

**FRA**

EUROPEAN UNION AGENCY FOR FUNDAMENTAL RIGHTS

To the attention of:

Paul NEMITZ  
Director  
Fundamental rights and Union citizenship  
DG Justice  
European Commission  
1049 Brussels  
BELGIUM

Via E-mail: [REDACTED]@ec.europa.eu

Vienna, 8 March 2013  
2013-outgoing-000350

**Re: New FRA report on Inequalities and multiple discrimination in access to and quality of healthcare**

Dear Director Nemitz,

*- Dear Paul*

On 11 March 2013, the European Union Agency for Fundamental Rights (FRA) will publish a new report on '*Inequalities and multiple discrimination in access to and quality of healthcare*.' The report looks at some of the practical barriers and experiences of unequal treatment in accessing healthcare that people may face because of a combination of their traits (e.g. ethnic origin, gender, age and disability). The report finds that in such cases, people and their legal advisors often have difficulties in bringing a complaint of discrimination on 'multiple' grounds to a relevant judicial mechanism. This is because in areas beyond employment, there is a 'hierarchy of grounds', whereby EU law protects more comprehensively against discrimination on some grounds than on others. Other reasons include a poor understanding of 'multiple' discrimination, or because legally it is simply easier to deal with a complaint on only one particular ground. In healthcare, moreover, lawyers often do not file complaints as discrimination cases, due to lower compensation compared to, for example, medical malpractice suits.

This report looks at how 'multiple' discrimination is addressed legally and examines relevant case law with a special focus on healthcare. It also explores health users' and professionals' views and experiences on how people of different gender, age, disability and ethnic origin experience discrimination and multiple discrimination when accessing the health system in Austria, Czech Republic, Italy, Sweden and the UK.

These findings contribute to discussions on the adoption of the proposed EU 'Horizontal Directive', legislation that would extend equal protection against discrimination on age, disability, religion or belief and sexual orientation to all fields, including healthcare. They will also improve understanding of how 'multiple' discrimination is experienced and addressed in policy making, and through complaints procedures.



Morten Kjaerum, Director


European Union Agency for Fundamental Rights  
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FRA will present and explain the findings to the EU Council's Social Questions Working Party, which is being chaired by the Irish Presidency of the Council of the EU.

We hope that you will find the information, analysis and activities captured in these reports interesting and of use to you in your work. Should you require further information, please do not hesitate to contact us.

Yours sincerely,

  
Morten Kjaerum  
Director

Please note, the embargo is 11 March 12:00 CET.

Enclosures:

*FRA, Inequalities and multiple discrimination in access to and quality of healthcare*