturally responsive or sensitive approaches in some OECD non-EU countries (Figure 4.3, Panel C). Culturally responsive care accommodates people's preferences for receiving health information and adherence to treatment plans, which are shaped by their cultural practices, religious and spiritual beliefs, languages spoken, gender, age, disability, education, social class and sexual orientation.[27]

Culturally responsive healthcare services are not as well developed in Europe as in other OECD countries, even though these approaches contribute to better health outcomes for groups at risk of discrimination and improvements in practitioners' knowledge and confidence, as well as increased access, use, satisfaction and trust of mainstream health services (Minnican and O'Toole, 2020[84]; Savas et al., 2024[85]). In some non-EU OECD countries, culturally responsive care forms part of national health policies, guidance materials and funding arrangements. However, in Europe, most good practices occur at the local level, with the exception of the Swedish Agency for Support to Religious Communities (2024[86]), which provides grant funding to religious organisations for pastoral care and spiritual support in hospital settings, and the Healthy Regions' National Project Healthy Communities in the Slovak Republic (Box 4.8).

Box 4.8. Healthy Communities in the Slovak Republic

Healthy Regions is a state contributory organisation of the Ministry of Health, which works in eight regions in the Slovak Republic to improve Roma health outcomes (Prescriptec, 2021[87]). The Healthy Communities initiative began in the early 2000s as a community-based service, but it expanded in 2014 with the help of EU funding to be a national health programme of health mediators who provide culturally responsive care in hospital settings and in the community (Adamová, 2020[88]). Almost 90% of the 320 staff are from marginalised Roma communities and they are employed as mediators in 400 communities (Prescriptec, 2021[87]).

Health mediators are located in gynaecology, maternity and paediatrics departments in hospitals and facilitate exchanges between healthcare professionals, Roma women and their families. Mediators are trained in the social determinants of health, patient support and conflict management, hospital departments, healthy breastfeeding habits, psychosocial support for patients, discrimination mitigation practices, child delivery and the basics of infectious diseases. They improve communication – overcoming one of the main barriers for Roma people receiving care in mainstream settings – and help their clients prepare for the hospital stays to help relieve fear and uncertainty.

By working in hospital settings, health mediators also help to deconstruct negative stereotypes that healthcare practitioners may have about Roma people. Routinely working in close collaboration promotes intercultural understanding of the structural barriers Roma communities face, which can be one of the most effective ways of reducing ethnic discrimination (Adamová, 2020[88]). These types of policy interventions can be particularly effective for increasing access to health, social and community services for people from racialised communities, when community workers have a deep understanding of the population they are serving (OECD, 2023[89]). Their success relies on a strong relationship between the service user and their case manager, along with a thorough and individualised assessment of the user's needs and goals (Adams and Hakonarson, 2024[90]).

At the local level, the Ethnic Resources Team in Copenhagen provides a "cultural and linguistic bridge-building function" for older people from racialised communities, health services, and residential care (Healthy Diversity, n.d.[91]). The Ethnic Resources Team coordinates support for patients and their families during their interactions with the healthcare system and trains healthcare professionals on intercultural care issues, as well as providing language interpretation, and social and spiritual support with the local community (Healthy Diversity, n.d.[91]). The Health and Care Administration typically contact the Ethnic Resources Team on behalf of the client, and then Ethnic Resources Team matches the client to a support person based on their gender, age, religion, ethnic background, and language (Peder Lykke Centre, n.d.[92]; Peder Lykke Centre, 2022[93]). Support workers are trained to provide counselling and the service is available in over 100 languages (Peder Lykke Centre, n.d.[92]; IK Studie Centre, 2021[94]).

In contrast to culturally responsive health services, community-based services are relatively more available, particularly for people from racialised communities, persons with disabilities, LGBTI people and older people. These are services that are delivered primarily outside of mainstream healthcare settings, such as in the home or in a community centre (World Health Organization, 2016[95]). The *OECD Anti-Discrimination Questionnaire* reveals that almost 75% of respondents from the EU have community-based health services for persons with disabilities, and close to half have services for LGBTI people and older or younger people (Figure 4.3, Panel C).

In terms of good practices for LGBTI health care, regional Belgian governments finance RainbowHouse Brussels and Çavaria to provide community-based services in the Brussel-Capital Region and Flanders (Carpinelli et al., 2023[96]). These organisations advocate on behalf of the LGBTI community, provide guidance for workplaces and educators on LGBTI inclusion, raise awareness and improve the well-being

of LGBTI people, as well as designing their operations around the needs of their communities (Çavaria, 2024[97]; RainbowHouse Brussels, n.d.[98]). RainbowHouse Brussels hosts a café, social events and a range of community organisations specialising in support for young people, migrants, refugees and women, as well as lifelong learning services, legal support, health, cultural and leisure support (RainbowHouse Brussels, n.d.[98]). Çavaria operates Lumi, a Dutch-speaking hotline, email and chat service providing general and sexual health and well-being information, as well as information on discrimination, for LGBTI people and their friends, families, teachers and carers. People using Lumi generally seek information about gender, coming out, medical and social transition, relationships and love, well-being, mental health, discrimination, hate crimes, asylum seeker processes and parenting. Lumi volunteers receive ongoing training on emerging issues affecting LGBTI people (Lumi, 2023[99]).

Evidence from the United States and Europe indicates that community-based health care can be cost-effective, promote positive health behaviours and improve access to health services, particularly for low-income, racialised communities (Nickel and von dem Knesebeck, 2020[100]; Kim et al., 2016[101]). Focusing on community capacity building is crucial to fully realising the potential of such services (Nickel and von dem Knesebeck, 2020[100]). For example, a community nursing pilot in Austria, which involves capacity building for older people and carers, is showing promise in this regard (Box 4.9).

Box 4.9. Community nursing in Austria

A community nursing pilot programme has been underway in Austria since 2022 to improve the health literacy and well-being of older people, with the aim of ensuring they can remain in their own homes for as long as possible. The programme seeks to address unmet needs for health care in the home, as well as loneliness and social isolation among older people (and is in line with Austria's ageing equality mainstreaming approach, Chapter 5).

During the pilot, 150 nurses with at least two years of clinical experience will be deployed into the community, with the long-term goal of ensuring community nurses are available throughout the country. Nurses work in the community, in a practice or in the home, and they provide health care and support for older people, including identifying unmet needs, providing preventative care, information and advice to people and their families, as well as coordination with social supports to address social isolation (Community Nursing, 2024[102]; Mayer et al., 2022[103]). People typically enter the pilot following hospitalisation, as part of continuous care for chronic health conditions, because family members feel overwhelmed with caring responsibilities or because friends, family or community members are concerned that an older person cannot adequately care for themselves or are socially isolated. Through ongoing support, nurses build trust with the people they support, prompt their clients to focus on preventative health, improve clients' understanding of their health needs and available supports, help carers to feel more confident and prioritise their own well-being, and assist clients in resuming their social contacts and hobbies within their community (Institute for Applied Research on Ageing and Carinthia University of Applied Science, 2024[104]).

The pilot has been funded under the Recovery and Resilience Facility (NextGenerationEU) and is administered by the Austrian Federal Ministry of Social Affairs, Health Care and Consumer Protection, with the Austrian National Public Health Institute having responsibility for implementation, funding processes, educational activities, coordination and reporting (Mayer et al., 2022[103]; Community Nursing, 2024[102]). The pilot is being evaluated by the Institute for Applied Research on Ageing and the Health and Nursing degree programme at the Carinthia University of Applied Sciences.

Justice and safety

All OECD EU respondents to the *OECD Anti-Discrimination Questionnaire* have initiatives to ensure that people at risk of discrimination have access to justice, often through the support of equality bodies (Figure 4.3, Panel D). Equality bodies assist victims of discrimination, conduct research on people's experiences of discrimination and make recommendations for law and policy reform – although there are differences across countries, with some only covering employment-related issues, and others investigating discrimination complaints in many areas of life (including Austria, Belgium, Denmark, Finland, Ireland, the Netherlands and Sweden).

The recently passed *Standards for Equality Bodies ((Council Directive (EU) 2024/1499)* will strengthen the position of equality bodies to support all victims of discrimination, including by providing alternative dispute resolution, submitting observations to the courts and acting on behalf of victims in legal proceedings and in support of victims to defend the public interest. Equality bodies will have more power to make inquiries and decisions, as well as resources to raise awareness and contribute to discrimination prevention through consultation on legislative and policy changes, publishing equality data on the state of discrimination and reporting publicly on their functioning and progress. These reforms are aimed at increasing the visibility and effectiveness of equality bodies to combat victims' lack of knowledge about equality bodies and their beliefs that reporting discrimination will not lead to any changes. Recent surveys of people at risk of discrimination conducted by the FRA (2023[27]; 2024[29]) reveal that equality bodies are rarely used by victims, as less than 10% of LGBTI people and less than 5% of immigrants and descendants of immigrants report discrimination to equality bodies, mainly because they had limited awareness of equality bodies or felt that nothing would happen.

In addition to equality bodies, most OECD EU respondents to the *OECD Anti-Discrimination Questionnaire* provide services to address legal needs not necessarily related to discriminatory incidents (Figure 4.3, Panel D). Many services are targeted towards people from racialised communities, persons with disabilities, the young and LGBTI people, including Spain's LGBTI legal support service (Box 4.10).

Box 4.10. Spain's LGBTI legal support service

In Spain, LGBTI people can access a free telephone or online chat service called 028 Rainbow for information, legal advice, and psychosocial support if they or someone close to them have experienced any form of violence, including hate crimes, domestic violence and exclusion of children and students because of the sexual orientation. The service is based on the helpline for women facing gender-based violence, which has existed since 2007, and has been found to be part of Spain's effective and coordinated response to combatting gender-based violence (Borraz, 2024[105]; Spain Ministry of Equality, 2020[106]). Staff, who are trained to respond to issues facing people based on their sexual orientation, gender identity, gender expression or sexual characteristics are available 24 hours a day, every day of the week, and can provide support in Spanish, Catalan, Galician, Basque, English and French. Further, accommodations are made for people with hearing and/or speech disabilities. Once the caller's needs are evaluated, they are linked up to appropriate services (Spain Ministry of Equality, n.d.[107]).

In the first year of its operation since launching in July 2023, almost 10 000 calls were made to the telephone service, with 20% made after an episode of violence (mainly domestic violence and hate crimes), 17% seeking psychosocial support, 12% for legal support, followed by questions about rights and benefits, discrimination, gender identity, and situations of harassment and aggression (Morales, 2024[108]).

More than half of the surveyed OECD EU countries have also developed policing responses that are sensitive to groups at risk of discrimination, who may lack trust in the police or are vulnerable to police intimidation, coercion and profiling (Figure 4.3, Panel D). Most prominently, almost three-quarters of respondents have policing programmes to counter the risks faced by people from racialised communities (Figure 4.3, Panel D). In Belgium, Finland, Germany and the Netherlands, there is guidance on preventing racial profiling in policing, with specific instructions on how to conduct border and immigration checks, in some cases (European Union Agency for Fundamental Rights, 2024[47]). In Spain, guidance has also been developed for police interactions with persons with disabilities to ensure their human rights are protected.

Another common approach has been to develop community-based policing, such as the establishment of working groups with local communities to raise concerns and improve policing practice in Austria and Finland, and the creation of police liaison roles in Ireland (Box 4.11), Germany and the Slovak Republic, where officers are trained to exchange with marginalised communities, facilitate their interactions with the police and build trust. These officers can also identify risks and training opportunities within police departments to prevent discriminatory practices (European Union Agency for Fundamental Rights, 2024[47]).

Box 4.11. Community policing in Ireland

Ireland's community-based policing policy has evolved over the past 100 years since the establishment of An Garda Síochána (Ireland Policing Partnership Protection, n.d.[109]; Irish Community Policing Implementation Team, 2009[110]). It is a partnership-based model that prioritises a "proactive, problem-solving style of policing" through its focus on community engagement, crime prevention and policing that addresses quality-of-life issues affecting the local community (Garda National Community Engagement Bureau, 2023[111]).

Community-based policing has been rolled out across the country so that every street, home and business is patrolled by a member of the Community Policing Team. Team members are responsible for a range of non-emergency activities, such as engaging with victims (such as following up with victims of domestic violence), neighbourhood watch schemes, juvenile case management, liaising with ethnically diverse communities, monitoring people living in their communities who represent a risk to public safety (e.g. registered sex offenders), engaging with schools, being involved in special community projects and events, and supporting protective services (Garda National Community Engagement Bureau, 2023[111]).

While tailored policing responses are most commonly used to improve relations with racialised communities, there are also cases where they have been designed to meet the needs of LGBTI people. For example, France has LGBT police liaison officers who welcome victims, take their complaints and statements, and inform them of about legal action taken and the progress of proceedings. In addition, these officers investigate complaints about homophobic or transphobic behaviour by the police. LGBT police liaison officers have been championed as part of an effective strategy for fighting homophobia and transphobia by FLAG!, the LGBT association of French police, firefighters, and agents of the Ministries of the Interior and Justice. FLAG! was created in 2001, and is supported by the French Government, to improve relations between law enforcement and the public, supports victims of homophobia and transphobia, and spreads awareness among law enforcement officers, including students from all branches of the national police (FLAG!, 2024[112]).

In another example of tailored policing responses, every police department in Finland has a team specialising in youth work, which is part of a multidisciplinary network of social workers and psychiatric nurses that promotes the well-being of children and adolescents and prevents crime (called Anchor Work) (Finnish Police, 2024[113]; Finnish Police, 2024[114]). The network intervenes early to prevent offending from

escalating, and diverts adolescents out of the criminal justice system – acting as a "one-stop shop" for adolescents and their families to get the social and health supports they need (Finnish Police, 2024[113]). Along with referrals from the police, schools, family members and friends can reach out to their local Anchor Work Team if they are concerned about an adolescent in need (Finnish Police, 2024[114]). Adolescents that are connected with the Anchor Team may receive support if they are victims of domestic violence (Finnish Police, 2024[113]), and mediation services may also be offered to address youth offending. Mediation is based on restorative justice principles and allows victims to be heard, offenders to make amends and their social relations to the community to be maintained (Makhija et al., 2020[115]). In some cases, compensatory settlement agreements may also be agreed. Mediation is voluntary and it may be suggested by the victim, offender, the police, the prosecutor, or the social welfare services (Makhija et al., 2020[115]).

Inclusive products, services and public spaces

Over the past five years, products and services have become more inclusive for persons with disabilities in most OECD EU countries that responded to the *OECD Anti-Discrimination Questionnaire*. Almost 90% of respondents have, or are, increasing the accessibility of information, communication and technology products, transport systems and banking services (Figure 4.3, Panel E). This reflects the *EU Accessibility Act (2019/882)*, which requires EU Members to ensure these types of products and services meet specific standards concerning format, presentation, information and functionality.

In addition to complying with the *EU Accessibility Act (2019/882)*, many of the respondents to the *OECD Anti-Discrimination Questionnaire* go beyond these requirements by ensuring persons with disabilities can access assistive technologies in education settings, workplaces, justice settings and health services. Accessibility of the built environment has also been prioritised. Over the past five years, 80% of respondents have increased the accessibility of public services, while nearly 70% of done so for housing (Figure 4.3, Panel E). Accessibility standards for the built environment are based on several European (EN) and ISO Standards that have been adopted by EU Member States, along with EU Member States' national standards and guidelines (Accessible EU, 2023[116]). Some countries, such as Sweden, take an even broader view by incorporating disability inclusion throughout policy processes (Box 4.12).

While disability inclusion has been prioritised, some OECD EU countries have extended accessibility considerations to other grounds. France has introduced subsidies and legal measures to promote ageing well by redesigning public spaces, adapting housing to help people stay in their homes for longer and fighting social isolation. Ageing well and the social participation of older people are longstanding policy priorities in France – including with the introduction of solidarity-based intergenerational housing in the early 2000s. Efforts were ramped up during COVID-19, with the establishment of a free national phone line that older people could use for advice and psychological support when feeling lonely; dissemination of digital tools to keep families and friends connected; encouragement of local authorities to support older people; and mobilisation of local workers (e.g. post officers and building managers) to help older people with their daily tasks and to provide social connections (European Parliament, 2021[117]). (More information on France's ageing mainstreaming is presented in Chapter 5.)

In Brussels, public spaces have been assessed in terms of their accessibility for people from racialised communities. Brussels' Parliament moved to decolonise public spaces in 2020 by setting up a working group that reported in 2022 (Justice and Peace Commission, 2022[118]). The working group acknowledged that public spaces were not consistent with the vision for Brussels – where all residents could recognise themselves in public monuments – as the city is pockmarked with symbols and signs of its colonial past that preclude the inclusion of descendants of colonised people (The Working Group on the Decolonisation of the Public Space in Brussels, 2022[119]).

The working group developed a checklist to assess and transform the memory of existing statues, plaques and other symbols, and create new monuments that showcase Congolese, Rwandan and Burundian history, culture and art. Recommendations were also made on processes to create opportunities for

community dialogue before decisions are made about the public space, as well as introducing a national colonial period day and other awareness raising and reflection activities. These recommendations sought to prompt broader political, educational and social reflections to help combat the colonial legacy more systematically.

To date, these recommendations have not been implemented in full due to political concerns about the implications of reparations, but they embody an innovative approach to building inclusion for racialised communities by grappling with history and understanding amongst different groups (Colard, 2023[120]). Notwithstanding these concerns, the department for planning and heritage (urban.brussels) is implementing the recommendations that sit within its remit, including developing a methodology to analyse the colonial traces in permit applications for buildings, public spaces and parks (urban.brussels, 2023[121]).

Box 4.12. Comprehensive approach to disability inclusion in Sweden

In 2017, the Swedish Government set a goal to achieve equality in living conditions and full participation for persons with disabilities in society, based on the United Nations Convention on the Rights of Persons with Disabilities (Swedish Authority for Participation, 2023[122]). The goal is backed by a disability policy, which focuses on four areas (Swedish Authority for Participation, 2022[123]).

- Universal Design is embedded in national policies for architecture and design, procurement, standardisation and research (Erdtman, Rassmus-Gröhn and Hedvall, 2021[124]). The Housing Authority and Working Environment Agency administers regulations on the design of accessible physical spaces, which include contiguous tactile pathways, contrasting colours, simple and clear connections between premises, sufficient passage dimensions, no level differences, automatic door openers, easy-to-clean interiors, continuous ventilation and the use of low emission materials (Swedish Authority for Participation, 2024[125]). The focus on Universal Design ensures that the needs of all people are incorporated into the design process as much as possible without requiring adaptation after the fact.

- Barriers and deficiencies are identified by engaging with persons with disabilities and then removed systematically.

- Individual support and solutions to ensure everyone can participate and access publicly available services. Where Universal Design cannot meet an individual's needs, public service providers must be able to offer necessary supports.

- Preventing and counteracting discrimination by articulating the lack of accessibility as a form of discrimination, as well as implementing universal design, removing barriers and providing individualised support.

In terms of specific support to enable all people to have the opportunity to participate in society, Swedish governments help persons with disabilities live in their homes or in the community, rather than in institutional settings. Persons with disabilities may receive grants for housing adaptations, assistive technologies, transportation services for people with limited mobility, and personal assistance for people with extensive disabilities who need support in their daily lives. Supports are also available to promote inclusion in ECEC, school education, employment, cultural and leisure activities, as well as respite services for families with children with disability (Gustafsson, 2019[126]).

While responsibility for the disability goal is shared across relevant government agencies, the Swedish Authority for Participation has a role in ensuring the goal is achieved holistically. The Authority for Participation undertakes research and disseminates information on the living conditions of persons with disabilities, monitors public agencies' implementation, and guides social actors in improving the participation of persons with disabilities in many areas of life. Guidance is also provided to persons with

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disabilities so they can understand their rights and the support they are entitled to under Swedish law, including in relation to employment, health, education, justice, culture and leisure, crisis preparedness, transport, procurement, the physical environment, and assistance and guide dogs. Moreover, specific guidance is given to migrants and asylum seekers with disabilities, which highlights the intersectional framework that informs disability policy.

Anti-discrimination campaigns

Half of the respondents to the *OECD Anti-Discrimination Questionnaire* have national information campaigns to spread awareness of disability discrimination, while over 40% have campaigns focused on discrimination based on ethnicity and race or LGBTI status (Figure 4.3, Panel F). In most cases, campaigns are not explicitly designed to change people's behaviour, nor are they available in accessible formats for persons with disabilities or in multiple languages.

There are, however, some notable exceptions. Since 2015, Luxembourg has created campaigns to change negative stereotypes and fight racism. Art, exhibitions, films, games, graphic novels and school educational materials present personal and family histories, as well as places of historical significance to raise awareness of the lingering effects of colonialism, deconstruct stereotypes, build mutual respect and humanise the empirical evidence on discrimination in Luxembourg. Examples include the film *Schwaarze Mann – A Black Man Among Us* and its accompanying educational dossier and the exhibition, *Cliché – Society in Migration*, which provides educational resources in formal and informal settings in various formats to showcase the migration phenomenon and diversity in Luxembourg, and deconstruct stereotypes and prejudices associated with migration (Luxembourg Centre of Intercultural Education, 2024[127]; Luxembourg Centre of Intercultural Education, 2018[128]). These initiatives have been designed in collaboration with various government departments – including those with portfolio responsibility for education, culture, migrant integration, aid and development, human rights, housing and justice – artists and civil society organisations that support migrant workers and young people, and those focused on combatting racism.

In addition, the Danish Disability Council (n.d.[129]) produces campaigns to break down prejudices about persons with disabilities. Campaigns are designed for specific contexts such as school friendships and work, and available in various multimedia formats – such as podcasts, videos and educational materials for students, teachers, parents, colleagues and employers. Similarly, Germany's *Rainbow Portal!* shares information and guidance to increase understanding of the experiences of LGBTI people, their history in Germany, available support services and ways to improve service delivery (Bundesministerium für Familie, Senioren, Frauen und Jugend, 2024[130]). Practical guidance is available in German and English, and designed for healthcare professionals, daycare workers, residential care and youth workers to tailor their approaches to LGBTI people, including people with intersecting risk factors based on their age, disability and religion. The portal also includes documentary films on sport and coming out in the Catholic Church and books on the emancipatory history of LGBTI people in Germany.

In Greece, campaigns are focused on providing guidance for at-risk groups with limited awareness of their rights and support services. The Greek Ministry of Justice (2021[131]) publishes a guide for victims of racist hate crimes on the legal framework, victims' rights, actions victims can take and services that can assist them. The guide is supported by the visual campaign, *Speak Up – Report Hate Crime*, which was designed in collaboration with the European Network Against Racism, after the need for a multilingual information was identified at a workshop of the Racist Violence Response Unit of the Greek Police, the Racist Violence Recording Network and HIAS Greece, a refugee and asylum seeker service provider (European Commission, 2024[132]). Information is published in 10 languages (Greek, English, French, Farsi, Urdu, Arabic, Pashto, Albanian, Russian and Georgian), includes intersectional considerations such as hate crimes against persons with disabilities and LGBTI people, as well as information on how persons with

disabilities can access inclusive services. The guide is available in locations that are frequented by people at risk of racist hate crimes such as reception centres for migrants, civil society organisations, public hospitals and police and prosecution services. The choice of these languages reflects the composition of hate crime reports to police, with large proportions of victims from Afghanistan (15%), Pakistan (12%), Albania (9%) and Syria (7%) (Greece Ministry of Justice, 2020[133]).

4.5. Conclusion: Levels of legal and policy protections in OECD EU countries

The preceding sections have highlighted the breadth of legal and policy initiatives to promote equality and inclusion for groups at risk of discrimination. While Section 4.3 revealed gaps in the coverage of OECD EU countries' laws, this concluding section extends the analysis to policies and programmes for the countries that completed the *OECD Anti-Discrimination Questionnaire*. To compare the support received by each at-risk group, policy and law indices were constructed based on responses to the questionnaire (Box 4.13). These indices reflect the strength of laws and policies for combatting discrimination and promoting inclusion and equality for each at-risk group in each country that completed the questionnaire.

Figure 4.5 illustrates the scope of anti-discrimination laws and inclusion policies in each of the OECD EU countries that completed the *OECD Anti-Discrimination Questionnaire*. The panels show how the level of protection for each ground compares to the average level of protection across all grounds in each country. To interpret the figures, a score of 100% means that the protections for a particular ground in a given country are double the average level of protection in that country, which shows that this particular ground is better protected than other grounds (and vice versa for negative scores). A score of zero means that a particular ground has an average level of protection in that country. Since the levels of protection across grounds are assessed relative to the average level of protection in each country, comparisons cannot be made across countries.

When comparing the levels of legal and policy protections within countries, a few ley trends emerge. First, the legal protections in OECD EU countries do not vary as much as policy efforts because of the minimum standards required by EU law. The minimum standards encourage consistency in the legal protections across grounds, at least to some extent. As discussed in Section 4.3, EU anti-discrimination laws prohibit the same forms of discrimination and permit positive actions for all at-risk groups that are protected – namely, racialised groups, persons with disabilities, LGBT people, religious minorities, young people and older people. However, there are differences in the law indices across at-risk groups, reflecting the relative scopes of the *Racial Equality Directive (2000/43/EC)* and *Employment Equality Directive (2000/78/EC)*, as well as hate speech and hate crimes laws, and disability inclusion laws inspired by the EU accessibility legislation and the ratification of the UN Convention on the Rights of Persons with Disability.

In contrast, policy differences across protected grounds are more pronounced. Many OECD EU countries prioritise policy efforts for persons with disabilities and people from racialised communities. In some cases, this focus is linked to demographic factors. Countries with strong policy focuses on these grounds tend to have large proportions of persons with disabilities (in the case of Denmark, Germany, Greece, Latvia, Lithuania and the Slovak Republic) and populations of migrants and their descendants or Roma populations (Czechia, Spain, Germany, Ireland and Latvia) (OECD, 2020[3]). However, Austria and Poland have strong policy efforts in these areas, despite having relatively smaller population shares, reflecting their political commitments to disability equality and inclusion, as well as inclusion of older people (Chapter 5).

On the other hand, countries like Belgium, Finland, the Netherlands, Sweden and Luxembourg have policy initiatives to promote the inclusion and equality of all groups at risk of discrimination – as illustrated by the small differences (less than 50%) in the policy and law indices across protected grounds (Figure 4.5). These countries have longstanding political commitments to promote equality and inclusion across the board, which translate to the development policies for all at-risk groups in the array of fields covered

(employment, education and training, health and justice). This highlights the importance of coupling the design of policies that are specific to the needs of at-risk groups with mechanisms to embed the consideration of the effects of policy decisions on at-risk groups throughout policymaking processes (Chapter 5).

One final point is that this analysis provides a snapshot of recent efforts, but it does not fully capture the ongoing evolution of legal and policy initiatives. As described in Section 4.2, rights to non-discrimination and equality have expanded in many countries over the past twenty years, as has policy guidance from the EU (Annex 4.B). Countries like Spain are undertaking large-scale reforms, including the introduction of a comprehensive equality law in 2022 (Box 4.3) and the creation of a dedicated Ministry of Equality. Spain's commitment to eradicating discrimination through institutional reforms, including the redesign of its equality body, exemplifies the potential for transformative change.

These efforts demonstrate what can be achieved with a strong political commitment to equality, robust coordination of policy efforts, and active inclusion of at-risk groups in the policymaking process. Spain's initiatives offer valuable insights into how inclusive policy changes can be pursued effectively. The next chapter will further explore the concept of equality mainstreaming and its role in advancing these efforts.

> **Box 4.13. Constructing law and policy indices based on the *OECD Anti-Discrimination Questionnaire***
>
> Anti-discrimination law and inclusion policy indices were created to compare the breadth of protections and support across various at-risk groups – namely, based on ethnicity and race, disability, sexual orientation and gender identity, age and religion. For each OECD EU country that completed the *OECD Anti-Discrimination Questionnaire*, indices were constructed separately for each at-risk group to assess whether countries have prioritised anti-discrimination and inclusion efforts for particular grounds or have done so holistically. The indices distil the key elements of anti-discrimination laws and inclusion policies covered in the *OECD Anti-Discrimination Questionnaire* in a consistent way to ensure that comparisons across grounds are made on a like-for-like basis. The method used to construct the law and policy indices is similar to other OECD indices (such as the OECD LGBTI Inclusive Index (2020[9])), and described below.
>
> - The **law index** combines information on the number of forms of discrimination that are prohibited, the areas of life covered by anti-discrimination laws, whether positive actions are permitted and whether there is a requirement to make reasonable accommodations for persons with disabilities. First, a score is given based on the number of forms of discrimination that are prohibited for each protected ground (where a maximum score of 1 is given if all of the following are covered in law: direct and indirect discrimination, harassment, discrimination by association, assumption and instruction, multiple and intersectional discrimination, victimisation, segregation, hate crimes and hate speech). A similar scoring method is used for the number of areas of life regulated by the law (where a maximum score of 1 is given if employment, education and training, health, social services, justice, online and media, provision of and access to products, and housing are covered by anti-discrimination laws). Additional scores of 1 are given if positive actions are permitted. These scores are then summed and divided by 3 to create an overall score between 0 and 1, where 0 means there is no legal protection against discrimination and a score of 1 means all forms of discrimination are prohibited in all areas of life considered, as well as positive actions are permitted. For the disability ground, the law index also includes whether the law requires reasonable accommodations (0 for no, 1 for yes). This score is averaged with the other components for an overall score between 0 and 1.

- The **policy index** reflects countries' initiatives that are specifically designed for groups at risk of discrimination. It examines various types of initiatives that sit within the policy areas of employment, education and training, health, justice and safety, disability accessibility and awareness campaigns. The types of initiatives that are considered within each policy area are outlined in Figure 4.4. Each broad policy area receives a score between 0 and 1, where 1 is given if a country has examples of all the types of initiatives that are covered. For example, a country will score 1 for health policy if they have community-based programmes, targeted health campaigns and tailored care in mainstream settings, and 2/3 if they have two of these three initiatives. Finally, an overall policy score is calculated by averaging the scores of all broad policy areas.

- These indices give equal weighting to the components. Specifically, the number of forms of discrimination, areas of life, whether positive actions are permitted, and reasonable accommodations are given equal weighting in the law index. For the policy index, equal weightings are given to the broad policy areas of employment, education and training, health, justice and safety, disability accessibility and awareness campaigns. This aligns with the approach used to construct the OECD (2020[9]) LGBTI Inclusive Index, which gives equal weighting to general human rights provisions for all LGBTI people and specific protections based on sexual orientation and gender identity.

- A similar approach was taken to create an index of equality mainstreaming efforts, which were collected as part of the *OECD Anti-Discrimination Questionnaire.* More information about the construction of the mainstreaming index is included in Chapter 5, while Chapter 3 provides an overview of the law, policy and mainstreaming indices.

Figure 4.4. Visual representation of the law and policy indices
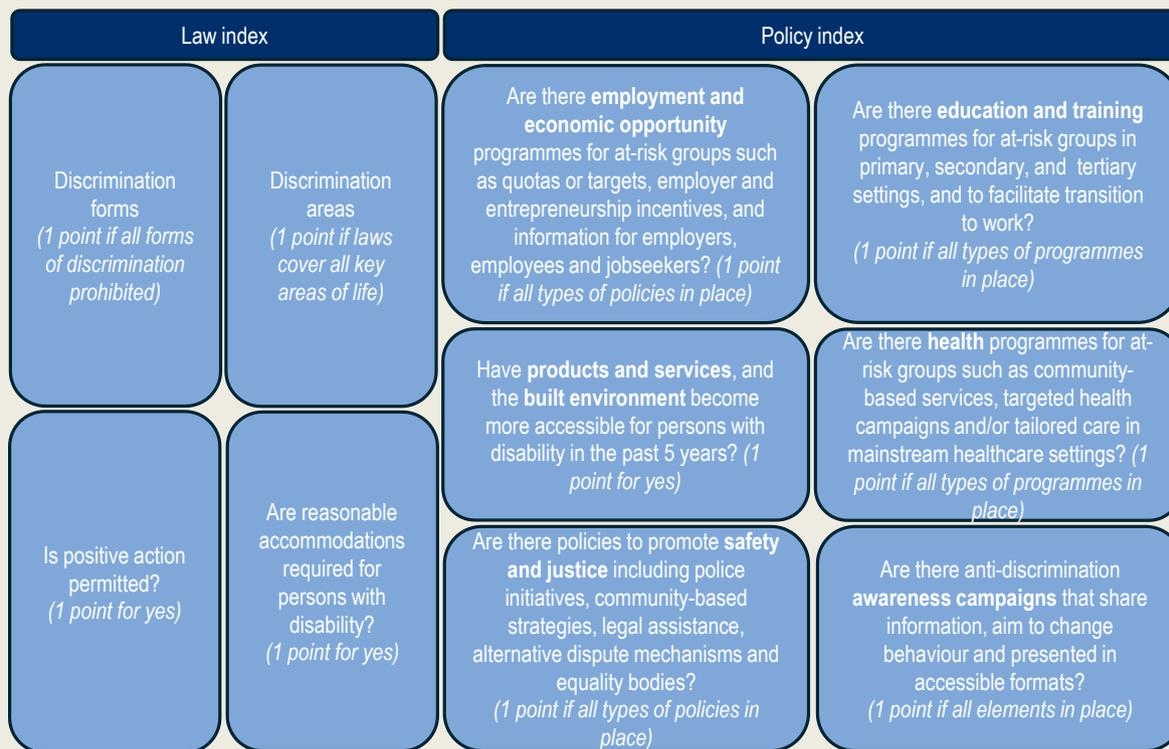
Source: Based on the *OECD Anti-Discrimination Questionnaire.*

Figure 4.5. There is more variation in equality policies than anti-discrimination laws across OECD EU countries
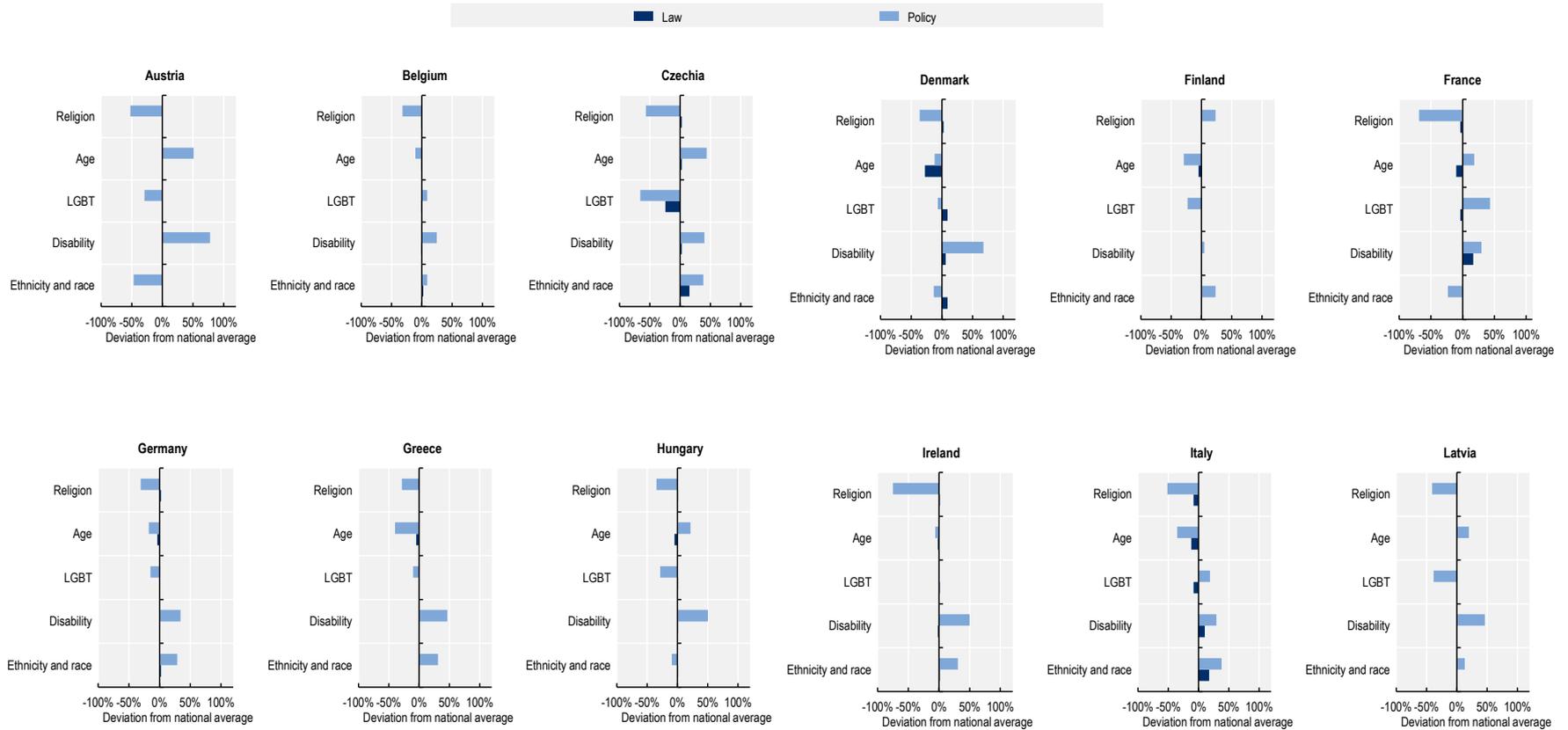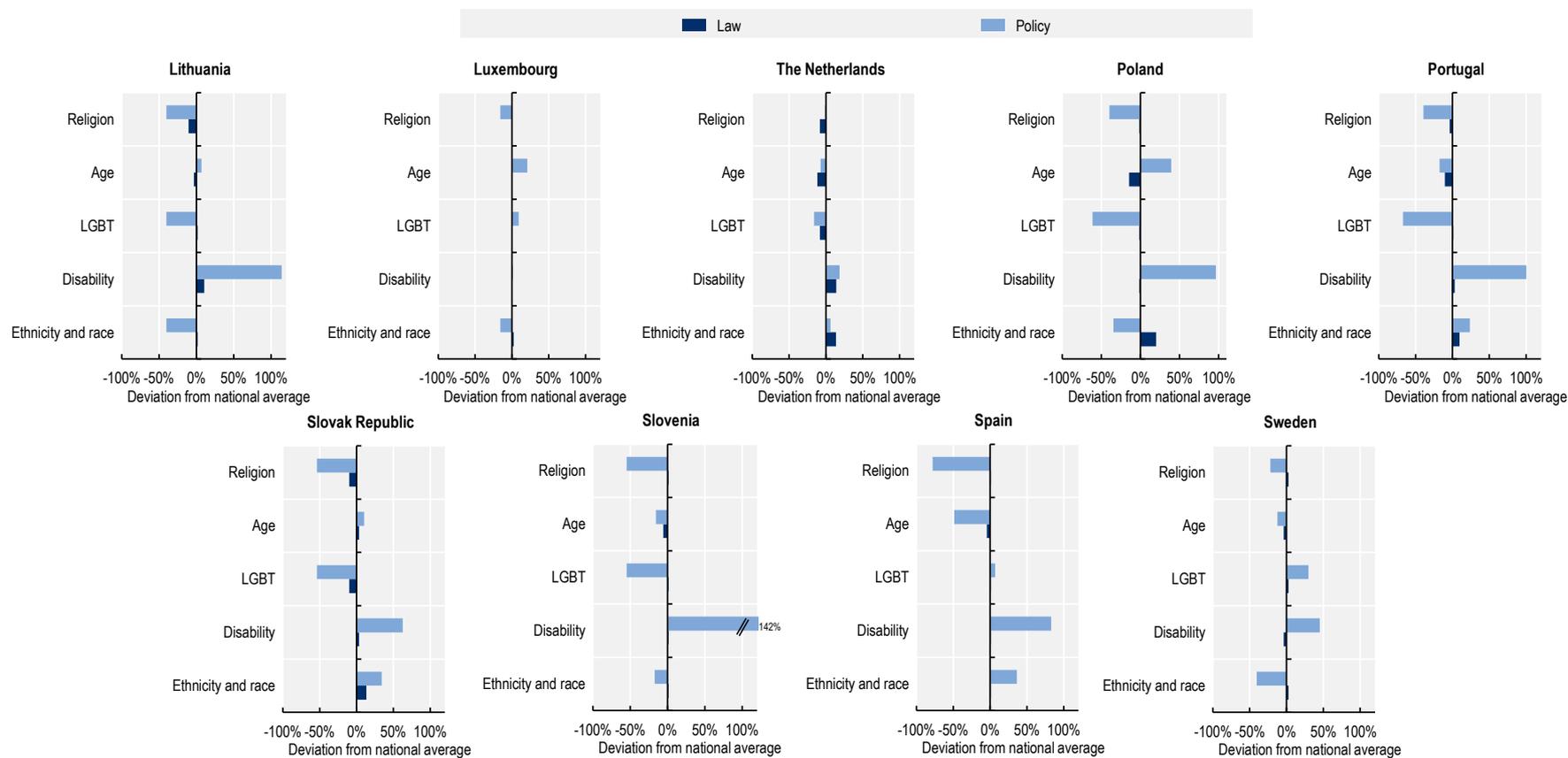
Note: These figures present the percentage difference between the levels of legal and policy protection for each ground and the average levels of protection across grounds. Average levels of protection are calculated separately for each country. The levels of legal and policy protections are calculated in line with Box 4.13. The figures show how the level of protection for each ground compares to the average level of protection across all grounds in each country. To interpret the figures, a score of 100% means that the protections for a particular ground in a particular country are double the average level of protection in that country (and vice versa). A score of zero means that a particular ground has an average level of protection in that country. Since the levels of protection across grounds are assessed relative to the average level of protection in each country, comparisons cannot be made across countries.

Source: OECD analysis based on the *OECD Anti-Discrimination Questionnaire.*

StatLink ᔎ᎒ᔍ https://stat.link/yjb7dx▫

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https://zeroproject.org/view/project/def9fe37-3612-eb11-a813-000d3ab9b226 (accessed on
21 October 2024).

Annex 4.A. Public support for anti-discrimination measures and perceptions of effectiveness

This annex presents evidence on people's views on the desirability of anti-discrimination initiatives from the *Opportunities Module of the 2022 OECD Risks that Matter Survey*. In the OECD EU countries surveyed, more than half of respondents support additional policies to fight discrimination based on disability (and social class), and 42% want more efforts directed at fighting ethnic and racial discrimination. In contrast, only 28% support further efforts against religious discrimination and 38% desire more initiatives to fight LGBT discrimination. Not only is there less support for further policy action to fight religious and LGBT discrimination, but 15% of respondents believe that efforts have gone too far (compared to only 4% for disability discrimination).

The average levels of support for policies to fight discrimination conceal stark differences within the population. As shown in Panel A of Annex Figure 4.A.1, support is greatest among people who state that they have experienced discrimination, particularly if they are women. Younger people who report they have experienced discrimination tend to be more supportive of policy action than older people, except when it comes to efforts to fight age- and disability-discrimination, which are more likely to be of concern to older people (Annex Figure 4.A.1, Panel B).

Levels of anti-discrimination policy support are similar to the patterns of social acceptance of groups at risk of discrimination, as Europeans on average are more accepting of persons with disabilities and ethnic minorities (excluding Roma people), in comparison to LGBTI people and religious minorities (Chapter 3, Hardy and Schraepen (2024[11])). They also reflect views on the levels of protection and the effectiveness of countries' policies reviewed in the *OECD Anti-Discrimination Questionnaire*. In general, there is less support for additional efforts to fight discrimination in countries where people believe efforts are effective (Annex Figure 4.A.2, Panel A), and where there are comprehensive laws and policies (Annex Figure 4.A.2, Panel B). For example, in Finland and Denmark, people believe their governments' efforts to fight discrimination are effective and more does not need to be done. There are, however, outliers like Ireland, where there are wide-ranging efforts to fight discrimination and public perceptions that these efforts are effective, but people think more could been done.

Annex Figure 4.A.1. Public support is greatest for doing more to fight discrimination based on disability, social class, sex and ethnicity or skin colour

Share of respondents who believe efforts have not gone far enough to fight discrimination on various grounds, by self-reported experience of discrimination, sex and age OECD EU 17 average, 2022
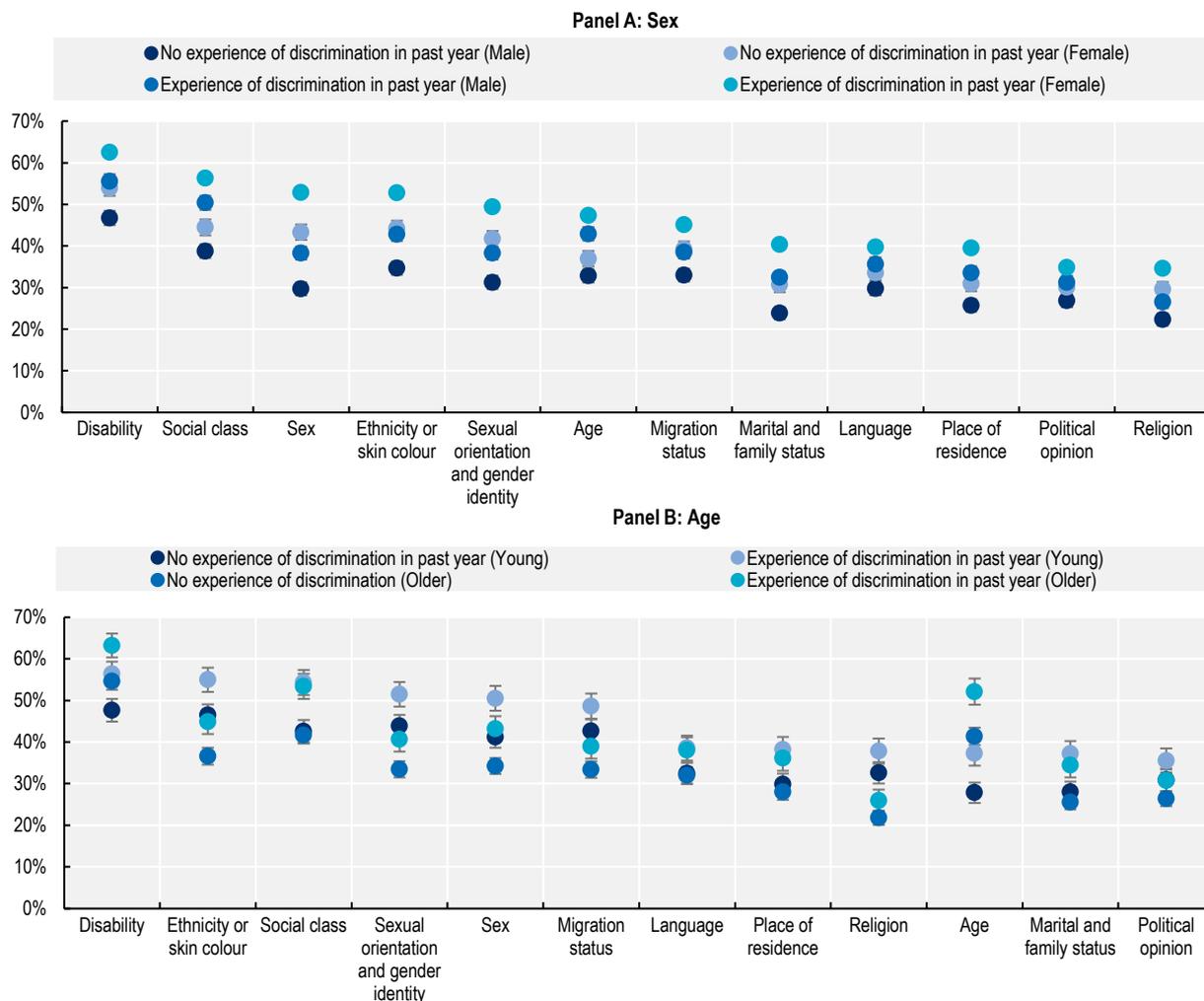
Note: The dots represent the share of each group that believes more needs to be done to fight discrimination and the whiskers are the 95% confidence intervals. Survey respondents were asked if they had ever felt discriminated against or harassed, as well as whether they believe that "efforts have gone too far", "efforts are about right", "efforts have not gone far enough", or "can't choose" to fight discrimination based on ethnicity and skin colour, language, disability, sex, sexual orientation and gender identity, religion or belief, migrant status, age, social class, place of residence, marital or family status and political opinion. In Panel B, young refers to respondents aged under 35 and older respondents are those aged 55 and over. EU countries covered in the survey are Austria, Belgium, Denmark, Estonia, Finland, France, Germany, Greece, Ireland, Italy, Latvia, Lithuania, the Netherlands, Poland, Portugal, Spain, and Slovenia.
Source: OECD calculations based on the *Opportunities Module of the OECD* (2022[134]) *Risks that Matter Survey*, OECD Publishing, Paris, https://www.oecd.org/en/about/programmes/oecd-risks-that-matter-rtm-survey.html.

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Annex Figure 4.A.2. Countries with comprehensive anti-discrimination protections are more likely to view their policies as effective and sufficient

Correlations between public preferences for more anti-discrimination action, countries' current anti-discrimination settings and public views on the effectiveness of anti-discrimination actions
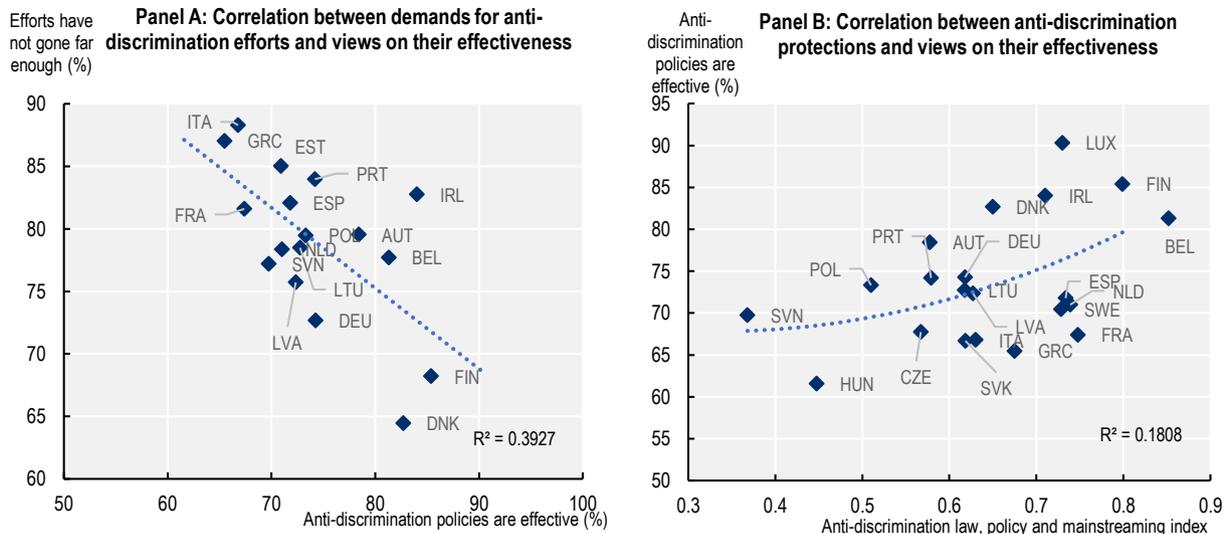
Note: Panel A shows the correlation between OECD EU countries' demands for additional policy efforts to fight discrimination (from the *Opportunities Module of the 2022 OECD Risks that Matter Survey*) and OECD EU countries' views on the effectiveness of anti-discrimination initiatives in their country (from the 2023 *Discrimination in the European Union*, Special Eurobarometer SP535). *The Opportunities Module of the 2022 OECD Risks that Matter Survey* asked respondents if they believe "efforts have gone too far", "efforts are about right", "efforts have not gone far enough", or "can't choose" to fight discrimination based on ethnicity and skin colour, language, disability, sex, sexual orientation and gender identity, religion or belief, migrant status, age, social class, place of residence, marital or family status and political opinion. The share of responses for "efforts have not gone far enough" were aggregated across grounds of discrimination for each country. The 2023 2023 *Discrimination in the European Union Eurobarometer* asked respondents, on a scale of 1 to 10, if they believe efforts made in their country to fight all forms of discrimination are effective (where 1 means they believe efforts are 'not at all effective' and 10 means they believe efforts are "very effective"). Scores above 5 are interpreted as denoting beliefs that policies are at least moderately effective. The shares of respondents in each country who believe that anti-discrimination policies are effective are presented. In Panel B, the correlation between OECD EU countries' views on the effectiveness of anti-discrimination initiatives (from the 2023 *Discrimination in the European Union*, Special Eurobarometer SP535) and the law, policy and mainstreaming index is presented. The method for constructing the law index and the policy index is described in Box 4.13 and methodological details for the mainstreaming index are outlined in Chapter 5. These three indices were averaged to create an aggregate anti-discrimination law, policy and mainstreaming index. The interpretation of the anti-discrimination law, policy and mainstreaming index is as follows: a score of 1 means that the country has comprehensive anti-discrimination laws (prohibiting a broad range of forms of discrimination across key areas of life, permitting positive actions and requiring reasonable accommodations for persons with disabilities), as well as a suite of policies and programmes that are tailored to the needs of at-risk groups in employment, education and training, health, justice, public accessibility and awareness campaigns. Finally, a score of 1 also requires a country to have robust equality and inclusion mainstreaming practices in relation to policy coordination mechanisms, stakeholder engagement processes, staff training, policy and programme evaluation and data collections. For the line of best fit in Panel B, Belgium is excluded, as it is not directly comparable with the other OECD EU countries that responded to the *OECD Anti-Discrimination Questionnaire*. Belgium's response to the *OECD Anti-Discrimination Questionnaire* comprised national and regional policies and mainstreaming efforts, which differs from the national approach of all other questionnaire respondents, which comprise Austria, Czechia, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Hungary, Latvia, Lithuania, Luxembourg, the Netherlands, Poland, Portugal, Slovak Republic, Slovenia, Spain and Sweden.

Source: OECD analysis based on the *OECD Anti-Discrimination Questionnaire*, the *Opportunities Module of the OECD* (2022[134]) *Risks that Matter Survey*, OECD Publishing, Paris, https://www.oecd.org/en/about/programmes/oecd-risks-that-matter-rtm-survey.html and on the European Commission (2023[1]), *Discrimination in the European Union,* Special Eurobarometer SP535, https://europa.eu/eurobarometer/surveys/detail/2972.

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Most people who report experiencing discrimination support actions to fight discrimination, particularly if they are women (Annex Figure 4.A.3). Public support is greatest for initiatives that do not put much of an imposition on the private sector, such as the provision of more information. The most preferred option is to increase information in employment spheres – in relation to increasing pay transparency and corporate guidelines to fight discrimination. These types of initiatives are also broadly supported by people who do not self-report experiencing discrimination.

People who self-report discrimination are more likely than the rest of the population to favour proactive initiatives to ensure people's equal rights and opportunities, such as legislative change, dedicated and community-based health, education, justice and housing services for people at risk of discrimination, introducing diversity training and creating information and awareness campaigns (Annex Figure 4.A.3). However, there is relatively less support for the types of initiatives that involve mandating representation of at-risk groups, even among people who report having experienced discrimination. Indeed, creating jobs and positions for at-risk groups in politics and education has the least amount of support, and is the only policy option that is not supported by the majority of the population (Annex Figure 4.A.3).

Annex Figure 4.A.3. On average, public support is stronger for information-based initiatives than for efforts that are more prescriptive, such as quotas

Share of respondents that support measures to fight discrimination, by self-reported experience of discrimination and sex, OECD EU 17 average, 2022
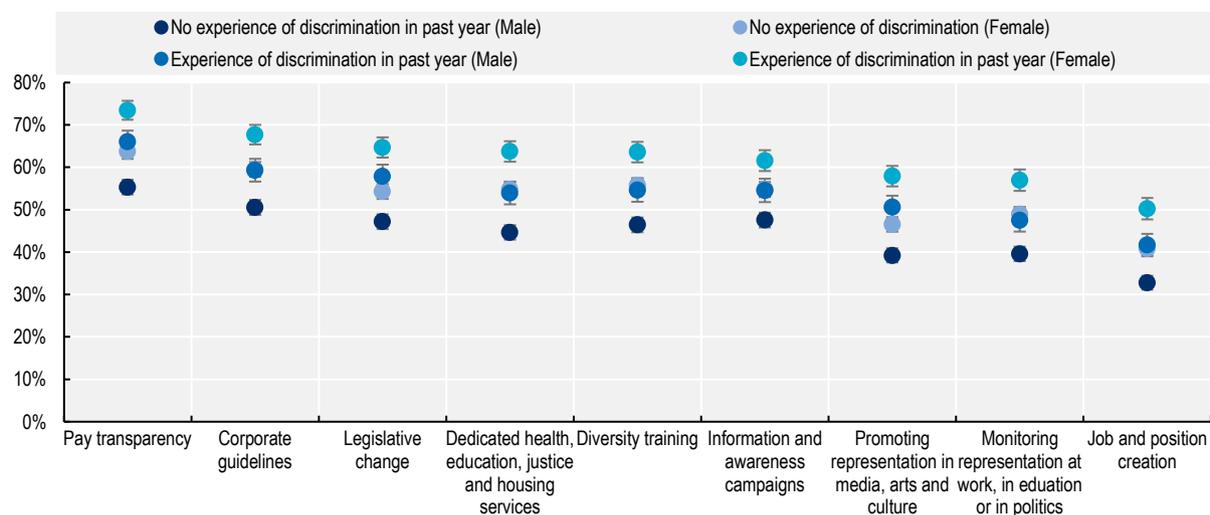
Note: The dots represent the share of each group that support the specified policy actions and the whiskers are the 95% confidence intervals. Survey respondents were asked if they had ever felt discriminated against or harassed, as well as to what extent they support or oppose the following measures to foster diversity and fight discrimination: "change legislation to enable equal participation in society and the economy", "introduce diversity training at work and in education, healthcare, justice and housing services", "invest in dedicated health, education, justice and housing services that make discriminated groups comfortable and safe", "monitor the representation of groups at risk of discrimination at work, in education or politics", "create jobs, political positions, and university places for discriminated groups", "increase pay transparency to reduce wage gaps", "create guidelines for the corporate world to fight discrimination including in recruitment", "promote a fair representation of minorities in media, the arts and culture", and "invest in information campaigns to raise awareness of discrimination and change community attitudes". Respondents could select from "totally oppose", "somewhat oppose", "neutral", "somewhat support", "totally support", and "can't choose". Young refers to survey respondents aged under 35 and older is anyone aged over 55. EU countries covered in the survey are Austria, Belgium, Denmark, Estonia, Finland, France, Germany, Greece, Ireland, Italy, Latvia, Lithuania, the Netherlands, Poland, Portugal, Spain, and Slovenia.
Source: OECD calculations based on the *Opportunities Module of the OECD* (2022[134]) *Risks that Matter Survey*, OECD Publishing, Paris, https://www.oecd.org/en/about/programmes/oecd-risks-that-matter-rtm-survey.html.

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Annex 4.B. Key EU legal and policy developments

The EU's anti-discrimination legislative and policy framework has expanded over the past 60 years. When protections against nationality discrimination and equal pay for women were introduced in 1957, as part of the EEC Treaty, anti-discrimination protections were geared towards realising a common market rather than guaranteeing fundamental rights (Bell, 2021[135]). There was, however, a pivot towards fundamental rights in the subsequent 20 years, with the development of international legal instruments, including the UN Covenant on Civil and Political Rights in 1967, and through decisions of the Court of Justice of the European Union, which expanded the list of prohibited forms of sex-based discrimination (Howard, 2009[136]; de Witte, 2010[137]). By the 1980s, the Court of Justice of the European Union had articulated key legal concepts including indirect sex-based discrimination, victimisation, the principle of causation (i.e. no need for intention or motivation required to claim redress) and shifting the burden of proof from complainant to alleged perpetrator (Ellis and Watson, 2012[138]).

Anti-discrimination protections continued to expand after the 1970s, firstly in response to concerns about racial discrimination in the context of the politicisation of migration (Bell, 2002[139]). In 1984, the European Parliament, European Commission, and Council adopted the Joint Declaration Against Racism and Xenophobia, and in 1997, the Amsterdam Treaty extended anti-discrimination protections to people based on their racial or ethnic origin, religion or belief, disability, age or sexual orientation – which was followed by the introduction in the 2000s of the *Racial Equality Directive (2000/43/EC)*, the *Employment Equality Directive (2000/78/EC)*, the Charter of Fundamental Rights and the European Pillar of Social Rights. Meanwhile, rulings by the Court of Justice of the European Union established discrimination by association and assumption (or perception), and broadly interpreted reasonable accommodations for persons with disabilities (Howard, 2018[140]).

Legal developments in the 1990s and 2000s marked a turning point in the significance of equality as a policy objective in its own right. Equality was treated as a distinct concern, independent of policies that were traditionally associated with anti-discrimination considerations such as immigration or the internal market (Muir, 2018[141]; de Búrca, 2006[142]; Givens and Case, 2014[143]). Civil society organisations, equality networks and fundamental rights bodies had greater scope to influence policies and laws, notably in the final wording of the *Racial Equality Directive* and the *Employment Equality Directive* (Givens and Case, 2014[143]). The importance of equality and inclusion as policy objective was articulated in the European Pillar of Social Rights in 2017, the Union of Equality in 2019 (Von Der Leyen, n.d.[144]), and the associated equality strategies: *Gender Equality Strategy 2020-2025,* the *EU Anti-Racism Action Plan 2020-2025,* the *EU Roma Strategic Framework for Equality, Inclusion, and Participation 2020-2030;* the *LGBTIQ Equality Strategy 2020-2025,* and the *Strategy for the Rights of Persons with Disabilities 2021-2030.* These strategies flag potential legislative changes, including disability accessibility standards for products and services, a European Disability Card, and have prompted developments in the policy areas of employment and economic opportunity, education, health and justice and safety, for example:

- the European Pillar of Social Rights Action Plan (2021[145]) highlights the importance of EU funds for supporting national, regional, civil society efforts to combat stereotypes and discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation in employment, training, education, social protection, housing and health.

- the Working Group on Equality and Values in Education and Training, formed in 2021 as part of the European Education Area, is investigating discrimination in education and training systems,

and structural reforms to promote equality for students from racialised communities, students with disability and LGBTI students (European Commission, 2021[146]; European Commission Working Group on Equality and Values in Education and Training, 2023[147]).

- the European Health Union, which was established in response to the COVID-19 pandemic, but has evolved to promote health equity and access as a fundamental right (European Commission, 2024[148]). The European Health Union is underpinned by the European Comprehensive Approach to Mental Health (2023[149]), Healthier Together – the EU Non-Communicable Diseases Initiative (2022[150]) and Europe's Beating Cancer Plan (2021[151]), and the associated European Cancer Inequalities Register, which recognise, and seek to reduce, the inequalities in healthcare access and health outcomes for people based on their sex, age, disability status, ethnicity and material living standards. The European Cancer Inequalities Register now publishes data on prevention and care by age, sex, disability, income, education, urbanisation and country (European Commission, n.d.[152]).

- the EU's Social Economy Action Plan (2021[153]), which presents options to increase economic and employment opportunities for older and younger people, people from racialised communities, persons with disabilities. Moreover, the EU has a range of initiatives to enhance employment, social and education opportunities for young people and persons with disabilities, including the reinforced Youth Guarantee (2020[154]) and the Disability Employment Package (2022[155]).

- the EU High Level Group on Combatting Hate Speech and Hate Crime (2023[156]) has produced guidance to law enforcement agencies and other national authorities to assist in strengthening cooperation and partnerships with civil society organisations to prevent, and respond to, hate crimes. This guidance was prepared in addition to EU efforts to enact laws to protect victims' rights.

Most recently, legislative changes were made in May 2024 to enhance the effectiveness of national equality bodies to support victims and prevent discrimination. Equality bodies will have to: be independent and impartial; guarantee access to all and ensure there are no barriers for victims making discrimination complaints; investigate complaints, provide information to victims and act on the behalf of victims in court proceedings; raise awareness; be sufficiently resourced to undertake their activities; collect and publish equality data to assess the state of discrimination; be consulted on legislative and policy changes; and report publicly on their functioning and progress (Council Directive (EU) 2024/1499). EU Members have until June 2026 to transpose this directive into national law.

Notes

[1] For example, via the EU Charter of Fundamental Rights and the European Pillar of Social Rights.

[2] In addition, the EU has made great strides to combat sex-based discrimination and inequalities, with the help of *the EU Gender Equality Directive (2006/54/EC)* and gender equality mainstreaming. These initiatives, however, are outside the scope of this study, which focuses on discrimination based on ethnicity and race, disability, sexual orientation and gender identity, religion and age, as well as the intersections of these forms of discrimination with sex-based discrimination.

[3] A note on terminology: in this chapter, inclusive language is used as much as possible when referring to LGBTI people, persons with disabilities and people from racialised communities. The term "racialised communities" is based on the European Commission Against Racism and Intolerance's (2021[168]) definition, in which racialisation is 'the process of ascribing characteristics and attributes that are presented as innate to a group of concern to it and of constructing false social hierarchies in racial terms and associated exclusion and hostility. Regardless of where one is from and of personal circumstances, once

identified or perceived as a member of a group, one is deemed as embodying characteristics based on, for instance, skin colour, ethnic or national origin inherent to all members of that group". The terms "at-risk groups" and "minority groups" are used interchangeably. However, in some cases, alternative language is used to align with research and policy documents, and in order to present findings accurately. For example, the *OECD Anti-Discrimination Questionnaire* only asked about anti-discrimination laws based on a person's sexual orientation and/or gender identity, and as such the term LGBT is used when referring to countries' legal responses.

[4] The effect of the Americans with Disabilities Act on the employment of persons with disabilities is not clear cut. Some researchers suggest that the legislation may have created perceptions of higher costs among employers, given the requirement to provide accommodations for persons with disabilities, as well as hiring, firing and pay regulations (Acemoglu and Angrist, 2001[7]). However, others point to alternative explanations for the decrease in employment of persons with disabilities, including the recession in the early 1990s (Weber, 1998[12]), and the expansion of Social Security Disability Insurance eligibility and benefits during the 1990s (Autour and Duggan, 2003[171]; Moore, 2021[158]). Further, some research points to the laws encouraging persons with disabilities to increase their educational participation (Jolls, 2004[167]), while recent survey evidence reveals that the costs to employers of creating reasonable accommodations for persons with disabilities are low and decreasing (Job Accommodation Network, 2023[157]).

[5] The OECD EU countries that responded to the *OECD Anti-Discrimination Questionnaire* were Austria, Belgium, Czechia, Denmark, Estonia, Finland, France, Germany, Greece, Ireland, Italy, Latvia, Lithuania, Luxembourg, the Netherlands, Poland, Portugal, the Slovak Republic, Slovenia, Spain and Sweden.

[6] The *OECD Anti-Discrimination Questionnaire* asked countries about the policies and legal protections based on gender identity. While EU anti-discrimination laws do not expressly protect gender identity, the Court of Justice of the European Union has ruled that the *EU Gender Equality Directive (2006/54/EC)* covers gender reassignment (in which a person's gender is legally recognised) (European Commission, 2020[161]). In addition, the Council of Europe's *Recommendation CM/Rec(2010)5* extends anti-discrimination protections to gender identity (which refers to an individual's deeply felt experience of gender) (European Parliament, 2010[163]) and European Human Rights Court has established case law prohibiting discrimination based on sexual orientation and "have contributed to the advancement of the protection of the rights of transgender persons". In light of these legal developments, many OECD EU countries treat gender identity discrimination as a form of sex/gender discrimination, but the nature of protection is similar to that afforded to sexual orientation. The exception is Estonia, where gender identity protections apply outside of employment to education and access to goods and services (whereas sexual orientation is only protected in employment-related areas). More information on each country's treatment of gender identity discrimination is provided in the note to Figure 4.3.

[7] Culturally responsive services are respectful of everyone's backgrounds, beliefs, values, customs, knowledge, lifestyles and social behaviours. Being respectful helps to provide care and support that is appropriate for an individual. It requires service deliverers to understand different cultures and risks people face, to be aware of their own cultural biases, and to respond to individuals' circumstances, feelings and attitudes. Examples of culturally responsive services include providing language support, meeting food preferences and accommodating religions and spirituality at meaningful points (such as hospice care) (Agency for Clinical Innovation, 2024[169]).

[8] Universal Design aims to make infrastructure, goods and services accessible to people of all ages, sizes and abilities, thereby making products and services more usable to everyone, not just persons with disability. The design should accommodate individual preferences and abilities; communicate necessary

information effectively; and minimise the need to make adaptations, although products should be compatible with assistive technology and other necessary adaptations (University of Washington, 2022[170]).

9 However, as a sign that people can access justice, less than 10% of Black and Muslim respondents said they did not report a discriminatory incident because they did not understand their rights or legal recourses, or they were afraid of being treated poorly or facing language barriers (European Union Agency for Fundamental Rights, 2024[28]; European Union Agency for Fundamental Rights, 2023[27]).

10 The exception is Belgium, which included examples of policies, programmes and mainstreaming practices from the regions of Wallonia, Flanders and the Brussels-Capital Region when completing the *OECD Anti-Discrimination Questionnaire*. Belgium's regional policies and practices are incorporated into the analysis of gaps in Belgium's initiatives, as well as in identifying good practices in Europe. However, Belgium is not directly comparable to other OECD EU countries, which only provided national-level examples.

11 The Court of Justice of the European Union has ruled that the EU Gender Equality Directive (2006/54/EC) applies to gender reassignment (where a person's gender is legally recognised). All OECD EU countries have similar protections against discrimination based on sexual orientation and gender identity, except in Estonia, where protections apply in education, and the access and provision of goods and services for gender identity, but not for sexual orientation (see Figure 4.3 note).

12 Positive actions are not explicitly permitted in Latvia or Slovenia, in France outside the ground of disability, in the Netherlands outside of ethnic or racial origin, and disability, or in the Slovak Republic outside of ethnic or racial origin, age and disability.

13 However, there are open infringement cases against three Member States for incorrect or incomplete transposition.

14 In addition, the *EU Digital Services Act (Regulation EU 2022/2065)* sets requirements on online service providers to remove content that is discriminatory hate speech or a hate crime in all EU countries. This Act applies automatically and does not have to be transcribed into national legislation.

15 The Council is considering a proposal to extend hate crime and hate speech protections to people based on their disability status, sexual orientation, gender and age (European Parliament, 2024[166]).

16 During the 2024-2028 institutional mandate, the Parliament, the European Commission and the Council are negotiating amendments to the Victims' Rights Directive. The proposed amendments include improving victims' access to information, better aligning protection measures with the needs of vulnerable victims (such as children and persons with disabilities), increased access to specialist support for vulnerable victims, more effective participation in criminal proceedings for victims, and facilitated access to compensation from the offender (European Commission, 2023[160]).

17 If passed, the Irish Criminal Justice (Incitement to Violence or Hatred and Hate Offences) Bill 2022 would establish bias-motivated crimes.

18 The difference between bias-motivated crimes and criminal offences with a discriminatory aspect boils down to the intention to commit the crime. People who commit bias-motivated crimes do so because of their hatred or prejudice towards a person or group, whereas criminal offences with a discriminatory aspect

target a victim because they can be exploited on the basis of their protected characteristics. Most hate crime legislation is based on the bias-motivation model (Chalmers and Leverick, 2017[159]).

[19] The Court of Justice of the European Union has found that indirect discrimination in the *Employment Equality Directive (2000/78/EC)* covers discrimination by association for people who experience discrimination or harassment in the field of employment because they are associated with someone who has a disability (*S. Coleman v Attridge Law and Steve Law*, C-303/06, 17 July 2008). Similarly, in *CHEZ Razpredelenie Bulgaria AD v Komisia za zashtita ot diskriminatsia* (C-83/14, 16 July 2015) the Court of Justice of the European Union found that the scope of the *Racial Equality Directive (2000/43/EC)* extends to a person's presumed origin or by their association, as the plaintiff was discriminated against because of her association with the Roma community even though she did not possess the protected characteristic (Grozev, 2015[164]).

[20] In Timishev (*ECtHR 2005, nos 55762/00 and 55974,00)*, the European Court of Human Rights found that restricting the movement of people based on their actual or perceived ethnicity constituted unequal treatment on account of ethnicity.

[21] Denmark does not cover multiple discrimination in their national legislation, but has relevant civil court cases and equality body decisions.

[22] While multiple discrimination is not explicitly prohibited in legislation or considered in case law, there is an implicit reference to multiple discrimination as a genal aggravating circumstance in Luxembourgish Criminal Code.

[23] Austria's Federal Disability Equality Act (2005), for example, includes the objectives to ensure the equal participation of persons with disabilities in society and enable them to live self-determined lives. In pursuit of these aims, the law articulates obligations on the federal government to enact appropriate and specifically necessary measures to enable people with disabilities to access its services, with a particular emphasis on making public service buildings accessible to persons with disabilities.

[24] Key legislative instruments include the *European Accessibility Act Directive (EU) 2019/882*, regulations on the *Rights of Passengers with Reduced Mobility, Web Accessibility Directive (EU) 2016/2102*, and the EU-wide accessibility standards.

[25] Core health services include consultations with doctors, tests and examinations, and hospital care.

[26] School programmes are a set of educational activities designed to achieve learning objectives or accomplish educational tasks (UNESCO Institute for Statistics, 2012[165]).

[27] For example, religious people who believe in divine influence tend to prefer less information about their condition than non-believers, while people from some Asian cultures may demonstrate denial and stolidity about illness and it can be perceived as inappropriate for a clinician to give a diagnosis to a patient with Egyptian descent instead of their family (De-María, Topa and López-González, 2024[162]).

5.   Mainstreaming equality and non-discrimination throughout policymaking processes

Mainstreaming has been at the heart of the European Union's efforts to foster equality and combat discrimination for the past 30 years. Mainstreaming creates an environment in which equality and non-discrimination are considered throughout policymaking processes, instead of being afterthoughts. EU policy guidance and funding arrangements are powerful enablers of national mainstreaming efforts. National mainstreaming approaches are well developed in many OECD EU countries that responded to the *OECD Anti-Discrimination Questionnaire* (at least with respect to the grounds of disability, ethnicity and race and age). However, some countries have adopted broader, more comprehensive approaches, with cross-cutting strategies that address all grounds of discrimination, supported by government-wide coordination, stakeholder collaboration, robust equality data, and systems for evaluation and knowledge sharing. These examples could be instructive for deepening mainstreaming across the EU.

As discussed in the previous chapter, policies tailored to the specific needs of groups at risk of discrimination are important for addressing barriers in accessing employment, education and training, health and justice. Most OECD EU countries have policies that strive to enhance the equality of opportunity for groups at risk of discrimination including people from racialised communities, persons with disabilities, lesbian, gay, bisexual, transgender and intersex (LGBTI) people,[1] religious minorities, and people of different ages – although policy efforts have focused predominantly on persons with disabilities and people from racialised communities (Chapter 4). While these policies and programmes promote inclusion and equality, gaps can remain if policymakers, not directly working on policies for at-risk groups, fail to consider the broader effects of their interventions on those at risk of discrimination.

Mainstreaming complements proactive policy initiatives to promote inclusion and equality by embedding non-discrimination and equality perspectives into every phase of the policy cycle. The aim of mainstreaming is to ensure that policymakers systematically consider the effects of policy decisions on groups at risk of discrimination – even where at-risk groups are not the primary policy focus, for example energy pricing aimed at reducing emissions might disproportionately affect older people who consume more heating and cooling. A mainstreaming approach would account for this and seek ways to mitigate such effects (OECD, 2021[1]). By understanding how policies differentially impact groups at risk of discrimination, mainstreaming helps to promote their full participation in society and the realisation of their equal rights and opportunities.

The EU emphasises a "twin track" approach to equality – which comprises proactive policies to address systemic barriers and approaches to mainstream equality throughout policymaking processes. Indeed, the EU has a longstanding commitment to mainstreaming equality and non-discrimination, established with respect to gender equality in the Treaty of Amsterdam in 1997 and extended to racial or ethnic origin, religion or belief, disability, age and sexual orientation under the Treaty of Lisbon in 2009. Since then, the EU has developed practices and processes to mainstream equality, for instance as part of the Union of Equality. This includes action plans and strategies to fight discrimination, investment in the collection of equality data on the experiences of groups at risk of discrimination, funding equality initiatives and the creation of fora to share best practices across EU Members (recent EU mainstreaming initiatives are presented in Annex 5.A).

This chapter analyses OECD EU countries' mainstreaming approaches based on an analysis of responses to the *OECD Anti-Discrimination Questionnaire*. The questionnaire gathered information on the mechanisms countries use to mainstream equality and non-discrimination for people from racialised communities, persons with disabilities, LGBTI people, religious minorities, and people across different age groups (the questionnaire is described in more detail in Chapter 4). Countries were asked to provide information on mainstreaming initiatives they have developed or are planning, as of April 2024. Twenty-one OECD EU countries responded to the questionnaire: Austria, Belgium,[2] Czechia, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Hungary, Latvia, Lithuania, Luxembourg, the Netherlands, Poland, Portugal, Slovak Republic, Slovenia, Spain and Sweden.

The design of the *OECD Anti-Discrimination Questionnaire* was informed by an analysis of guidance materials from the OECD and European Commission, which have developed various approaches, frameworks and toolkits to mainstream equality. Mainstreaming approaches share many similarities, including an acknowledgement of the importance of a whole-of-government approach, systematic stakeholder engagement, robust monitoring, accountability and evaluation processes, and training and resources to develop and maintain policymakers' capability.

This chapter synthesises these mainstreaming approaches to create a guidance tool for equality mainstreaming and explain how it informed the development of the *OECD Anti-Discrimination Questionnaire* (Section 5.1). It also assesses the state of OECD EU countries' mainstreaming efforts and identifies good practices based on an analysis of the results of the *OECD Anti-Discrimination Questionnaire* (Section 5.2). As in Chapter 4, responses to the *OECD Anti-Discrimination Questionnaire*

reveal that efforts to mainstream equality and non-discrimination tend to focus on particular groups – specifically persons with disabilities, people from racialised groups and based on age – while not yet fully addressing the needs of all at-risk groups.

The results also highlight the important role the EU plays in facilitating mainstreaming, as efforts to promote ethnicity and race and disability equality have longer histories in the EU than those for LGBTI people and religious minorities. The EU has mechanisms to encourage mainstreaming for all at-risk groups, including through the European Social Fund Plus (ESF+). Nevertheless, some countries, including Belgium, France, Luxembourg, the Netherlands and Sweden, are pursuing mainstreaming more holistically across groups; and there are good practices in many OECD EU countries that could be extended to all at-risk groups.

5.1. Approaches for mainstreaming equality for groups at risk of discrimination

This section examines frameworks and toolkits developed by the European Commission and the OECD to support countries' equality mainstreaming efforts. Understanding the key elements of equality mainstreaming highlighted in these frameworks and toolkits has shaped the analysis of OECD EU countries' equality mainstreaming, which is presented in Section 5.2. These existing frameworks guided the development of the equality mainstreaming section of the *OECD Anti-Discrimination Questionnaire* (Box 5.1), and have informed the identification of good practices in OECD EU countries. The good practices discussed in Section 5.2 exhibit features that are in line with equality mainstreaming frameworks and toolkits, though some are also backed by programme evaluations.

Equality mainstreaming frameworks and toolkits developed by the European Commission and the OECD have different goals, such as gender equality, achieving the United Nations Sustainable Development Goals (SDGs) or pursuing equality in transport policy. Regardless of whether mainstreaming is focused on a single ground (like gender) or on achieving a broader aim that affects groups experiencing discrimination (like transport equality), equality mainstreaming frameworks and toolkits share many similarities, as shown in Figure 5.1. They all suggest mechanisms for deepening policymakers' understanding of the issues facing at-risk groups – for instance through training, the collection of equality data and structured stakeholder engagement processes – and for cementing policy coherence through strong leadership, organisational culture, and coordination across policymaking bodies (how these mechanisms are operationalised in OECD EU countries is discussed in Section 5.2).

Figure 5.1. Mainstreaming frameworks have many similar components

While equality mainstreaming frameworks and toolkits share common principles and mechanisms, they often place emphasis on different elements based on their institutional contexts. For example, in the EU, mainstreaming frameworks recognise that Member States have different mainstreaming objectives. The European Commission's (2011[5]) *Compendium of Practice on Non-Discrimination/Equality Mainstreaming* provides a menu of options for EU Members to consider in terms of setting national objectives for equality mainstreaming, such as complying with non-discrimination legislation, or eliminating barriers to groups facing inequalities, or accounting for the diversity of society, or fostering good relations between at-risk groups and the wider community (Chapter 4). Nevertheless, regardless of national mainstreaming aims, the compendium highlights strategic planning and organisational culture for embedding equality. This can be achieved through setting priorities, responsibilities, key policy actions, monitoring progress, stakeholder engagement, staff training and having processes for considering at-risk groups in policy decisions (for example through equality impact assessments, equality data and stakeholder participation).

This approach is evident in more recent equality mainstreaming efforts, as demonstrated in the *EU Anti-Racism Plan (2020-2025),* the *LGBTIQ Equality Strategy (2020-2025),* the *Strategy for the Rights of Persons with Disabilities (2021-2030)*, and the *EU Roma Strategic Framework for Equality, Inclusion and Participation for 2020-2030*. These strategies and plans do not mandate how EU Member States should implement equality mainstreaming, although the European Commission has created toolkits to provide practical guidance. For instance, the European Commission's (2024[4]) *Handbook for Equality Mainstreaming in Transport Policy* includes procedures, materials and checklists to guide EU Member States' assessments of the effects of transport policy changes on each group at risk of discrimination, as well as setting and monitoring goals for achieving equality, developing institutional capacity and awareness, and ensuring that public communications represent all parts of society and are accessible (all informed by disaggregated equality data and stakeholder consultation).

Similarly, the OECD has developed mainstreaming toolkits for gender equality and for promoting policy coherence for sustainable development. These are cross-cutting policy issues, spanning economic, social

and environmental areas; where fragmented government actions risk cancelling out policy effects and generating costs to society (OECD, 2023[6]). As such, the OECD toolkits and frameworks underline the need for whole-of-government approaches to mainstream equality. According to previous OECD mainstreaming research, whole-of-government approaches support various government agencies to work towards the same goal by having a clear vision, which is backed by national strategies, strong political leadership, policy coordination processes (with clear roles and responsibilities) and engagement processes that enable stakeholders to collaborate with policymakers. These efforts can be coupled with ways to measure progress and ensure accountability to the public; along with investments in institutional capability to embed equality into policymaking such as by rolling out training and disseminating knowledge of what works (OECD, 2023[6]; 2023[3]).

For the purposes of analysing the equality mainstreaming approaches in OECD EU countries and developing the *OECD Anti-Discrimination Questionnaire*, this chapter synthesises elements of key OECD and EU mainstreaming frameworks and toolkits (Figure 5.2). In distilling existing frameworks and toolkits, four principles and aims of mainstreaming become apparent:

- Whole-of-government approaches to develop a coherent mainstreaming strategy and process;
- Stakeholder engagement and participation in policymaking processes to make policymaking transparent and open, while building support for equality policies;
- Accountability, monitoring and evaluation to strengthen the evidence base and measure progress;
- Institutional capability, including resources and capacities, to integrate equality perspectives into all policy processes and diffuse knowledge.

While these principles are distinct, they are inter-related, as making progress on one front is supported by action in many other areas. For example, stakeholder engagement supports accountability, monitoring and evaluation, as it ventilates relevant information that may not otherwise emerge during policy reviews, and increases policymakers' understanding of issues affecting at-risk groups, which can help to build institutional capability.

Successful implementation of mainstreaming also requires consideration of operational matters. Existing toolkits and frameworks highlight questions that policymakers can reflect on in order to apply mainstreaming approaches – for example in relation to engaging with at-risk groups, collecting and publishing sensitive data, as well as clear roles and responsibilities for all relevant government agencies (Figure 5.2). In addition, frameworks and toolkits often describe a raft of tools countries can use to embed equality, such as national plans and strategies, publishing the results of innovative initiatives to disseminate good practices and systematic opportunities for at-risk groups to discuss their experiences directly with policymakers. Figure 5.2 includes examples of questions and tools that are commonly included in equality frameworks and toolkits, which can guide equality mainstreaming efforts, and have helped to motivate the *OECD Anti-Discrimination Questionnaire* and consideration of good practices presented in the following section. These questions and tools also help to identify what makes good practices work, as shown in Figure 5.7, Figure 5.9, Figure 5.13 and Figure 5.15.

Figure 5.2. Guidance tool for mainstreaming equality and non-discrimination

Guidance tool based on a synthesis of existing mainstreaming frameworks

Principle	**Whole-of-government approach**	Principle	**Stakeholder engagement and participation**
Aim	Develop a coherent mainstreaming strategy and process	Aim	Make policymaking transparent and open, while enhancing political support for implementation
Considerations	Are there government-wide equality mainstreaming objectives? Are all relevant institutions aware of their roles and responsibilities? Are there the resources and expertise to support government-wide equality efforts?	Considerations	Are stakeholders involved in raising public awareness and mobilising support for equality efforts? Are at-risk groups involved in the design, implementation and evaluation of equality policy?
Tools	Equality action plans and strategies Clear inter- and intra-government coordination processes Institution with equality mandate that feeds into policymaking process	Tools	Visible processes for engaging with at-risk groups during the policy development and evaluation stages Partner with community groups to engage with hard-to-reach people Fora for at-risk groups to discuss issues with policymakers
Principle	**Accountability, monitoring and evaluation**	Principle	**Institutional capability**
Aim	Strengthen the evidence base and measure progress towards equality	Aim	Maintain resources and capacities to integrate equality perspectives throughout policy processes
Considerations	Are sufficient equality data collected to enable policy monitoring and evaluation? Are policies and programmes regularly monitored to ensure effectiveness? Can equality bodies raise policy issues publicly and make recommendations to policymakers? Are the findings of evaluations used to improve policy development and implementation? Are evaluations, progress indicators and outcomes published?	Considerations	Are there processes to develop policymakers' 'equality literacy'? Do policymakers have relevant expertise? Do equality objectives underpin budgeting and policy considerations? Is there a supportive culture for equality? Are there mechanisms for knowledge diffusion and sharing of best practices?
Tools	Equality data collections reflect the experiences and circumstances of self-identified at-risk groups Independent, well-resourced equality bodies with monitoring role Progress reporting on policy implementation Publicly available evaluations and recommendations for future policy development	Tools	Effective training programmes across relevant policymaking institutions Recruitment processes that consider lived experience or expertise in equality policymaking Funding to promote equality for at-risk groups Budgetary processes that consider how at-risk groups are affected by policy changes Publishing information on innovative initiatives that promote equality

Source: Based on OECD (2024[2]), *Unleashing Policy Coherence to Achieve the SDGs: An Assessment of Governance Mechanisms*, OECD Publishing, Paris, https://doi.org/10.1787/a1c8dbf8-en; OECD (2023[3]), *Toolkit for Mainstreaming and Implementing Gender Equality 2023*, OECD Publishing, Paris, https://doi.org/10.1787/3ddef555-en; European Commission (2024[4]), *Handbook for Equality Mainstreaming at DG MOVE*, https://data.europa.eu/doi/10.2832/824729; and European Commission (2011[5]), *Compendium of Practice on Non-Discrimination/Equality Mainstreaming*, https://data.europa.eu/doi/10.2838/41463.

Box 5.1. An equality mainstreaming index using the *OECD Anti-Discrimination Questionnaire*

The *OECD Anti-Discrimination Questionnaire* was developed to collect information on laws and policies to promote inclusion and fight discrimination based on ethnicity or race, disability status, sexual orientation or gender identity, religion and age. Questions were included on national government efforts to embed non-discrimination and equality throughout policy processes (i.e. mainstreaming) – such as via cross-departmental and cross-governmental coordination, national equality strategies and plans, inclusive stakeholder engagement processes, equality data collections and policy evaluations, funding arrangements for equality initiatives and training for public officials. (See Chapter 4 for more information on the legal and tailored policy initiatives collected as part of the *OECD Anti-Discrimination Questionnaire* and Chapter 3 for more information on how indices were constructed based on these legal, policy and mainstreaming efforts.)

Twenty-one OECD EU countries responded to the questionnaire and provided examples of existing, or planned, mainstreaming initiatives (current as of April 2024). The OECD supplemented the responses by undertaking desktop research to ensure consistency across countries. The main source of inconsistency arose in the interpretation of ethnic and racial identity for equality data purposes. Some countries count migration status as indicative of ethnicity and skin colour, while others collect ethnicity and racial origin via individual self-identification. To ensure consistency and to take stock of various data collection approaches, migration-related data were reclassified as proxies for ethnicity and race, and ethnicity and racial data were only counted if based on self-identification.

From the responses to the questionnaire, indices were created to analyse the extent of mainstreaming for all at-risk groups in OECD EU countries. Indices were constructed separately for mainstreaming efforts for each at-risk group in each of the countries that responded to the *OECD Anti-Discrimination Questionnaire* (like the construction of the OECD LGBTI Inclusivity Index (2020[7])). This enables a comparison of the extent of national mainstreaming efforts for each at-risk group and can show whether countries prioritise equality mainstreaming for specific at-risk groups or pursue mainstreaming comprehensively across all at-risk groups.

Figure 5.3 shows the components of the index. Each medium blue box represents a component of different mainstreaming mechanisms. Each mechanism receives an equal weighting in the index. This approach implies assuming that each mechanism is equally important, which may not be correct but is necessitated by the absence of information about the relative importance of each mechanism. It also follows the same methodological approach used for other OECD inclusion indices (e.g. the OECD LGBTI Inclusivity Index (2020[7])).

For most of the mechanisms (e.g. coordination processes), a simple count system is used (i.e. 1 = the presence of coordination processes; 0 = the absence of coordination processes). In the case of the mechanism of equality strategies, a more complex count system is used that reflects both quantitative and qualitative assessments, such as guidance from the European Network Against Racism (ENAR (2019[8])) on features of good-practice equality strategies. Good-practice equality strategies consider intersectionality, which recognises that a person can be discriminated against on a combination of grounds that interact and are impossible to untangle, thus creating a specific experience of discrimination; as well as structural discrimination, which occurs when rules, norms, routines, patterns or attitudes and behaviour in institutions and other societal structures represent obstacles to certain people in achieving the same rights and opportunities that are available to the majority of the population. Finally, in some cases (such as data collection and staff training) the unit value reflects the extent of the coverage, in terms of areas of life in which data on at-risk groups are collected (e.g. on employment outcomes), or in terms of the sectors in which anti-bias training is offered to staff (such as in education and training or health).

The values for all mainstreaming mechanisms are averaged to obtain an overall mainstreaming index between 0 and 1 for each at-risk group. A value of 0 indicates that a country does not undertake any equality mainstreaming for that specific at-risk group, while 1 means that the country has a comprehensive suite of measures that address all the elements examined (as outlined in Figure 5.3). A value between 0 and 1 means that some, but not all, of the mainstreaming mechanisms examined through the questionnaire are in place for the at-risk group.

Figure 5.3. Components of the mainstreaming index

Mechanism	Unit value						
Is there an **equality strategy**? If so, does it acknowledge **intersectionality** and/or **structural** discrimination?	**0** No strategy exists		**1/3** Strategy does not consider intersectionality or structural discrimination		**2/3** Strategy considers either intersectionality or structural discrimination		**1** Strategy considers both intersectionality and structural discrimination
Are there **policy coordination** processes in place?	**0** No				**1** Yes		
Are there **inclusive policymaking processes** that facilitate engagement with at-risk groups?	**0** No				**1** Yes		
Are **equality data** collected on individuals' outcomes in the following areas: employment, education, health, justice, poverty/social deprivation, life satisfaction and/or other?	**0** Not in any areas of life	**1/7** 1 out of 7 areas of life	**2/7** 2 out of 7 areas of life	**3/7** 3 out of 7 areas of life	**4/7** 4 out of 6 areas of life	**5/7** 5 out of 7 areas of life	**6/7** 6 out of 7 areas of life	**1** All 7 areas of life
Are there formal **evaluation** processes in place?	**0** No				**1** Yes		
Is **predictable funding available**, for example set out in equality strategies or multi-year budget cycles?	**0** No				**1** Yes		
Is there **training for staff** who work on policies or in services affecting at-risk groups such as education and training, health, employment services, justice, social security and housing?	**0** No training	**1/6** Training in 1 sector	**1/3** Training in 2 sectors	**1/2** Training in 3 sectors	**2/3** Training in 4 sectors	**5/6** Training in 5 sectors	**1** Training in all 6 sectors	

Source: Based on the *OECD Anti-Discrimination Questionnaire*.

5.2. State of equality mainstreaming in OECD EU countries

Responses to the *OECD Anti-Discrimination Questionnaire* reveal the emergence of different approaches to mainstreaming in OECD EU countries (Box 5.2). Some countries, like Belgium, the Netherlands, France, Sweden and Luxembourg score highly (above 0.7) for each group, reflecting their commitments to equality mainstreaming for all at-risk groups (Figure 5.4). Of note, these countries have equality strategies for all groups at risk of discrimination, with most plans acknowledging the systemic barriers to equality and the importance of taking an intersectional approach (see below for more information). These equality strategies can be an effective way to orient policymaking towards equality and non-discrimination, and set out concrete steps to improve data collection, evaluation, coordination, engagement and institutional capability – all of which contribute to mainstreaming (European Network Against Racism, 2019[8]). Moreover, these countries have well-developed policies tailored to the needs and circumstances of all at-risk groups (Chapter 4).

> ### Box 5.2. Two approaches to mainstreaming: Broad-based and targeted
>
> **The Netherlands: Towards a comprehensive approach to mainstreaming**
>
> Mainstreaming is pursued comprehensively in the Netherlands, as national action plans cover all protected grounds, and there is a national agency tasked with coordinating equality policy implementation. The National Coordinator against Discrimination and Racism engages with the public, keeps the government accountable for achieving its equality goals (as it is independent of government) and develops a national programme based on consultation with stakeholders on priority areas. The programme aims to "tackle discrimination in all its aspects", with targeted efforts in housing, employment, and health, along with profiling against Muslim people, anti-Black racism, institutional racism and discrimination against LGBTI people. Funding arrangements reinforce overarching policy strategies, for example a five-year Equality Subsidy Scheme for civil society organisations was announced in the LGBTI strategy to help achieve policy aims (Government of the Netherlands, 2024[9]; Government of the Netherlands, 2024[10]).
>
> In October 2023, following an independent evaluation and three working conferences with stakeholders, the Dutch Minister of the Interior and Kingdom Relations announced a comprehensive plan to further improve the anti-discrimination system by introducing a central organisation for fighting discrimination in an "accessible, connected, decisive, and unburdening" fashion and amending Dutch anti-discrimination legislation. The amendments are aimed at promoting coordination, such as requiring the central organisation to support municipal governments to implement anti-discrimination actions and clarifying the complaint handling processes involving the central organisation, police and judiciary (Chapter 4). Both the revised legislation and the new central organisation are expected to enter into force in January 2027 (Government of the Netherlands, 2024[10]).
>
> **Austria: Political leadership against ageism**
>
> Age discrimination has been a priority for the Austrian Government for the past two decades, as articulated in the Federal Senior Citizens Act (No. 84/1998). This Act established the Federal Seniors Advisory Council as a forum for dialogue between organisations representing senior citizens and policymakers.
>
> The council can comment on all legislation related to senior citizens, and annually, is involved in negotiations on pension adjustments and other budget schemes. Systemically including the voices of seniors in policymaking processes has helped to shape active ageing and health policies, including health the Health for Generations scheme (administered by the Austrian Health Promotion Fund), which aims to create a positive image of ageing while also advancing a care-centred approach to health (as well as the Community Nursing pilot project discussed in Chapter 4). In addition, seniors' representatives have helped to influence the design of policies in areas outside of the Ministry of Social Affairs, Health, Care and Consumer Protection (which has primary policy responsibility for ageing), such as in adult training (developed by the Federal Ministry of Education, Science, and Research) (Government of Austria, 2021[11]).

Most countries, however, focus on mainstreaming for specific protected grounds, principally disability, ethnicity and race, and age – despite EU guidance to pursue equality mainstreaming across the board (Figure 5.4). The emphasis on these protected grounds partially reflects the evolution of EU anti-discrimination and equality initiatives. For instance, ethnic and racial discrimination came to the fore in the 1970s and 1980s with the adoption of the Joint Declaration Against Racism and Xenophobia (Bell, 2002[12]) and the *Racial Equality Directive (2000/43/EC)* in 2000, which prohibited discrimination in many areas of life – while mainstreaming for disability was first sparked in 2003 by the creation of the *Equal*

Opportunities for People with Disabilities: A European Action Plan (European Commission, 2003[13]) (Chapter 4). Conversely, legal protections for other grounds cover only employment-related settings, and equality strategies are relatively more recent, beginning in 2020 with the adoption of the *EU LGBTIQ Equality Strategy* and the *EU Strategy on Combatting Antisemitism and Fostering Jewish Life* (Annex 5.A).

Figure 5.4. Mainstreaming is established in most OECD EU countries, although efforts are not generally broad based

Mainstreaming indices for each at-risk group, 21 OECD EU countries
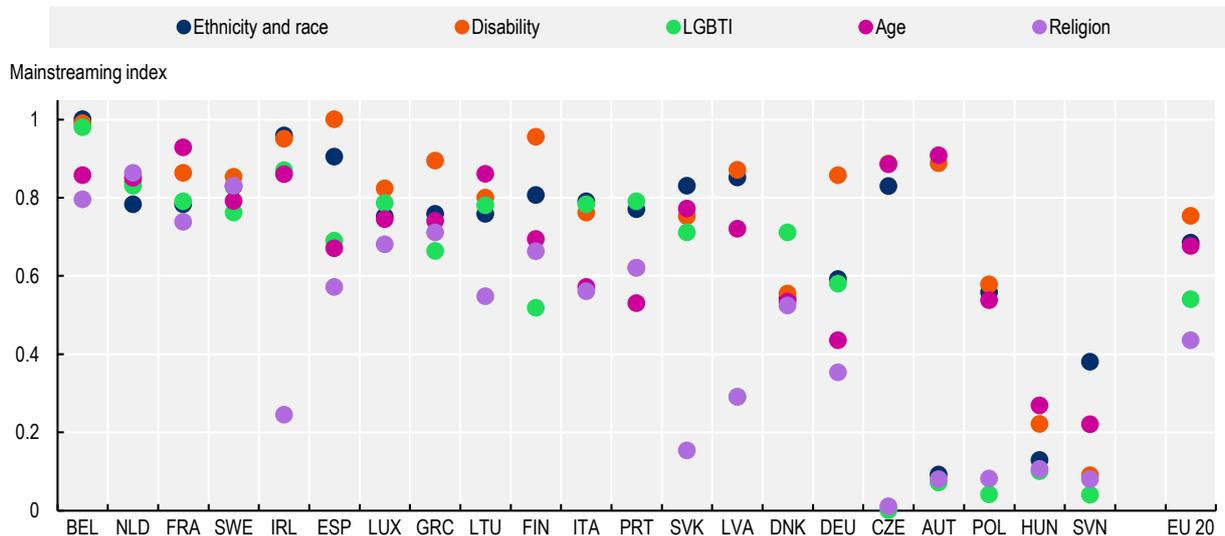
Note: The mainstreaming index (see Box 5.1) is derived from responses to the *OECD Anti-Discrimination Questionnaire.* A score of 0 indicates that a country does not undertake any equality mainstreaming for that specific at-risk group, while a score of 1 means that the country has an equality strategy for the at-risk group that covers intersectionality and structural discrimination, stakeholder engagement processes, policy coordination processes, staff training in all areas considered, equality data collected in all areas of interest, formal evaluation processes and predictable funding arrangements. Countries with scores between 0 and 1 have some, but not all, of these mainstreaming mechanisms in place for the at-risk group. The EU 20 is the average of the OECD EU respondents except for Belgium, since Belgium's response included national and regional-level policies and practices, in contrast to all other respondents (which only provided national-level initiatives). Belgium is included in the figure to show the scope of its mainstreaming activities across at-risk groups, which can highlight whether Belgium has comprehensively rolled out mainstreaming for all at-risk groups or whether efforts have focused on particular groups. Since Belgium's response includes regional and national efforts, it is not directly comparable to other OECD EU countries.
Source: OECD analysis based on the *OECD Anti-Discrimination Questionnaire.*

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There is also evidence that OECD EU countries are pursuing the EU's "twin track" approach, which stresses the need for mainstreaming to accompany proactive policies to advance the equality of groups that face barriers to the equality of opportunity. Figure 5.5 shows that inclusion policies are positively correlated with mainstreaming efforts (the construction of the policy index is described in Chapter 4). As indicated by the predominance of orange and dark blue dots in the top right corner of Figure 5.5, most OECD EU countries have both mainstreaming and bespoke policies for disability and ethnic and racial equality. In contrast, the green dots representing LGBTI policy and mainstreaming initiatives are spread out, with some countries scoring highly on proactive policies and mainstreaming for LGBTI people, while other countries have less developed LGBTI policies and have not pursued LGBTI equality mainstreaming (Chapter 4). Religious minorities are relatively underserved, as depicted by the concentration of light purple dots in the bottom left corner of Figure 5.5, with only Finland having widespread policies for religious minorities and elements of mainstreaming – namely a strong action plan, well-established stakeholder

engagement processes, staff training, policy coordination and predictable funding arrangements (although equality data collections are limited).

Among those countries in which mainstreaming is not currently practised, comprehensive EU anti-discrimination legislation can prompt relevant ministries to act in all areas of life regulated by the law. For example, the new *Equality Body Directive (EU) 2024/1499* will support mainstreaming efforts, as equality bodies will have the power to share good practices and mainstreaming, and provide information, training, advice and support on prevention (Chapter 4).

Figure 5.5. Mainstreaming is positively correlated with proactive policies to promote equality

Mainstreaming and policy indices for each at-risk group, 21 OECD EU countries
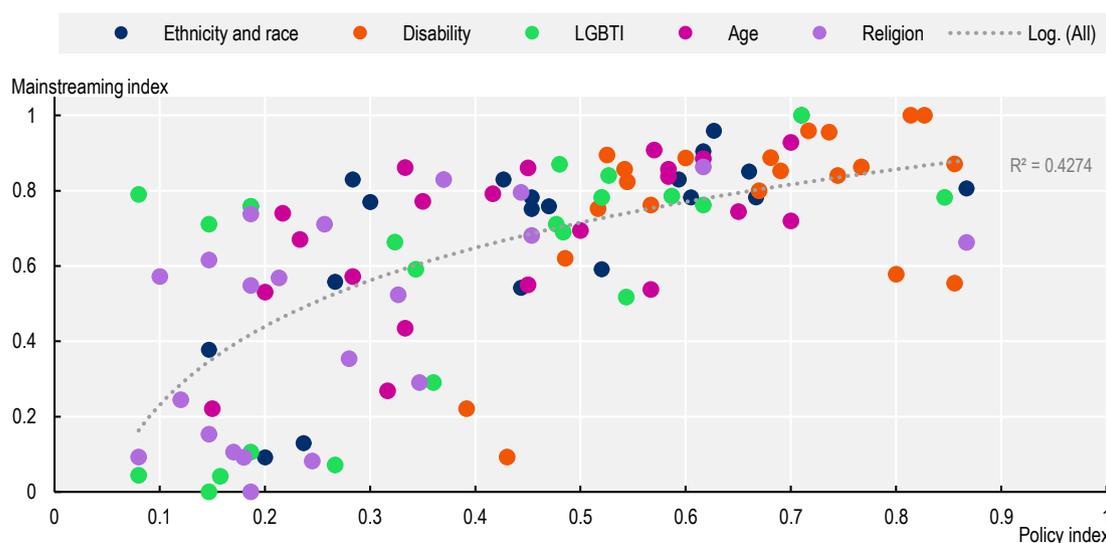
Note: The mainstreaming index (see Box 5.1) is derived from responses to the *OECD Anti-Discrimination Questionnaire*. Mainstreaming questions covered include whether countries have equality strategies, policy coordination processes, consultation and engagement processes that include at-risk groups, predictable funding mechanisms, formal evaluation processes and equality data collections that gather information to promote people's opportunities and well-being, and training for staff who develop policy or work in services used by at-risk groups. For each protected ground, countries receive a score between 0 and 1 depending on their answers to these questions. See Chapter 4 for more information on the construction of the policy index: it is also derived from responses to the *OECD Anti-Discrimination Questionnaire*, which asked about countries' specific policies for combatting discrimination and promoting equality in employment, education and training, health, justice and safety services, as well as awareness-raising campaigns and initiatives to increase the accessibility of products, services and the built environment for persons with disabilities. Scores closer to 1 indicate more comprehensive policy and mainstreaming practices (and vice versa). The dotted grey line shows the general trend in the data, which indicates there is a positive relationship between mainstreaming and policy efforts. The countries covered are Austria, Belgium, Czechia, Denmark, France, Finland, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, the Netherlands, Poland, Portugal, the Slovak Republic, Slovenia, Spain and Sweden.
Source: OECD analysis based on the *OECD Anti-Discrimination Questionnaire*.

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Beyond the notable effect of the EU guidance and laws, OECD EU countries' mainstreaming approaches have been influenced by their national contexts. For instance, Czechia has been closing gaps in disability rights, which were not recognised as a policy priority prior to 1991 (Sinecka, 2009[14]), when the Czech Government established a national board to coordinate policy advice on the equality of opportunities for persons with disabilities. Since 1992, the board has developed disability equality plans (approved by the government) (Government of Czechia, 2020[15]). Simultaneously, civil society organisations were established to advocate for the rights of persons with disabilities and need for services, which culminated in the establishment of the Czech National Disability Council in 2000 to improve cooperation with local, regional and national policymakers (Government of Czechia, 2020[15]). A further milestone came with the ratification of the United Nations Convention on the Rights of Persons with Disability in 2009 – a year prior to the EU doing so (United Nations Committee on the Rights of Persons with Disabilities, 2024[16]; Government of Czechia, 2020[15]).

Differences in mainstreaming approaches also reflect national institutional arrangements – such as formally instituting mainstreaming via legislation, in the case of Spain, Latvia, Luxembourg and Greece, or taking a more flexible approach by setting up ad hoc inter-departmental working groups and case-by-case stakeholder engagement processes, in Ireland and Denmark. While different approaches work in different national contexts (and implementation issues should be accounted for when considering adopting the good-practice examples highlighted in the remainder of this chapter), Spain's recent institutional changes indicate that institutional settings can change markedly in a short span of time. Since 2022, Spain has been in the process of transforming its equality institutions, starting with the passage of a comprehensive equality law, establishing a dedicated Ministry of Equality and beginning processes to revitalise the national equality body and systematise the collection of equality data. These largescale developments have the potential to accelerate equality mainstreaming across the board if stakeholders continue to understand and support their implementation.

Principle 1: Whole-of-government approach

As discussed throughout this report, discrimination occurs in many areas of life and has broad-ranging effects on people's lives, which has prompted policy responses in employment, education and training, social services, justice and safety and health (as shown in Chapter 4). Indeed, whole-of-government approaches have been a key pillar of the EU Union of Equality, as demonstrated by calls for national equality plans and strategies outlined in the *EU Anti-Racism Action Plan* and the *EU LGBTIQ Equality Strategy*. The wide gamut of policy areas involved in non-discrimination and equality was revealed by the *OECD Anti-Discrimination Questionnaire*, with an average of six ministries involved in the preparation of each OECD EU country's response. The breadth of policy initiatives is a positive development in the fight against discrimination and inequality, but it can exacerbate coordination problems – both within national governments and across levels of government. A lack of coordination can blur policy coherence, lead to a duplication of efforts or policy issues falling through the cracks between departmental or jurisdictional responsibility (OECD, 2023[6]).

OECD EU countries use various ways to overcome coordination problems, when implementing whole-of-government approaches. Anti-discrimination and equality strategies can be an effective way for articulating a clear policy rationale and key government actions to fight discrimination and inequality, along with defining roles and responsibilities for policy institutions and civil society organisations, stakeholder engagement and evaluation processes (European Network Against Racism, 2019[8]). The *OECD Anti-Discrimination Questionnaire* reveals that national strategies are most frequent for disability and ethnicity and race, mirroring the policy emphasis placed on these grounds more broadly (Chapter 4, Figure 5.6, Panel A).

Figure 5.6. Many OECD EU countries have developed national equality strategies for disability, ethnicity and race

OECD EU respondent countries with national equality strategies, including the subset that consider structural and intersectional aspects of discrimination, by protected ground, 21 OECD EU countries

Panel A: Equality strategy or plan

Disability: AUT BEL CZE DEU ESP FIN FRA GRC HUN IRL ITA LTU LUX LVA NLD POL SVK SVN SWE

Ethnicity and race: BEL CZE DEU ESP FIN FRA GRC IRL ITA LTU LUX LVA NLD POL PRT SVK SVN SWE

LGBTI: BEL DEU DNK FRA GRC IRL ITA LTU LUX NLD PRT SVK SWE

Age: CZE FIN FRA GRC LTU LUX LVA NLD POL SVK

Religion: FIN FRA GRC ITA LTU LUX NLD SVN SWE

Number of OECD EU respondents

Panel B: Plan considers structural discrimination

Disability: AUT BEL CZE DEU ESP FIN HUN IRL ITA LTU LUX NLD

Ethnicity and race: BEL CZE ESP FIN IRL LTU LUX NLD SVN SWE

LGBTI: BEL DNK IRL LTU LUX NLD PRT SWE

Age: CZE FIN FRA LTU LUX NLD

Religion: FIN LUX NLD

Number of OECD EU respondents

Panel C: Plan takes an intersectional approach

Note: The *OECD Anti-Discrimination Questionnaire* asked countries about whether they have implemented national equality and/or anti-discrimination plans and strategies for each protected ground of interest (either as ground-specific plans or as holistic plans covering multiple grounds). All countries that indicated that they have national plans or strategies are included in Panel A; Panels B and C reflect responses to questions about good practice features such as whether the national plan or strategy takes an intersectional approach (Panel C) or considers the structural or systemic aspects of discrimination (Panel B). Based on national government responses from Austria, Czechia, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Hungary, Latvia, Lithuania, Luxembourg, the Netherlands, Poland, Portugal, Slovak Republic, Slovenia, Spain and Sweden, and national and regional responses from Belgium.
Source: OECD analysis based on the *OECD Anti-Discrimination Questionnaire*.

Moreover, according to responses to the *OECD Anti-Discrimination Questionnaire,* most OECD EU countries have plans that follow good practice by addressing structural or systemic discrimination and intersectionality. Almost three-quarters of OECD EU respondents that have national plans, take a structural or systemic approach, which dismantles the "rules, norms, routines, patterns or attitudes and behaviours… [that] represent obstacles to certain people in achieving the same rights and opportunities that are available to the majority of the population" (European Network Against Racism, 2019, p. 11[8]) (Figure 5.6, Panel B). Furthermore, more than half of plans consider intersectionality, which recognises the multiplicity of disadvantages people face and results in a more holistic vision of how discrimination (Figure 5.6, Panel C).

Complementing national equality strategies, most OECD EU countries that responded to the *OECD Anti-Discrimination Questionnaire* have methods of coordinating their policy processes to further their whole-of-government approach (Table 5.1). Coordination across national government policy departments (horizontal coordination) is more common than coordination between national, regional and local levels of government (vertical coordination), although most countries have vertical coordination processes too. Almost all OECD EU countries that responded to the *OECD Anti-Discrimination Questionnaire* coordinate equality policies across national government agencies, such as social policy, health, and culture departments, as well as national statistical offices; while three-quarters of questionnaire respondents coordinate across levels of government, such as via joint funding arrangements or articulating regional equality policy responsibilities in strategy documents and action plans, or establishing a national central equality organisation to support local governments in implementing anti-discrimination initiatives (Table 5.1).

Table 5.1. Coordination mechanisms for equality policy are present in most OECD EU countries

	National policy department with broad equality remit	Horizontal coordination across national government departments	Vertical coordination between different levels of government (e.g. national, regional and/or local)
AUT	○	●	●
BEL	●	●	●
CZE	○	●	●
DEU	●	●	●
DNK	○	●	●
ESP	●	●	●
FIN	●	●	●
FRA	○	●	●
GRC	●	●	○
HUN	○	○	○
IRL	●	●	●
ITA	●	●	●
LTU	●	●	●
LUX	●	●	●
LVA	○	●	●
NLD	●	●	●
POL	●	●	○
PRT	●	●	●
SVK	●	●	○
SVN	○	○	○
SWE	●	●	●

Source: OECD analysis based on national government responses to the *OECD Anti-Discrimination Questionnaire* from Austria, Czechia, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Hungary, Latvia, Lithuania, Luxembourg, the Netherlands, Poland, Portugal, Slovak Republic, Slovenia, Spain and Sweden, and national and regional responses from Belgium.

Horizontal coordination is supported by interministerial committees, which in some cases such as Luxembourg and Greece, are backed by legislation setting out aims, membership, frequency of meetings and reporting requirements. The benefits of legislating interministerial committees are that it formalises structured coordination, sets out objectives, roles and responsibilities clearly and gives the public visibility, although it is a less flexible approach to ad hoc committees, which can be more quickly set up and adapted to changing policy environments. In addition, many OECD EU respondent countries task a department or an independent body with primary responsibility for equality policy to facilitate coordination and put equality and non-discrimination considerations front and centre in the minds of policymakers (good examples include Spain's Ministry of Equality and the Netherlands's independent National Coordinator Against Discrimination and Racism (Figure 5.7)). Meanwhile, France's new Le Service Public Départemental de l'Autonomie highlights how strong regional-national coordination can help to provide holistic healthcare, and social services for older people and persons with disabilities whose needs often go unmet in systems with fragmented service delivery (Figure 5.7).

A few key lessons emerge from these examples, notwithstanding the differences in their design and implementation (Figure 5.7). They set clear overarching equality policy objectives and departmental roles and responsibilities (including a body with overarching responsibility and a broad remit), which is important for overcoming policy fragmentation (OECD, 2023[6]). Further, the good examples selected include a public commitment to equality, signalling the priority given to equality and non-discrimination and raising awareness of opportunities for people and communities at risk of discrimination to become involved in policymaking processes, and to gain an insight into the progress governments are making in achieving

their objectives. Finally, strong ministerial leadership, in particular, can assist in influencing other departments to adjust policies and commit resources to meet equality objectives (OECD, 2019[17]). Alternatively, an independent equality coordinator (such as in the Netherlands) can publicly raise concerns about government policies and build community support for policy change in ways that are unavailable to government ministries.

Figure 5.7 Good whole-of-government practices in OECD EU countries

Good practices

Netherlands – the Cabinet committed to improving policy coherence in the *Emancipation Memorandum 2022-2025* through the National Coordinator Against Discrimination and Racism, who acts as a connector between the community and relevant ministries, along with being a watchdog of government ministries. The Coordinator is independent and can publicly critique government efforts to fight discrimination and promote equality of opportunity at work, in education and housing. In addition, the memorandum established the National Coordinator for Combatting Anti-Semitism to improve the coherence of the approach to antisemitism.

Luxembourg – an inter-ministerial committee for LGBTI people comprises 20 ministries and is overseen by the Minister of Gender Equality and Diversity. The committee meets at least three times a year, monitors the implementation and evaluation of the *LGBTI Equality Plan,* and reports publicly on its activities once a year. The committee was established via legislation.

Spain – the *Comprehensive Law for Equal Treatment and Non-Discrimination* (2022) established a whole-of-government approach, including a four-year horizontal strategy overseen by the Ministry of Equality, which has responsibility for eliminating discrimination based on sex, racial or ethnic origin, disability, sexual orientation, gender identity, religion or any other personal or social condition or circumstance. Every department coordinates its policy objectives with the Ministry of Equality, which will then conduct an evaluation of the strategy. Moreover, the Ministry of Equality has the capacity to comment on all policy proposals and legislative changes to embed an equality perspective early in the policymaking process.

Greece – the National Council against Racism and Intolerance designs policies seeking to prevent racism, it also supervises the implementation of equality laws in Greece and is responsible for monitoring the National Action Plan against Racism and Intolerance (2020-2023). In addition, the Council is tasked with raising public awareness about racism and intolerance. Members of the Council include the General Secretariat of Human Rights, and representatives from the ministries of Migration; Foreign Affairs; Education, Research, and Religious Affairs; Labour, Social Security, and Solidarity; as well as from the UN High Commission of Refugees, the National Commission for Human Rights, and the Hellenic Police. Because of its wide membership, the Council is well-placed to ensure policy coherence against racism across departments.

France – in 2024, Le Service Public Départmental de l'Autonomie (SDPAs) were established in law to improve the coordination of the Ageing Well policy at the regional level. SDPAs aim to streamline cooperation between health, social and medico-social actors, while promoting holistic care for older people and persons with disabilities. The SDPAs do not duplicate existing services, but instead facilitate coordination between existing stakeholders and services, and across government agencies. Each SDPA is overseen by the local council, in partnership with regional health agencies, autonomy support organisations in the local area, and national public sector agencies administering education, housing, sport and culture, employment and transport policies.
The services were trialled in 18 departments and will be rolled out nation-wide in 2025, following the advice of working groups that are designing specifications for the national expansion.

What makes these successful?
- A minister or independent coordinator has primary responsibility for overseeing equality policy.
- Formalised coordination via clear ministerial or coordinator roles and responsibilities; set out in legislation or public national strategies and plans.
- Public commitments to pursuing equality systematically, which signals its importance as a policy goal.

Source: OECD analysis based on the *OECD Anti-Discrimination Questionnaire*; the Netherlands Ministry of Education, Culture and Science (2022[18]), *Emancipation Memorandum 2022-2025,* https://open.overheid.nl/documenten/ronl-9442234d31a1e83aaed7b1a7dece2205bb92e2fe/pdf; Grand Duchy of Luxembourg, *Order of the Government in Council of April 15, 2024 Establishing an Interministerial Committee for the Promotion of the Rights of LGBTI People*; Spain Cortes Generales, *Law 15/2022, of July 12, Comprehensive Law for Equal Treatment and Non-Discrimination*; Greece Ministry of Justice (2021[19]), *National Council Against Racism and Intolerance*, https://ministryofjustice.gr/English/?p=785, France Ministère du travail, de la santé, des solidarités, et des familles (2024[20]), *Le Service public départemental de l'Autonomie est officiellement lance*, https://handicap.gouv.fr/le-service-public-departemental-de-lautonomie-est-officiellement-lance; and Colisée (2024[21]), *Spotlight on France's New Autonomy Support Public Services (SPDA)*, https://colisee.fr/wp-content/newsletter/news-2024/34/newsletter_colisee_2024-34-article3EN.html.

Principle 2: Stakeholder engagement and participation

Groups at risk of discrimination and their representatives, including civil society organisations, play a crucial role in the fight for equality. Stakeholders can steer policy outcomes by providing feedback on policy and law proposals, by raising concerns about emerging issues or under-funding of services, by participating in evaluation processes and, by developing innovative policy solutions (OECD, 2019[17]; OECD, 2018[22]). In addition, stakeholder engagement enhances trust in public institutions by increasing the legitimacy and popular support for adopted policy choices (OECD, 2020[23]).

The *OECD Anti-Discrimination Questionnaire* shows that stakeholder participation mechanisms are widespread in OECD EU respondent countries (Figure 5.8). Almost all OECD EU respondents have ways to incorporate the perspectives of persons with disabilities, racialised communities, young or old people; while three-quarters of respondents include LGBTI people and over two-thirds include religious minorities.

Figure 5.8. Formalised processes to encourage at-risk groups to participate in policymaking are widespread

21 OECD EU respondent countries
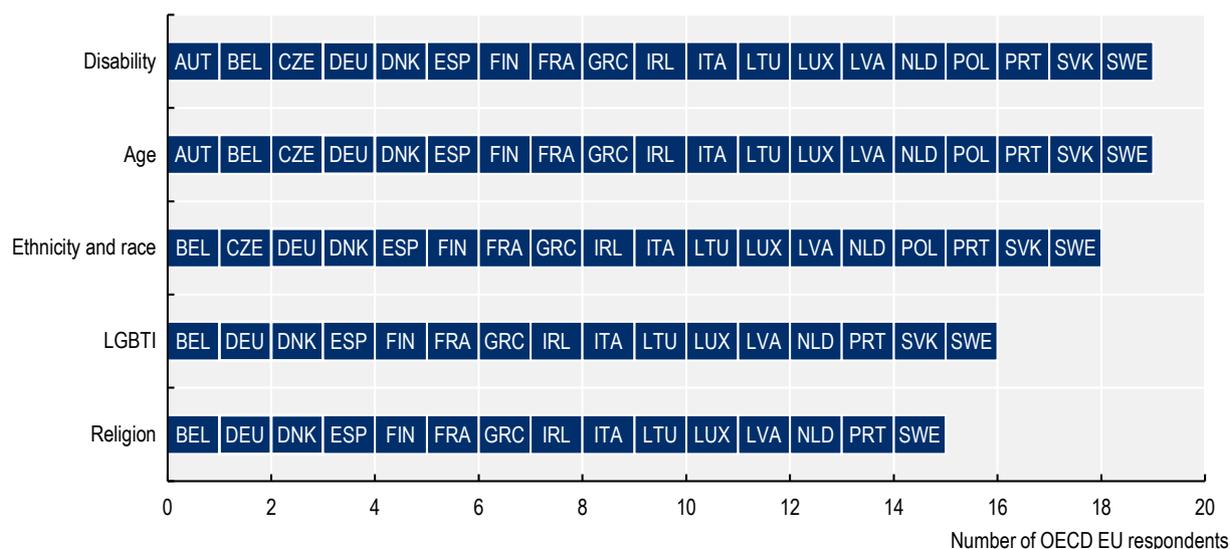
Note: Countries were asked about methods they undertake to include at-risk groups in policymaking processes, such as stakeholder consultation or co-design with individuals from at-risk groups or their representatives. Based on national government responses from Austria, Czechia, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Hungary, Latvia, Lithuania, Luxembourg, the Netherlands, Poland, Portugal, Slovak Republic, Slovenia, Spain and Sweden, and national and regional responses from Belgium.
Source: OECD analysis based on the *OECD Anti-Discrimination Questionnaire*.

Despite the availability of opportunities for at-risk groups to participate in policymaking processes in OECD EU countries, there can be obstacles to doing so (OECD, 2025[24]). There may be a lack awareness of how to engage, and formats may not be accessible (if consultation documents are too long or technical for a non-expert audience to understand, or if the only option is to provide written submissions for policy reviews or to attend townhall meetings in person) (Alemanno, 2015[25]). People may also feel intimidated by the settings in which consultations takes place, especially if they are in government or parliamentary buildings (OECD, 2025[26]).

Moreover, there may also be cultural differences in how to engage people respectfully. There may be some topics that are taboo or there may be cultural protocols that government officials should observe (such as respecting Muslim people's prayer times and acknowledging that some Muslim women may not feel

comfortable communicating with men who are not their relatives) (Royal Commission of Inquiry into the Terrorist Attacks on Christchurch Mosques on 15 March 2019, 2020[27]). Stakeholders may also experience consultation fatigue if they do not see the effects of their contributions in the final outcome – especially if consultation is a "tick-box exercise" to legitimise decisions already taken (Alemanno, 2015[25]). This may lead to stakeholders opting out of future engagement processes. Finally, people who are at risk of discrimination may distrust governments if they, or their communities, have been systematically mistreated by government policies and public institutions (Sweeney and Matthews, 2017[28]).

There are, however, examples of stakeholder engagement processes in OECD EU countries that overcome these barriers (Figure 5.9). Many good examples have established ongoing processes for engaging with at-risk groups, such as Denmark's Senior Citizens' Councils, Luxembourg's High Council for Disabled People and Finland's Ethnic Relations Advisory Boards, which meet multiple times a year and provide channels for people to directly input into policy. They also publish their decisions, which gives the public more visibility about how they are shaping decisions. Similarly, in Ireland, persons with disabilities and their families are co-designing the upcoming national disability strategy – thereby having a decision-making role in the future of disability equality policy. Ireland's consultation processes have additional good features, including taking an intersectional approach designed to encourage people with specific needs and perspectives to get involved. Finally, France has undertaken substantial engagement to develop the National Plan for Equality Against Anti-LGBT Hatred and Discrimination, including consultation in regional areas and businesses.

Figure 5.9. Good examples of stakeholder engagement processes

<table>
<tr><td rowspan="6">Good practices</td><td>Denmark – Senior Citizens' Councils (SCCs) facilitate older people's participation in local council decision-making processes for better public services, traffic planning, transport, infrastructure, active ageing, digital inclusion, care and housing. Older people can engage directly with local politicians, and many SCCs are involved throughout the policy development and decision-making process.</td></tr>
<tr><td>Ireland – an intersectional consultation process was organised as part of the development of the National LGBTI Inclusion Strategy. Workshops were organised specifically for the intersex community, Travellers, asylum seekers, migrants and refugees and LGBTI people with a hearing disability to ensure that the most marginalised LGBTI people had substantive opportunities to participate. Further, the relevant ministry is co-designing the next National Disability Strategy with the Disabled Persons' Organisations.</td></tr>
<tr><td>Luxembourg – the High Council of Disabled People advises the Ministry for Family, Integration and the Greater Region on draft laws and policies, as well as coordinating policies to promote equality for persons with disability. The Council includes people with lived experience of disability or the family members of those who cannot represent themselves and disability service operators. The Council publishes its opinions on draft laws and policies.</td></tr>
<tr><td>Finland – the Advisory Board for Ethnic Relations is a national forum for dialogue between immigrants, ethnic minorities, regional authorities, national government ministries and civil society organisations, which is appointed for four-year terms and established by law. The board meets regularly to bring different perspectives into public debate and promote positive attitudes and good relations between population groups, by organising open discussion events and raising awareness of diversity in Finland. The board also provides advice on government inclusion and integration policies. Besides the national board, there are also seven regional advisory boards (which are also represented on the national board).</td></tr>
<tr><td>France – the National Plan for Equality, Against Anti-LGBT Hatred and Discrimination is the result of a long process of co-construction involving over a hundred partners: national and local associations, LGBT centers, various ministries, businesses, independent institutions (Commission nationale consultative des droits de l'Homme, Défenseur des droits, Autorité de régulation de la communication audiovisuelle et numérique). These organisations were engaged as part of a digital consultation process, during a working seminar chaired by the Minister for Gender Equality, Diversity and Equal Opportunities, and finally at workshops in Orléans, Nancy and La Réunion, which were established to respond to the specific challenges of each territory. The consultations identified over 300 measures to address hate in all areas of the life. Finally, companies that sign up to the "L'Autre Cercle" Association's charter of commitment to the inclusion of LGBT people in the world of work have been invited to attend a hearing to draw up a list of the problems they face, to feed into the national plan.</td></tr>
<tr><td>What makes these successful?
• Well-established, ongoing processes to engage directly with affected communities, including through co-design or standing bodies that connect people with lived experience with policymakers.
• Engagement designed around the needs and circumstances of stakeholders, particularly those who face barriers to participating in policymaking processes.
• Publication of the outcomes of engagement so people can see the impact of their communities' contributions.</td></tr>
</table>

Source: OECD analysis based on the *OECD Anti-Discrimination Questionnaire*; Danske Ældreråd (n.d.[29]), *Statutory Elected Senior Citizens´ Councils*, https://danske-aeldreraad.dk/statutory-elected-senior-citizens-councils/; Luxembourg Ministry of Family Affairs, Solidarity, Living Together and Reception of Refugees (2024[30]), *High Council of Disabled People (CSPH)*, https://mfsva.gouvernement.lu/en/le-ministere/attributions/personnes-handicapees/organismes-consultatifs/conseil-superieur-des-personnes-handicapees-csph.html; and Finland Ministry of Justice (2024[31]), *Etno: Advisory Board for Ethnic Relations*, https://oikeusministerio.fi/en/the-advisory-board-for-ethnic-relations#:~:text=The%20Advisory%20Board%20for%20Ethnic%20Relations%20(Etno)%20serves%20as%20a,2020%20to%209%20December%202024.

Principle 3: Accountability, monitoring, and evaluation

Assessing and reporting on the performance of equality initiatives is central to the success of mainstreaming. Measuring, evaluating, and monitoring policies enable decisionmakers to determine the extent to which they succeed in promoting equality. Regular monitoring can encourage continuous improvement and sharing best practices, while ensuring value for money, and an opportunity for the public to keep track of progress towards policy goals.

The OECD has started to incorporate a 'human rights and gender equality' lens into its evaluation guidance to recognise the differentiated impacts of policies on groups at risk of discrimination (OECD, 2023[32]). Under this approach, evaluation mechanisms should understand the underlying drivers of discrimination, the interaction of different forms of discrimination, and how discrimination affects individuals'

socioeconomic situation and policy outcomes. Beyond assessing how intersecting forms of discrimination affect the needs and priorities of groups at-risk, evaluations should also account for variations in policy efficacy across groups.

Most OECD EU respondents to the *OECD Anti-Discrimination Questionnaire* have evaluation processes in place, at least for some at-risk groups (Table 5.2). Almost all OECD EU countries plan evaluations as part of the policymaking process, and three-quarters consider data requirements for evaluations and involve at-risk groups in the evaluation process. However, evaluations that measure the impacts of policies are not regularly conducted, primarily due to data limitations, and publicly reporting on equality policy activities is not routine among all questionnaire respondents.

Table 5.2. Elements of policy evaluation and reporting are present in most OECD EU countries

	Evaluations are planned as part of policy processes	Data requirements are considered at an early stage of the policy process	Impact evaluations are conducted	Qualitative evaluations are conducted due to data limitations	At-risk groups are included in evaluation processes	Regular reporting on anti-discrimination and equality policy activities
AUT	●	●	●	●	●	●
BEL	●	○	●	●	●	●
CZE	●	●	●	●	●	○
DEU	●	●	○	○	●	○
DNK	●	●	●	○	●	●
ESP	●	●	●	●	●	●
FIN	●	●	●	●	●	●
FRA	●	●	●	●	●	●
GRC	●	●	○	●	●	○
HUN	○	○	○	○	○	○
IRL	●	●	○	●	●	●
ITA	●	●	●	●	●	●
LTU	●	○	○	○	○	●
LUX	●	●	○	●	●	●
LVA	●	●	●	●	●	●
NLD	●	●	●	●	●	●
POL	●	○	○	●	●	○
PRT	●	●	○	○	●	●
SVK	●	●	○	○	○	○
SVN	○	○	○	○	○	○
SWE	●	○	●	●	○	○

Note: Countries were asked in the *OECD Anti-Discrimination Questionnaire* if they plan evaluations as part of the policy development processes, whether data requirements are considered from the outset of the policymaking process to aid data collection, whether impact evaluations are conducted, whether other forms of evaluations (such as qualitative evaluations) are undertaken because of data constraints, whether civil society organisations and/or people with lived experience are consulted during evaluations, and whether there are regular reporting on anti-discrimination activities. Based on national government responses from Austria, Czechia, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Hungary, Latvia, Lithuania, Luxembourg, the Netherlands, Poland, Portugal, Slovak Republic, Slovenia, Spain and Sweden, and national and regional government responses from Belgium.
Source: OECD analysis based on the OECD *Anti-Discrimination Questionnaire*.

Equality data are a prerequisite for understanding discrimination and monitoring and evaluating policies and programmes. These data can be any piece of quantitative or qualitative information that is useful for describing and analysing the state of equality (European Commission, 2016[33]). More specifically, equality data may include information on how people self-identify as belonging to groups at risk of discrimination, their life outcomes in key fields such as employment, income, education, life satisfaction, health, justice and safety, housing and social connections, as well as their participation in government programmes. While recognising the challenges that countries face in collecting, managing and publishing such data (Figure 5.11 below), without such data, countries lack evidence on the disadvantages people experience and have little sense of the effectiveness of their policy and legislative responses (Balestra and Fleischer, 2018[34]).

For the past 30 years, the EU has called for improvements in the collection and publication of equality data (Balestra and Fleischer, 2018[34]), and has recently developed guidance on preparing and using data on racial and ethnic origin and LGBTI status (Subgroup on Equality Data of the High Level Group on Non-Discrimination, Equality and Diversity, 2023[35]; 2021[36]), as well as improving the statistical data on the living situation of persons with disabilities and national disability policies and programmes (European Union, 2021[37]). Eurostat is publishing more data on the lives of persons with disabilities, in line with the European Commission's *Strategy for the Rights of Persons with Disabilities 2021-2030*, and is chairing an Equality and Non-Discrimination Statistics Task Force to synchronise definitions and improve comparability of national data collections related to ethnicity and racial origin, sexual orientation and gender identity (Annex 5.A; Eurostat (2024[38]). Outside of EU-led efforts, some countries collect information on individuals' ethnicity, race and religion in their national censuses, while others are developing official surveys of people's experiences of discrimination and their living conditions (Chapter 1).

However, most EU Member States do not systematically collect official data (e.g. administrative data and representative general social surveys) that can be used for the purposes of understanding the state of discrimination and the effects of policy responses (Hardy and Schraepen, 2024[39]; Subgroup on Equality Data of the High Level Group on Non-Discrimination, Equality and Diversity, 2023[35]; 2021[36]). Results from the *OECD Anti-Discrimination Questionnaire* indicate that equality data collections are especially lacking for LGBTI people, religious minorities and racialised communities – although proxies for ethnic and racial minorities, such as nationality or migration are commonly collected (Figure 5.10; Valfort (forthcoming[40])). Moreover, equality data are less likely to be collected on people's interactions with the justice system and their self-perceived life satisfaction than in employment, education, health and poverty and social exclusion.

Figure 5.10. Official data are widely available for persons at risk of disability or age discrimination, as well as proxies for ethnic and racial minority status, but not as much for other grounds

Equality data collections in key areas of life for various groups at risk of discrimination, 21 OECD EU countries
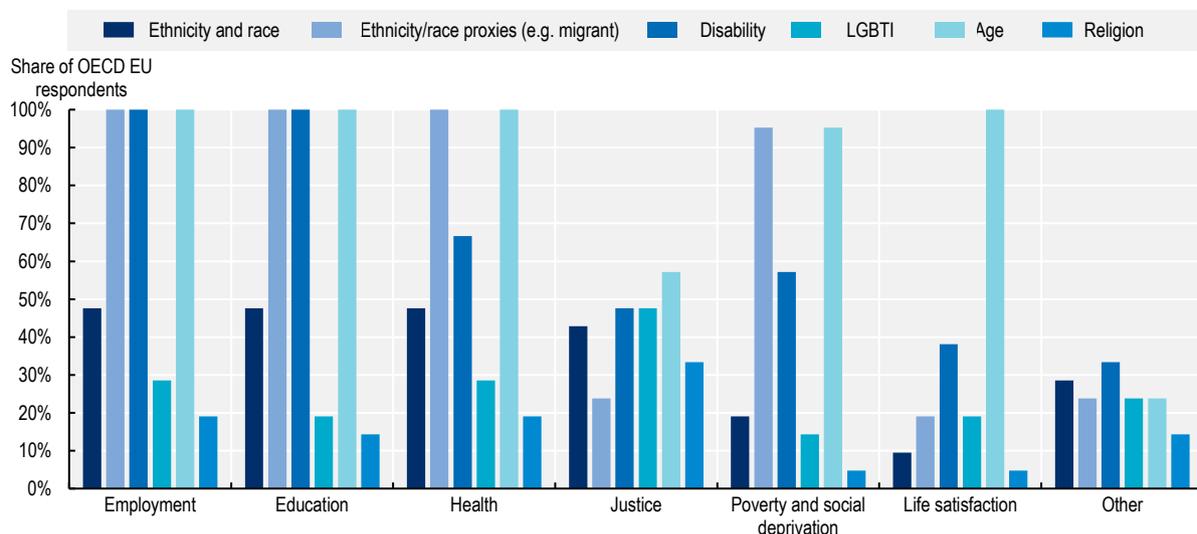
Note: Countries were asked about their national collections of data on groups at risk of discrimination in key areas of life. 'Ethnic/race proxies' include migration background, country of birth, nationality and year of migration. 'Other' areas of life include housing, perceptions of discrimination, police checks, trust in institutions (including police), sport, leisure, entertainment, online (including social media), access to goods and private services, language and family situation. This figure is based on national government responses from Austria, Czechia, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Hungary, Latvia, Lithuania, Luxembourg, the Netherlands, Poland, Portugal, Slovak Republic, Slovenia, Spain and Sweden, and national and regional responses from Belgium. In addition, this figure accounts for Eurostat's statistics on various at-risk groups including proxies for ethnicity and race (such as migrant status in the fields of employment, education and training, risk of poverty and social exclusion, health status and unmet health needs), age (employment, education, health status, risk of poverty and social exclusion and life satisfaction), and disability (employment, education, health, risk of poverty and social exclusion).
Source: OECD analysis based on the *OECD Anti-Discrimination Questionnaire*, Eurostat (2024[41]), *Disability: Overview,* *https://ec.europa.eu/eurostat/web/disability/overview*; and Eurostat (n.d.[42]), *Migration and Asylum: Migrant Integration,* *https://ec.europa.eu/eurostat/web/migration-asylum/migrant-integration.*

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Several challenges remain for countries in collecting and publishing equality data (Figure 5.11). There are concerns about collecting information on racialised groups, in particular, owing to the sensitivity of the data, the legacy of genocide and categorisation of certain ethnic groups as inferior during World War II, and concerns that the data will be used to reinforce negative stereotypes about people at risk of discrimination (Balestra and Fleischer, 2018[34]; Hardy and Schraepen, 2024[39]; European Commission, 2017[43]). Many of these issues were raised in response to the *OECD Anti-Discrimination Questionnaire*, with more than two-thirds of OECD EU respondents stating concerns about the effects on at-risk groups of collecting and using data, and over half mentioning privacy and legal concerns (Figure 5.11).

Figure 5.11. Barriers to the collection and publication of equality data

Reasons why countries are limited in collecting and/or publishing equality data, 21 OECD EU countries
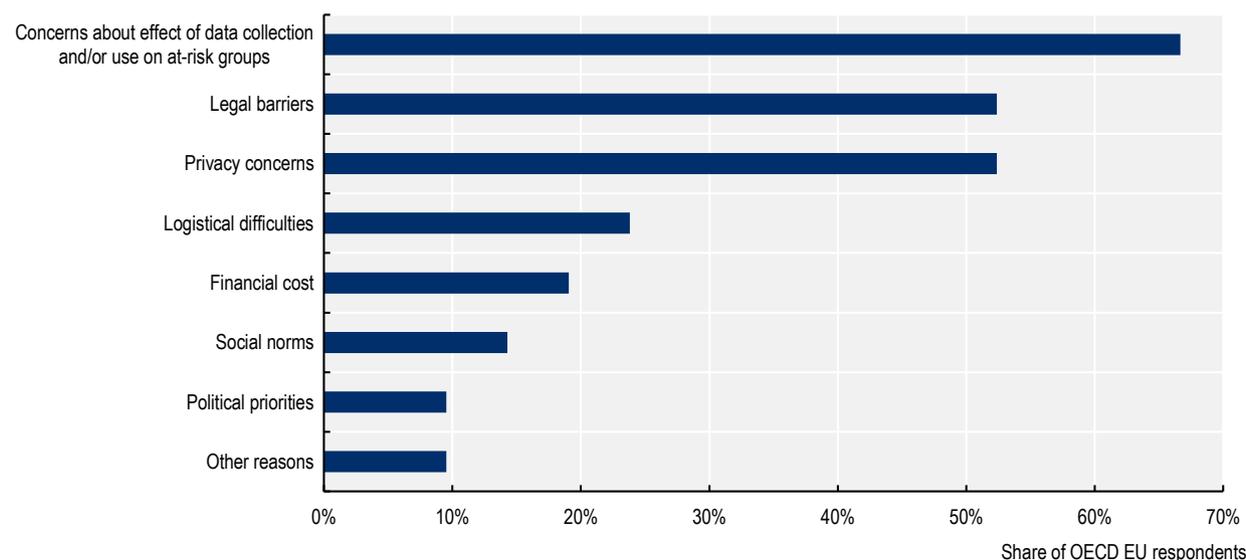
Note: Countries could select multiple barriers in the *OECD Anti-Discrimination Questionnaire*. The response category "Other reasons" included that data collections in some areas are the responsibility of local or regional governments, and that data collections are not organised systematically in a way that enables publication. Based on national government responses from Austria, Czechia, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Hungary, Latvia, Lithuania, Luxembourg, the Netherlands, Poland, Portugal, Slovak Republic, Slovenia, Spain and Sweden, and national and regional government responses from Belgium.
Source: OECD analysis based on the *OECD Anti-Discrimination Questionnaire*.

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Despite the concerns raised in responses to the *OECD Anti-Discrimination Questionnaire*, the European public supports efforts to collect equality data and is willing to provide national statistical organisations with sensitive, personal data to further policy developments. Almost 70% of respondents to the *2023 Discrimination in the EU Eurobarometer* support providing information about their ethnicity, skin colour, religion and disability as part of national censuses and other data collection exercises, while 60% support the collection of gender identity and sexual orientation data (Figure 5.12, Panel A).

Support for equality data collection is broadly based across countries and at-risk groups – with most people who identify as part of an at-risk group based on their sexual orientation, skin colour, ethnic origin (including Roma), religion, gender identity and disability in favour of providing statistical information corresponding to their identities (Figure 5.12, Panels A and B). In recognition of the value that equality data have for advancing inclusion and equality, support for data provision is highest among people who identify as part of a minority group and in countries that are most accepting of minority groups, such as Denmark, Sweden, Ireland and the Netherlands (Figure 5.12, Panel A, Chapter 3, Hardy and Schraepen (2024[39])).

Figure 5.12. Most Europeans are willing to provide sensitive, personal data for statistical purposes

Share of population that is in favour of providing anonymous personal information for statistical purposes, by country and self-identified minority status, 2023
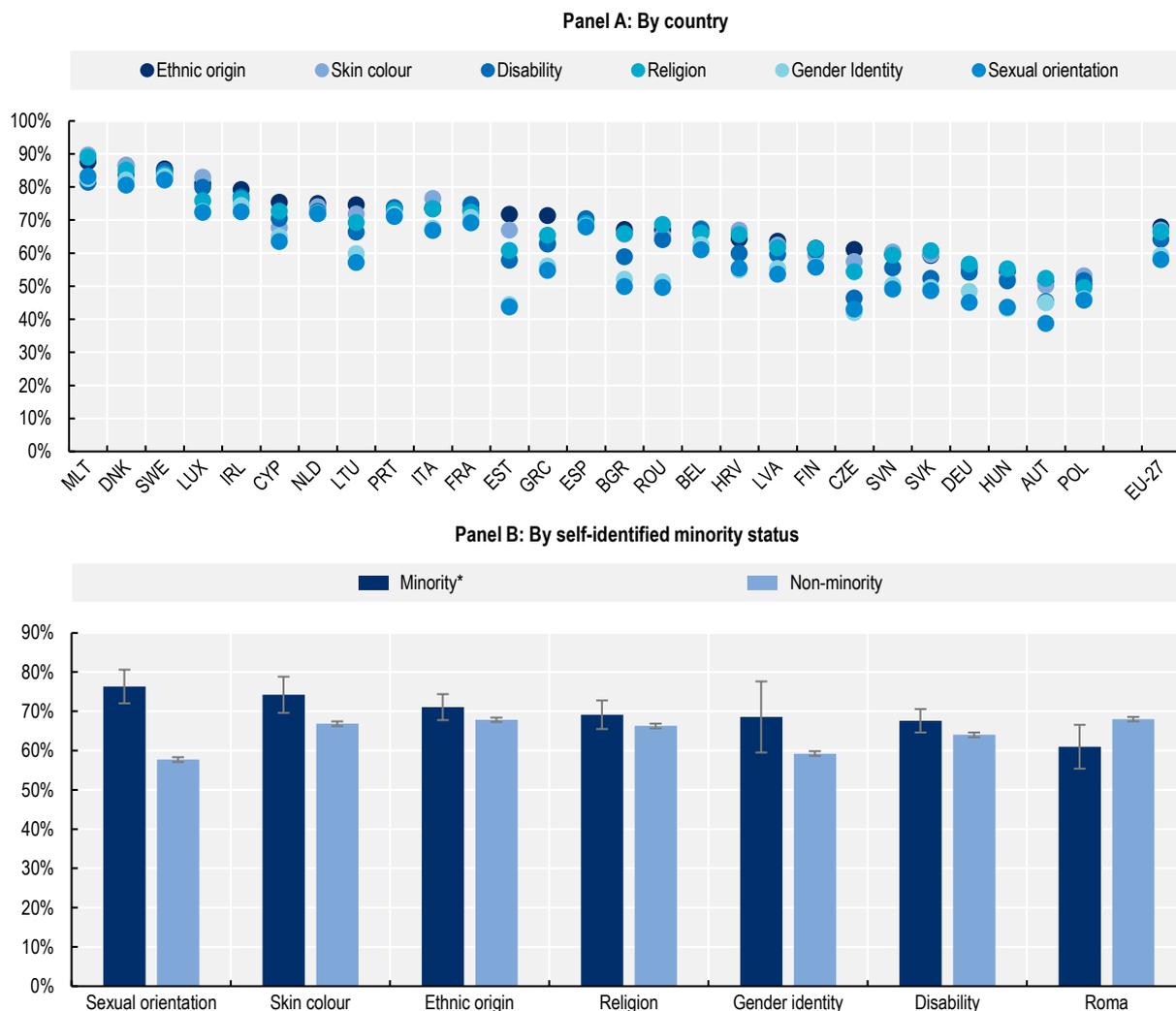
Note: The survey asked respondents about their views on providing anonymous information about their ethnic origin, skin colour, disability, religion or beliefs, gender identity (for example being transgender) and sexual orientation (for example being lesbian, gay or bisexual). Option categories were: "Totally in favour", "Somewhat in favour", "Somewhat opposed", "Totally opposed", "Don't know". The figure shows the combined "Totally in favour" and "Somewhat in favour" responses. In Panel B, the minority statuses that correspond to the data collections are shown. For example, the figure shows the willingness of people who identify as a part of a sexual-orientation minority to provide information on their sexual orientation. The Roma columns depict responses to the question about providing information on ethnic origin, split by whether a person identifies as Roma (i.e. part of a minority) or does not identify as Roma (i.e. non-minority). Whiskers denote 95% confidence levels.
Source: OECD calculations based on the European Commission (2023[44]), Discrimination in the European Union, Special Eurobarometer SP535, https://europa.eu/eurobarometer/surveys/detail/2972.

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Concerns about the collection and use of equality data can also be managed by statistical and policy agencies. For instance, data collectors can apply a "do no harm" principle, ensuring that data do not create or reinforce discrimination, bias or stereotypes, and are only collected for the purposes of benefitting at-risk groups and society at large (Balestra and Fleischer, 2018[34]; United Nations Office of the High Commissioner for Human Rights, 2018[45]; Subgroup on Equality Data of the High Level Group on Non-Discrimination, Equality and Diversity, 2021[36]). This can be achieved by engaging groups at risk of discrimination in data collection and analysis, responding seriously to at-risk groups' concerns, providing at-risk groups with the tools to use the data to understand and advocate for their communities, and collecting personal data only where essential and on a voluntary basis (i.e. by permitting a non-response option for those who do not wish to provide this information) (United Nations Office of the High Commissioner for Human Rights, 2018[45]).

EU legislation provides principles to protect the rights of the public when providing personal data. Article 9 of the *General Data Protection Regulation (Regulation (EU) 2016/679)* stipulates criteria for the processing of personal data including a person's racial or ethnic origin, religious or philosophical beliefs, or trade union membership, genetic and biometric data, health and sexual orientation. These criteria include that a person must give explicit consent for the processing of their data for specified purposes, or that processing the data are necessary for protecting a person's vital interests, or that processing the data has a substantial public interest.

At the national level, Spain's Comprehensive Anti-Discrimination Law (2022), requires public authorities to publish studies, reports or statistics to promote the aims of equality – provided that the collection and publication of such material is in line with international standards, including the protection of personal data. The clear declaration of the need for equality data and requirements placed on the proper collection and use of these data helps to build community trust that data will be collected for advancing equality in ways that maintain personal privacy (Productivity Commission, 2017[46]).

In Ireland and the Slovak Republic, the community is involved in the collection and use of data, in order to build trust and allay privacy concerns (Figure 5.13). These countries work with marginalised communities to develop the purpose for data collection, the types of data needed and ways of publishing information to be of use to the community and meet policy goals. As a result, Ireland and the Slovak Republic have disaggregated data on the life outcomes of Roma and Travellers, which can then inform policy responses. Further, Ireland is developing an equality data strategy to systematically collect information to improve the measurements of the impacts of policies on people's lives and support the future development of national equality strategies.

Moreover, strides are being made to improve data collections in countries that have traditionally taken a "colour blind" approach, in which information on ethnicity and racial origin is seen to be at odds with the democratic ideal of impartiality (Balestra and Fleischer, 2018[34]). Germany, for example, has created the National Discrimination and Racism Monitor to track the causes and consequences of discrimination, for the purposes of improving the understanding of, and response to, discrimination and racism (Figure 5.13). In doing so, the monitor helps to overcome the main drawbacks of the "colour blind" approach, namely rendering invisible the lives of at-risk groups, and the problems they face (Balestra and Fleischer, 2018[34]). Similarly, the Netherlands regularly monitors attitudes towards LGBTI people, and has invested the National Coordinator Against Discrimination and Racism with the responsibility to assess the performance of government ministries and report publicly.

Figure 5.13. Good data collection, accountability and monitoring practices

Good practices

Germany – the National Discrimination and Racism Monitor aims to provide reliable, long-term information on the causes, extent and consequences of discrimination and racism in Germany. It monitors attitudes, experiences, the media, public discourse and developments in law and policy advice. Recent research has focused on racism and health. The German Bundestag granted funding to establish the Monitor at the German Centre for Integration and Migration Research in 2020.

Ireland – the Central Statistics Office and the Department of Children, Equality, Disability, Integration and Youth are developing a National Equality Data Strategy to put in place a strategic approach to improving the collection, use and dissemination of equality data – with the support of a working group of government, civil society organisations and research bodies. The equality data strategy follows an OECD evaluation of the 2017 equality budgeting pilot, which found that embedding an 'equality perspective' throughout budgeting processes would be enhanced through the creation of a data strategy, so long as it articulates the role that official statistics and administrative data can be used to measure equality gaps and assess the impact of government interventions. Moreover, the equality data strategy complements Ireland's longstanding efforts to collect equality data in the Census of Population. The Census of Population includes ethnicity, race and religion, categories that evolve during community consultation on question design. The results of the pilot survey for the 2027 Census will be available in early 2025, which will provide recommendations for question changes based on how people self-identify.

Netherlands – the National Coordinator Against Discrimination and Racism monitors the achievements of relevant ministries against the National Programme. The Coordinator cooperates with the State Commission Against Discrimination and Racism, which investigates discrimination, equal opportunities, the position of minorities, diversity, equal treatment legislation and/or ethnic profiling; and advises the government on policy and regulatory improvements.
Further, the Ministry for Education, Culture and Science funds the *LGBTI Monitor* biennially, which covers attitudes towards LGBTI people, and their social, economic and health outcomes. Funding has been allocated for the 2026 and 2028 updates.

Slovak Republic – the Atlas of Roma (which has mapped marginalised Roma communities in 2004, 2013 and 2019) and the 2018 and 2020 Surveys on Income and Living Conditions of Households in Marginalised Roma Communities (EU SILC MKR) collect data on segregated Roma communities that are not adequately represented in general surveys, as well as Roma households living in the general community. The EU SILC MRK follows the same methodology as the EU SILC survey to ensure its comparability and was developed through funding from the European Social Fund + and with statistical support from the EU Agency for Fundamental Rights. The EU SILC MRK is used in research on the social determinants of health, education, employment, income, poverty and social exclusion, as well as to inform the design of health programmes and the National Roma Strategy and associated action plans. Moreover, further data developments, timelines for updates of the Atlas of Roma and EU SILC MRK, and plans for the assessment of the implementation of the National Roma Strategy are set out in guidance on the Evaluation and Monitoring of the Strategy for Equality, Inclusion and Participation of Roma until 2030. The guidance articulates how to use equality data for the benefit of Roma people and communities, and to build support and allay data collection concerns.

What makes these successful?
- Equality data collection and use are based on the principle of 'do no harm', with the data collected for the purposes of pursuing equality objectives and with the involvement of at-risk groups in the data development process.
- Clear, public data collection guidance assuages community concerns about privacy and use of data.
- Public reporting supports knowledge diffusion and the case for scaling up effective initiatives, as well as builds community trust that progress is being made to advance equality.

Source: OECD analysis based on the *OECD Anti-Discrimination Questionnaire*; DeZIM Institut (2024[47]), *National Monitoring of Discrimination and Racism (NaDiRa)*, https://www.dezim-institut.de/en/institute/national-monitoring-of-discrimination-and-racism-nadira/#:~:text=The%20National%20Monitoring%20of%20Discrimination,based%20on%20various%20data%20sources, (accessed on 14 October 2024); Nicol and Guven (2021[48]), "OECD scan of equality budgeting in Ireland: Equality mainstreaming and inclusive policy making in action", *OECD Journal on Budgeting*, *Volume 2021 Issue 1,* OECD Publishing, Paris, https://doi.org/10.1787/a4b2ab8d-en; Ireland Department of Children, Equality, Disability, Integration and Youth (2022[49]), *Minister O'Gorman Announces the Development of a National Equality Data Strategy*, https://www.gov.ie/en/press-release/5a7f4-minister-ogorman-announces-the-development-of-a-national-equality-data-strategy/, (accessed on 15 October 2024); Ireland Central Statistics Office (2024[50]), *Census 2027 Public Consultation*, https://www.cso.ie/en/census/census2027consultation/, (accessed 10 October 2024); the Netherlands National Coordinator Against Discrimination and Racism (2022[51]), *National Program Against Discrimination and Racism 2022*; Panteia (2024[52]), *LGBTQIA+ Monitor 2024: Insights into the Living Conditions and Attitudes Toward LGBTQIA+ Individuals in the Netherlands*, https://panteia.com/updates/news/lgbtqia-monitor-2024/, (accessed 10 December 2024); and Office of Plenipotentiary of the Government of the Slovak Republic for Roma Communities (2022[53]), *Evaluation and Monitoring of the Strategy for Equality, Inclusion and Participation of Roma until 2030*, https://www.romovia.vlada.gov.sk/strategie/strategy-of-equality-inclusion-and-participation-of-roma-until-2030/.

Principle 4: Institutional capability

Although government staff have deep knowledge of the policy sector they oversee (e.g. education, health, or housing), they may lack both the capability and resources to put equality and non-discrimination at the heart of the policymaking process (Barrett, 2024[54]; Freidenvall and Ramberg, 2021[55]). Instilling policymakers with an "equality perspective" can be achieved in multiple ways, such as through hiring people with a lived experience of discrimination or from at-risk groups, training people on the issues facing at-risk groups and how their needs can be better met through policy, and dedicating resources to encourage equality and knowledge diffusion.

OECD EU countries primarily use training and funding arrangements to build institutional equality capability. It appears that OECD EU respondents to the *OECD Anti-Discrimination Questionnaire* have taken a risk-based approach towards training, with programmes more likely to be offered in contexts in which at-risk groups face the highest likelihood of, or consequences from, discrimination (Figure 5.14). For example, in 80% of OECD EU respondents, training against racial and ethnic discrimination is provided to staff working in education settings (where Roma communities have traditionally faced segregation) and in justice and law enforcement – where young male adults who self-identify as belonging to an ethnic minority, or as Muslim, are more likely to be stopped by the police than other groups (European Union Agency for Fundamental Rights, 2021[56]). That said, the prevalence of police stops of people of African descent has fallen between 2016 and 2022, with large declines in Austria, Finland, Germany, Lithuania and Portugal (according to a survey of people of African descent in Austria, Belgium, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Luxembourg, the Netherlands, Poland, Portugal, Spain and Sweden) (European Union Agency for Fundamental Rights, 2023[57]). Similarly, more than 70% of OECD EU respondents to the *OECD Anti-Discrimination Questionnaire* provide training to counter disability discrimination in education, training and employment services, reflecting the barriers that persons with disabilities have to obtaining secure, well-paying jobs (European Disability Forum, 2023[58]) (Chapter 4).

Figure 5.14. Training to build awareness of biases against persons with disabilities and people from racialised communities are present in most OECD EU countries

Training by policy and service area, 21 OECD EU countries
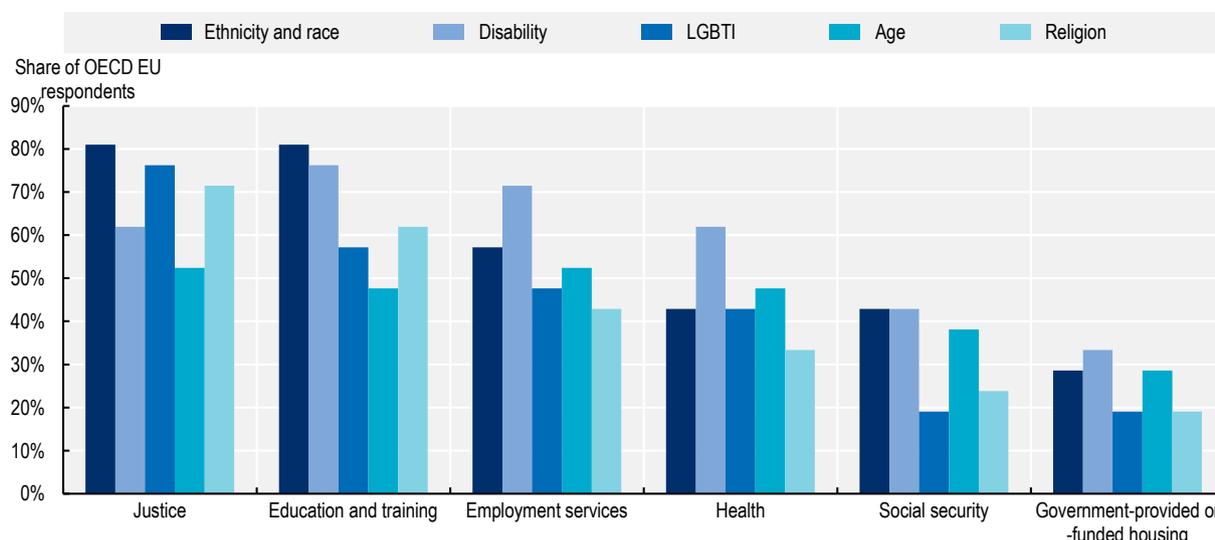
Note: The *OECD Anti-Discrimination Questionnaire* asked countries about whether training is provided to government staff working in policy roles or in frontline services, to eliminate prejudices and biases in the fields of education and training, health, employment services, justice and safety, social security and government-provided or -funded housing. Countries include Austria, Belgium, Czechia, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Hungary, Latvia, Lithuania, Luxembourg, the Netherlands, Poland, Portugal, Slovak Republic, Slovenia, Spain and Sweden.
Source: OECD analysis based on the *OECD Anti-Discrimination Questionnaire*.

StatLink 🔗 https://stat.link/c8jt6k

However, the efficacy of anti-bias training programmes has been questioned, with research pointing to one-off trainings not leading to long-term behavioural changes, and the potential for inciting backlash. Effective training programmes can overcome these challenges, for instance by rolling out awareness and skills-development training over a prolonged period, and organising training on a voluntary basis (Cheng et al., 2018[59]). Belgium's training programme has many of these positive features including being opt-in for employment services that want to know more about helping victims of discrimination, and having a follow-up component to reinforce lessons (Figure 5.15).

In conjunction with high-quality training, equality considerations can be incorporated into budget processes. For example, Ireland has piloted an equality budgeting approach, in which policy departments were encouraged to consider the effects of planned policy actions on at-risk groups – the only OECD country to pursue equality budgeting horizontally (instead of focusing on gender equality mainstreaming). An OECD scan found that Ireland's implementation of the equality budgeting pilot was 'relatively successful in pushing for equality considerations to be on the radar of government departments when they set performance metrics as part of the annual budget process' (Nicol and Guven, 2021, p. 131[48]). As part of the pilot, policy departments voluntarily identified programmes with an equality dimension and set performance targets (first, in relation to gender, and then broadened in 2018 to be more inclusive). However, a number of obstacles were identified, including:

- the breadth of the concept of "equality", which made it difficult to assess departmental efforts in the absence of an overarching equality strategy or set of goals.
- the efforts needed to convince departments to participate, as equality budgeting was not obligatory and there was a lack of clarity and buy in about the goals of the initiative.
- the complexity of collecting equality data.

The OECD scan highlighted ideas to make Ireland's equality budgeting approach more robust, including an analysis of the equality impacts of baseline government expenditure and introducing an equality dimension into resource allocation. Moreover, equality dimensions could be incorporated into evaluation, performance and external audits (Nicol and Guven, 2021[48]). Since the equality budgeting pilot, Ireland has further developed its equality strategies for disability, LGBTI, and Roma and Travellers, and is now developing an equality data strategy to support policy decisions more holistically (see above).

Given the novelty of Ireland's equality budgeting approach, other OECD EU countries have embedded equality into funding considerations in other ways, for instance through applying for EU funds and setting funding commitments as part of multi-year planning. The EU administers various funds to further national equality policy and mainstreaming objectives, chief among them being the ESF+. The ESF+ funds many of the good practices highlighted in this chapter and Chapter 4, such as the innovative community nursing pilot in Austria (in Chapter 4), data developments in marginalised Roma communities in the Slovak Republic, workplace diversity and inclusion initiatives in Belgium and disability awareness raising activities in Latvia. Latvia's ESF+ grants are also used to enhance information and education for policy planners, implementers, and employers. This includes campaigns such as *Stepping into Another's Shoes* and *Do Differently – Get the Same Things Done!*, as well as projects focused on deinstitutionalisation and the development of professional social work to promote disability inclusion and understanding. ESF+ funding arrangements encourage recipients to frame national initiatives in terms of broader European employment and social inclusion goals in line with the European Social Rights Pillar, thereby creating financial incentives for Member States to pursue equality.

While the ESF+ is an important mechanism for countries to innovate and improve their equality mainstreaming and proactive policies, there can be shortfalls in funding at the culmination of funding agreements. This means that good initiatives may be discontinued if alternative funding sources cannot be found. Indeed, in the absence of long-term, predictable funding arrangements, it can be difficult to plan services, upscale successful pilot programmes, apply policy lessons in new areas and sustain equality policy momentum. The lack of sustainable funding can also lead to 'trial fatigue' where policymakers and practitioners become unwilling to participate in new pilots and programmes because the effort of building new ways of operating is wasted once funding ends (Productivity Commission, 2021[60]).

The *OECD Anti-Discrimination Questionnaire* sought information on countries' efforts to augment EU funding allocations, especially their predictable funding arrangements that enable recipients to plan their activities with some degree of assurance (such as multi-year funding arrangements or future funding announced in national equality plans). Almost 95% of OECD EU respondents revealed that they have some mechanism to signal future equality funding commitments, evenly split between announcements made in budget documents or in policy documents, such as equality strategies (Table 5.3).

Table 5.3. Most OECD EU countries provide predictability via multi-year funding commitments

	Multi-year funding allocated in budgets	Multi-year funding announced made in equality strategies
AUT	●	●
BEL	●	●
CZE	○	●
DEU	○	○
DNK	●	●
ESP	●	●
FIN	●	●
FRA	●	●
GRC	●	○
HUN	○	○
IRL	○	●
ITA	●	●
LTU	●	●
LUX	○	○
LVA	●	●
NLD	●	●
POL	○	○
PRT	●	●
SVK	○	●
SVN	○	●
SWE	●	○

Note: Countries were asked about whether they have predictable funding arrangements for equality activities, such as 3-5 year budget cycles or funding commitments published in national equality strategies.
Source: OECD analysis based on the *OECD Anti-Discrimination Questionnaire*.

In addition to the ESF+, innovative funding arrangements include the Gender and LGBTI Equality Subsidy Scheme in the Netherlands, the Irish Higher Education Authority's Equality, Diversity and Inclusion Enhancement Fund, and Sweden's religious community funds (Figure 5.15). These funds offer opportunities for organisations progressing equality to maintain their long-term operational feasibility (in the case of the Netherlands and Sweden), as well as contribute to broader engagement efforts with state institutions to build trust and understanding. In Ireland, the Equality, Diversity and Inclusion Enhancement Fund promotes collaboration and knowledge sharing across the higher education sector by requiring three or more higher education institutions to work together on funded projects, with information on the projects and their outcomes to be disseminated to other higher education institutions (similar to what occurred during an earlier iteration of the fund, which focused on gender equality).

Figure 5.15. Good practices for building institutional capability

Good practices

Ireland – Higher Education Authority's (HEA) Centre of Excellence for Equality, Diversity and Inclusion administers the *Equality, Diversity and Inclusion Enhancement Fund* to encourage universities and vocational training institutes to use innovative approaches to promote equality and inclusion. To receive funding, projects must be collaborative across higher education institutions (with at least three participating institutes), and existing projects are eligible for funding to 'build on and significantly progress' successful practices. The HEA disseminates information on successful recipients to assist with knowledge diffusion, in keeping with its mandate to promote sharing and collaboration across the higher education sector. This fund is an expansion of the Gender Equality Enhancement Fund, which was established in 2020 in response to reviews of the operations of the HEA and Irish universities. In its first year in 2024, projects received funding to advance racial equality, raise awareness of intersectionality and a multi-dimensional approach, ending sexual violence and harassment, and advance gender equality.

Further, the HEA partners with Athena SWAN to build capacity for evidence-based equality work, including by offering regular training and workshops, and awards for institutions that meet the equality charter standards.

Netherlands – the Gender and LGBTI Equality Subsidy Scheme provides five-year funding to establish strategic partnerships with civil society organisations to work together towards emancipation, as well as funding for relevant and innovative projects. For the strategic partnerships, recipients need to provide annual reports to the Ministry of Health, Well-being and Sport.

Sweden – the inclusion of religious minorities is supported by the Agency for Support to Religious Communities (SST), which provides grant funding to religious institutions to maintain their activities over the long term, including through pastoral care and performing religious rites in healthcare settings, providing support in prisons and in the military, and enhancing community safety and education. The SST contributes to inter-faith understanding, cooperation between state institutions and faith communities and breaking down structural barriers to the participation of religious communities as important social actors.

Belgium – equal.brussels coordinates inclusion activities and builds capacity in the Brussels-Capital Region. It sets out multi-year grants for capacity-building in its regional anti-racism plan, including through Actiris, which provides diversity training for public and private sector employers and employer-support services (called Discrino). Discrino is a free training course and tool for organisations that provide advice to employers on discrimination issues (such as temporary employment agencies, recruitment consultants and job centres). The training covers the legal and theoretical framework on discrimination, common apprehensions that employers have about taking action to fight discrimination and techniques to overcome employers' fears. After the training, a tool is available to help with the retention of information. The tool is comprised of memory aid cards that are structured around the contents of the training. In addition, the Brussels-Capital Regional Government has created a label for organisations to signal their commitment to diversity. Organisations can opt into a network that shares good practices and can receive advice from Actiris diversity consultants (funded by equal.brussels and ESF+ grants). To receive a diversity label, organisations must develop diversity action plans in line with Brussels-Capital Regional Government guidelines and show the plan has been completed. Diversity action plans involve an assessment of the diversity of an organisation's workforce, and concrete actions to increase the inclusiveness of recruitment and selection, personnel policy, internal communication and external positioning.

What makes these successful?
- Multi-year funding agreements, or clear signals that funding will be ongoing, which gives programme managers more certainty to plan future activities.
- Opportunities to share good practices are built into funding agreements, which supports knowledge diffusion and helps identify initiatives that may be amenable to scaling up or trialling in new settings.
- Training that refreshes people's knowledge and skills (and does not stigmatise) can help to embed lessons.

Source: OECD analysis based on the *OECD Anti-Discrimination Questionnaire*; Ireland Higher Education Authority (2024[61]), *Equality, Diversity and Inclusion Enhancement Fund*, https://hea.ie/policy/gender/equality-diversity-and-inclusion-enhancement-fund/, (accessed on 3 November 2024); Ireland Higher Education Authority (n.d.[62]), *Athena SWAN Charter in Ireland*, https://hea.ie/policy/gender/athena-swan/, (accessed on 3 November 2024); the Netherlands Ministry for Education, Culture and Science (2022[63]), *Emancipation: A Task for All: Emancipation Memorandum 2022-2025*, https://zoek.officielebekendmakingen.nl/blg-1061759.pdf; Swedish Agency for Support to Religious Communities (2024[64]), *Operating Grants*, https://www.myndighetensst.se/bidrag/bidrag-for-statsbidragsberattigade-trossamfund/verksamhetsbidrag, (accessed on 5 December 2024); Swedish Agency for Support to Religious Communities (n.d.[65]), *About the State Support for Faith Communities*, https://www.myndighetensst.se/engelska/about-sst, (accessed on 20 November 2024); equal.brussels (2023[66]), *Plan Bruxellois de Lutte Contre le Racisme 2023-2026*; Actiris (n.d.[67]), *Choosing a Diversity Plan*, https://www.actiris.brussels/fr/employeurs/choisir-un-plan-de-diversite/, (accessed on 10 December 2024); and Actiris (n.d.[68]), *Discrino Training*, https://www.actiris.brussels/fr/partenaires/formation-discrino/, (accessed on 10 December 2024).

Conclusion

This chapter has explored equality mainstreaming approaches developed by OECD EU countries, drawing on good practices identified by the OECD and European Commission. Despite differences in focus or terminology, equality mainstreaming approaches share many common features: whole-of-government coordination, systematic stakeholder engagement with at-risk groups, robust monitoring and accountability mechanisms, and high-quality training and resources to build and sustain policymaker capability. These elements aim to ensure that policymakers consistently consider the impact of decisions on groups at risk of discrimination – including people from racialised communities, persons with disabilities, LGBTI people, religious minorities, and people of different ages.

In assessing the breadth of OECD EU countries' mainstreaming efforts through analyses of the *OECD Anti-Discrimination Questionnaire*, this chapter has found that mainstreaming is well established for disability equality and the equality of people from racialised communities, but not as much for LGBTI, religion and age. This pattern clearly shows the influence of the EU's focus on equality, including through its policy guidance and use of ESF+ funds. While the EU's recent Union of Equality initiatives are broadly based across grounds, there is a longer history for promoting disability and ethnic and racial inclusion via mainstreaming, as well as stronger legal protections against racial and disability discrimination.

There are, however, exceptions. Countries such as Belgium, the Netherlands, Sweden and Luxembourg pursue more comprehensive approaches to mainstreaming across all at-risk groups. Others – including Ireland, Finland, Austria, Denmark, Greece, and the Slovak Republic – demonstrate good practices in specific areas, which could potentially be expanded to other grounds. The examples highlighted in this chapter may serve as useful reference points for other OECD EU countries, although effective implementation will require adapting these approaches to national priorities, capacities, and institutional contexts.

Finally, this chapter has noted that there are positive signs for equality mainstreaming, with progress underway in areas that have historically been sensitive, such as equality data. Eurostat's Equality and Non-Discrimination Statistics Task Force and national statistical efforts to understand the experiences of people facing discrimination are promising developments, as is Spain's institutional reforms to address discrimination systematically. Indeed, the implementation of Spain's equality reforms could see it converge with countries that take a horizontal approach to mainstreaming.

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Annex 5.A. EU equality mainstreaming facilitators

This annex presents EU mechanisms to instil equality mainstreaming in Member States, for instance by encouraging community engagement, funding equality initiatives, improving the collection and use of equality data, developing EU equality strategies, and coordinating policymakers to share best practices (Annex Table 5.A.1).

Annex Table 5.A.1. Key mechanisms for mainstreaming equality and non-discrimination in the EU

	Initiative
Community engagement processes	• Appointment of the EU Anti-Racism Coordinator (2021), who liaises with people from racialised communities and relays their concerns to the Commission • Appointment of the EU Coordinator on Combatting Antisemitism and Fostering Jewish Life (2015), who consults with Jewish communities and organisations • Appointment of the EU Coordinator on Combatting Anti-Muslim Hatred (2015), who is the main point of contact for organisations working in the field. • Creation of the Permanent Anti-Racism Civil Society Organisations (CSOs) Forum (2021), which enables specialised CSOs to feed their expertise and experience into the EU Anti-Racism Action Plan implementation
Funding mechanisms for equality	• PROGRESS policy programme (2007-2013) • Rights, Equality, and Citizens Programme (2014-2020) • Citizens, Equality, Rights, and Values programme (CERV) (2021-2027), within the Justice, Rights, and Values Fund • EQUAL initiative, within the European Employment Strategy • European Social Fund Plus (ESF+) • Recovery and Resilience Facility • European Regional Development Fund
Equality strategies and plans	• LGBTIQ Equality Strategy (2020-2025) – first plan • EU Anti-Racism Action Plan (2020-2025) – first plan • Gender Equality Strategy (2020-2025) – progressively updated since the Fourth Action Programme on Equal Opportunities in 1996 • EU Roma Strategic Framework on Equality, Inclusion, and Participation (2020-2030) – progressively updated since 2011 • Strategy for the Rights of Persons with Disabilities (2021-2030) – updated since 2003 • EU Strategy on Combatting Antisemitism and Fostering Jewish Life (2021-2030) – first plan
Equality data	• Since 2018, the Subgroup on Equality Data within the High Level Group on Non-Discrimination, Equality, and Diversity has produced a compendium of good practices, a Guidance Note on the Collection and Use of Equality Data Based on Racial or Ethnic Origin (2021) and a Guidance Note on the Collection and Use of Data for LGBTIQ Equality (2023) • Eurostat Equality and Non-Discrimination Statistics Task Force (2023-ongoing) • European Union Agency for Fundamental Rights research and data

	Initiative
Policy learning, coordination, and dialogue	• Creation of the European Institute for Gender Equality (2006) • Broadening of the European Monitoring Centre on Racism and Xenophobia to the Fundamental Rights Agency (2007) • Access City Awards (2010) to raise awareness of EU cities that have prioritised inclusion of persons with disabilities • High Level Group on Non-Discrimination, Equality, and Diversity (2015) • European Equality Law Network (formed in 2014 as a merger of the European Network of Legal Experts in the Non-Discrimination Field and the European Network of Legal Experts in the field of Gender Equality) • High Level Group on Combatting Hate Speech and Hate Crime (2016) • Appointment of the first Commissioner for Equality (2019), whose work is supported by a Task Force on Equality • European Disability Expertise (2020, formerly the Academic Network of European Disability Experts, which was established in 2007) • EU LGBTIQ Equality Subgroup supports the implementation of the EU LGBTIQ Equality Strategy (2021) • European Capitals of Inclusion and Diversity Awards (2021) • AccessibleEU (2022), a platform for building the capacity of EU Members to ensure the participation of persons with disabilities by increasing access to the built environment, transport, information and communication technologies • The EU Anti-Racism Coordinator, EU Coordinator on Combatting Antisemitism and Fostering Jewish Life and the EU Coordinator on Combatting Anti-Muslim Hatred engage with Member States, the European Parliament, academics and civil society to improve policies to fight racism, intolerance and discrimination.

Notes

[1] A note on terminology: in this chapter, inclusive language is used as much as possible when referring to LGBTI people, persons with disabilities and people from racialised communities. The term "racialised communities" is based on the European Commission Against Racism and Intolerance's (2021[69]) definition, in which racialisation is "the process of ascribing characteristics and attributes that are presented as innate to a group of concern to it and of constructing false social hierarchies in racial terms and associated exclusion and hostility. Regardless of where one is from and of personal circumstances, once identified or perceived as a member of a group, one is deemed as embodying characteristics based on, for instance, skin colour, ethnic or national origin inherent to all members of that group". The terms "at-risk groups" and "minority groups" are used interchangeably. However, in some cases, alternative language is used to align with research and policy documents, and in order to present findings accurately. For example, the *OECD Anti-Discrimination Questionnaire* only asked about anti-discrimination laws based on a person's sexual orientation and/or gender identity, and as such the term LGBT is used when referring to countries' legal responses.

[2] The *OECD Anti-Discrimination Questionnaire* collected information on *national* equality mainstreaming efforts. The exception is Belgium, which included examples from the regions of Wallonia, Flanders and the Brussels-Capital Region, as well as national efforts, when completing the *OECD Anti-Discrimination Questionnaire*. This chapter includes Belgium's national and regional policies as part of the gap analysis and in the identification of good practices. However, Belgium is not directly comparable to other OECD EU countries, which only provided national-level examples. As such, Belgium is not included in EU averages, as doing so would not be a fair comparison. Belgium is, however, included in most figures and tables to showcase the degree to which its mainstreaming efforts cover all protected grounds of interest.

Combatting Discrimination in the European Union

Discrimination remains a persistent challenge in the European Union, despite efforts to enhance anti-discrimination laws and inclusion policies. In the absence of comparable official data sources, this report draws on survey data and the OECD Anti-Discrimination Questionnaire to analyse discrimination against people from racialised communities, LGBTI people, persons with disability and religious minorities in OECD EU countries. Self-reported discrimination rates are rising in many OECD EU countries and discrimination, particularly when it occurs frequently, is associated with severe effects on people's lives – constraining income-earning opportunities, exacerbating housing and financial stress, increasing concerns about exposure to violence, and contributing to loneliness and mental ill-health. These consequences come at a considerable personal cost to the individuals directly affected and to society as a whole. While OECD EU countries have made progress in prohibiting discrimination and promoting inclusion, legal and policy gaps persist for some at-risk groups, such as LGBTI people and religious minorities. Strengthening anti-discrimination protections, harmonising EU legislation across all protected grounds, and improving data collection could help foster greater inclusion and equality.