

Antidiscrimination Law and Shared Prosperity

An Analysis of the Legal Framework of Six Economies
and Their Impact on the Equality of Opportunities
of Ethnic, Religious, and Sexual Minorities

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WORLD BANK GROUP

Development Economics

Global Indicators Group

March 2017

Abstract

This paper looks at the structural marginalization of ethnic, religious, and sexual minorities in six pilot economies (Bulgaria, Mexico, Morocco, the Netherlands, Tanzania, and Vietnam) and proposes a new methodology for collecting cross-country comparable data on antidiscrimination legal frameworks. The data cover six areas of law, addressed by six indicators: (a) access to institutions, (b) access to education, (c) access to the labor market, (d) access to property, (e) access to public services and social protection, and (f) protection from hate crimes and hate speech. The laws, policies, and regulations presented fall under one of these indicators. For each, the paper attempts to identify the minority gap, the difference between the legal treatment of the ruling majority and that of the minority. Data were collected through two sources: first, standardized surveys submitted to ombudsman institutions, lawyers, academics, and civil society organizations; second, public government records on laws and regulations and data from international legal databases and human rights organizations.

The idea driving the study is that institutional measures that hamper the access of ethnic, religious, and sexual minorities to the labor market and financial systems directly affect their economic performance and, as a consequence, represent a cost for the economy. Among the findings of the study is that antidiscrimination labor legislation is well developed in all six pilot economies, but many gaps still exist in access to property and in access to public goods and social services. The study also found that, of the three groups covered by the study, the least protected under the law are the sexual minorities. Although data from six economies cannot provide statistical evidence, findings suggest the need for further research. The authors hope to encourage a wider debate on the consequences of systematic discrimination against minorities and to help governments critically review their legal frameworks to ensure equal opportunities for all citizens, regardless of religion, ethnicity, gender identity or sexual orientation.

This paper is a product of the Global Indicators Group, Development Economics. It is part of a larger effort by the World Bank to provide open access to its research and make a contribution to development policy discussions around the world. Policy Research Working Papers are also posted on the Web at <http://econ.worldbank.org>. The authors may be contacted at epanter@worldbank.org.

The Policy Research Working Paper Series disseminates the findings of work in progress to encourage the exchange of ideas about development issues. An objective of the series is to get the findings out quickly, even if the presentations are less than fully polished. The papers carry the names of the authors and should be cited accordingly. The findings, interpretations, and conclusions expressed in this paper are entirely those of the authors. They do not necessarily represent the views of the International Bank for Reconstruction and Development/World Bank and its affiliated organizations, or those of the Executive Directors of the World Bank or the governments they represent.

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JEL codes: J15, J71, K11, K12, K14, K31, K38

Keywords: Inequality and shared prosperity, inclusive growth, inclusive jobs, education for all, social inclusion, equality of opportunities, ethnic minorities, indigenous peoples, religious minorities, LGBTI, discrimination, human rights

Acknowledgments

The paper and the data presented within were prepared by a team led by Elaine Panter with the support of Tazeen Hasan, Tanya Primiani, and Eduardo Calderon Pontaza under the general direction of Federica Saliola.

The authors would like to thank the Knowledge for Change Program Phase III Multi-Donor Trust Fund (KCP III) for sponsoring the project and all the external and internal experts who believed in it and provided invaluable technical assistance to this pioneering initiative on the connection between equality legislation and economic development. The experts included Augusto Lopez-Claros (Director, Development Economics—Global Indicators Group, DECIG, World Bank), Melissa Johns (Advisor, DECIG), Yasmin Klaudia Bin Humam (Private Sector Development Specialist, Women, Business and the Law, World Bank), Nicholas Menzies (Justice Reform Specialist Governance Global Practice, World Bank), Phil Crehan (Social Development Researcher, Global Practice—Social, Urban, Rural and Resilience, GSURR, World Bank), Luis Felipe Dulchicela (Indigenous Peoples Advisor and Senior Social Development Specialist, GSURR), Maria Beatriz Orlando (Lead Social Development Specialist, GSURR), Adam Russell Taylor (Lead of the World Bank Group Faith-Based Initiative), Anna Autio (Program Manager, Nordic Trust Fund), Chloe Shwenke (Advisor on Transgender issues, GSURR), Erick Zeballos (Deputy Director, International Labour Organization, Washington, D.C., Office), Steven Schneebaum (Adjunct Professor, Johns Hopkins University School of Advanced International Studies), Sandra Fredman (Rhodes Professor of the Laws of the British Commonwealth and the USA, Oxford University), and Mohamed Mattar (Professor of Law, Qatar University College of Law).

Finally, the authors would like to recognize the work of information technology staff members who assisted in coding the data, including Andres Baquero Franco (IT Officer, World Bank) and Vincent Yemoh (IT Analyst, World Bank).

I. Introduction

The economic marginalization of ethnic, religious, and sexual minorities is a problem that affects all nations around the world and is one that policy makers can no longer afford to ignore. Exclusion of minorities from the labor force is becoming politically and economically unsustainable for many states that are struggling to retain their legitimacy and strengthen their competitive potential in an increasingly global market (Hamm 2014; see also *Economist* 2015). As a consequence, governments, international development agencies, and academic institutions are now looking seriously at ways to develop policies that guarantee a more equal and sustainable economic development—economic development that addresses both short- and long-term economic goals. Among the long-term goals is the promotion of equality of opportunities for those members of society who, because of prejudice, legacies of the colonial period, and discriminatory cultural norms, are marginalized and discouraged from fully participating in and contributing to the growth of their country (World Bank 2013a).

Promoting equal opportunities for all requires introducing new economic models and political changes in the way institutions are structured and power dynamics are regulated within society (Stiglitz 2013). In other words, a radical change in mentality must occur so that everyone, regardless of his or her parents' socioeconomic status—including aspects of ethnicity and race—is seen as a valuable member of society and is given the same opportunities to succeed (Roemer and Trannoy 2013).

Despite extensive documentation on discrimination against minorities around the world, the lack of data on laws that should protect those groups from discrimination and on the effect those laws have on the economic growth of a country is worrisome. Recent studies show that laws that protect minorities from discrimination contribute to the economic empowerment of such groups and that empowerment, in turn, contributes to the development of the country by serving economic and, particularly, efficiency-based ends (Deakin, Malmberg, and Sarkar 2013; see also Badgett and others 2014). Results in this field are mostly anecdotal, however, and available data are still scarce and patchy. Data sets in related fields do exist but are often not presented in a cross-country comparable manner that can give rise to actionable data (see appendix A).

The UN experts called on governments to establish appropriate anti-racism action plans as well as equality bodies and to provide adequate redress to the victims. They also highlighted the need for collecting reliable data to monitor changes. (United Nations 2016)

The reason is partially that hard data on discrimination are notoriously difficult to acquire and often come down to some kind of self-reporting. Although such reporting may be indicative of underlying trends, it relies heavily on individuals' interpretation of what is happening. As reported by the International Labour Organization (ILO), "Data [on discrimination] are typically collected through ad hoc research or situation tests, but seldom in a systematic way" (ILO 2011b, xi). Also, when collected, data often are not disaggregated in a manner that can help develop policies to prevent discrimination and promote equality (FRA 2013, 4).

Furthermore, data available on equality legislation are limited geographically. The great majority of the existing studies focus on Europe and North America.¹ Several countries in other regions also have extensive literature because of their particular institutional history. For example, South Africa has been the focus of studies on its apartheid and post-apartheid periods (see, for example, Human Rights Watch 2015, 2016). Profound disparities also exist in the coverage of the different forms of discrimination. Gender discrimination is the most widely researched, followed by racial and ethnic discrimination and religious discrimination. Discrimination based on sexual orientation and gender identity has only recently emerged as an international concern, and it is less commonly researched and documented in the literature (Freedman 2012, 13).

This paper is the World Bank Group's first study on the antidiscrimination legal framework of a country and its effect on equal opportunities for ethnic (including indigenous), religious, and sexual minorities. The authors of this paper acknowledge that a country's legal framework is only one of the many factors that contribute to the creation of equality

¹ Notably, studies address discrimination against Roma people in Europe (European Commission 2016); racial discrimination and overrepresentation of minorities in prisons in the United States (Amnesty International n.d.); and discrimination against indigenous persons, particularly women, in Canada (Amnesty International 2009).

of opportunity. It is one that has gained increased attention in recent years, however, especially after the global financial crisis and recognition of the need for more stringent regulatory frameworks in the labor and financial sectors (Stiglitz 2013; see also Ferreira and Peragine 2015). By developing a methodology for the collection of comparable cross-country global data, the researchers aim to create a framework for the identification of gaps in the legislation of countries around the world that, if addressed, may help tackle the marginalization of minorities and ultimately strengthen the economy of those countries.

The rest of the paper is structured as follows: Section II provides definitional clarifications. Section III discusses the theoretical underpinnings of the research and relevant literature on equality of opportunity and equality legislation. Section IV presents the survey design and data collection methodology. Section V is divided into six subsections and is a summary of some of the major findings in the six pilot countries for the six indicators. Section VI concludes.

II. Definitions

Discrimination was defined in the 1989 Human Rights Committee's Comment on Non-Discrimination as follows:

any distinction, exclusion, restriction or preference which is based on a number of identified grounds 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 or freedoms.²

The definition of *minorities* used in this paper is the one used in the United Nations human rights system, which was provided in 1977 by Francesco Capotorti, special rapporteur of the United Nations Sub-Commission on Prevention of Discrimination and Protection of Minorities, who stated the following:

[A minority is] a group numerically inferior to the rest of the population of a State, in a non-dominant position, whose members—being nationals of the State—possess ethnic, religious or linguistic characteristics differing from those of the rest of the population and show, if only implicitly, a sense of solidarity, directed towards preserving their culture, traditions, religion or language.³

Since 1977, the United Nations Office of the High Commissioner for Human Rights has further defined this concept and specified that to be a minority, a group does not need to be numerically inferior to the majority. Although in most instances, a minority group will be a numerical minority, in other instances, a numerical majority may also find itself in a minority-like or nondominant position.⁴

Indigenous peoples are defined thus:

Indigenous communities, peoples and nations are those which, having a historical continuity with pre-invasion and pre-colonial societies that developed on their territories, consider themselves distinct from other sectors of the societies now prevailing on those territories, or parts of them. They form at present non-dominant sectors of society and are determined to preserve, develop and transmit to future generations their ancestral territories, and their ethnic identity, as the basis of their continued existence as peoples, in accordance with their own cultural patterns, social institutions and legal system. (United Nations 2004)

Under international law, indigenous peoples are granted their own set of rights and duties (UNOHCHR 2010). Among them are communal land rights, which are at times violated by the central government or the ruling group.⁵ Like ethnic

² Human Rights Committee 1989. Authoritative interpretation that formulates a legal definition and understanding of the meaning and reach of nondiscrimination at the international level.

³ See UNOHCHR n.d.

⁴ Ibid.

⁵ For many indigenous peoples, traditional lands are an integral part of their beliefs and traditions and are essential to their existence. Countries around the world are gradually recognizing those practices and are granting exceptions from laws that may interfere with

and religious minorities, indigenous peoples often are among the poorest in society and face institutionalized discrimination at different levels of power, forcing them into economic marginalization and financial insecurity. For this reason, the study also covers indigenous populations and includes a question on the laws regulating communal land rights.⁶

Sexual minorities refers to people who are lesbian, gay, bisexual, transgender, or intersex. Lesbian women are women who are attracted to women, and gay men are men who are attracted to other men. Bisexuals are attracted to both men and women. As for *transgender*, the United Nations defines the term as follows:

[A]n umbrella term used to describe a wide range of identities—including transsexual people, cross-dressers (sometimes referred to as “transvestites”), people who identify as third gender, and others whose appearance and characteristics are perceived as gender atypical. Transwomen identify as women but were classified as males when they were born. Transmen identify as men but were classified female when they were born. (Free and Equal Initiative n.d.)

Further, an *intersex person* is someone

born with sexual anatomy, reproductive organs, and/or chromosome patterns that do not fit the typical definition of male or female. This may be apparent at birth or become so later in life. An intersex person may be identified as male or female or as neither. Intersex status is not about sexual orientation or gender identity: intersex people experience the same range of sexual orientations and gender identities as non-intersex people. (Free and Equal Initiative, n.d.)

International law in the field of LGBTI rights is still in its infancy, and the World Bank Group has only recently acknowledged the economic fragility of those populations (SOGI Task Force 2015) and the effect that exclusion of sexual minorities can have on the economic growth of a country (Kim 2014). As highlighted in a World Bank report on LGBTI communities around the world, data on LGBTI people are scarce, even in developed countries (Koehler and Menzies, forthcoming).

Two terms often used in the LGBTI literature are *sexual orientation* and *gender identity*. The closest to generally accepted definitions of those terms are those provided by the Yogyakarta Principles on the Application of International Human Rights Law in relation to Sexual Orientation and Gender Identity:

Sexual orientation is understood to refer to each person’s capacity for profound emotional, affectional and sexual attraction to, and intimate and sexual relations with, individuals of a different gender or the same gender or more than one gender.

Gender identity is understood to refer to each person’s deeply felt internal and individual experience of gender, which may or may not correspond to the sex assigned at birth, including the personal sense of the body (which may involve, if freely chosen, modification of bodily appearance or function by medical, surgical or other means) and other expressions of gender, including dress, speech and mannerisms. (ICJ 2007)

Finally, adopting the more developed language used in the gender equality and women’s rights literature—which often talks about *gender gap* to refer to the gender-based disparities in the economic, political, education, and health spheres⁷—the study refers to disparities in the same fields between ethnic, religious, and sexual minorities and the respective majorities as *the minority gap*. The term is clearly a gross generalization of the myriad differences among the three groups and within each group; however, it is useful in highlighting the existence of the phenomenon and is used in this paper.

their usufructuary traditions. Unfortunately, in many countries, indigenous peoples have seen their traditional lands eroded through mass deforestation. Mining and oil and mineral exploitation are notable problems in large swaths of Africa and Latin America.

⁶ Because many of the issues concerning ethnic minorities also affect indigenous peoples, issues related to indigenous peoples are included in the ethnic minorities survey.

⁷ The Global Gender Gap Index, World Economic Forum, <http://reports.weforum.org/global-gender-gap-report-2015/the-global-gender-gap-index-2015/>.

III. The Theory behind the Study: Equality of Opportunities and Discrimination Against Minorities

Rising income inequality between the rich and the poor has dominated political and economic debates in recent years. Today, 48 percent of the global wealth is owned by less than 1 percent of the world population (Oxfam 2014). High-income countries generate 55 percent of the global income but account for only 16 percent of the world's population.⁸ Low-income countries create just over 1 percent of the global income even though they contain 72 percent of the global population (UNDESA 2013, 25). Also, in countries where inequality has risen, income is concentrated increasingly at the very top of the distribution ladder (UNDESA 2013). In the United States, income disparities have become so pronounced that Americans in the top 1 percent earn on average more than 38 times more income than the bottom 90 percent, and the top 0.1 percent earns more than 184 times the income of the bottom 90 percent.⁹

“Extreme inequality isn’t just a moral wrong. We know that it hampers economic growth and it threatens the private sector’s bottom line.”

Winnie Byanyima, executive director, Oxfam International (Oxfam International 2015)

Classical economic theories had not predicted such profound income inequality. On the contrary, classical economists believed that the invisible hand of the free market and the laws of supply and demand would automatically allocate resources efficiently.¹⁰ According to those theories, everyone who participates in a free economy will eventually reap the benefits of growth because benefits at the top are bound to “trickle down” to those at the lower end of the distribution. As a consequence, the economic progress of a country is simply assessed by measuring the growth of gross domestic product per capita.

The recent growth in income inequality at the global and national levels has forced governments around the world to reconsider some of those theories and look at new policies to tackle the increased poverty within their societies (ILO 2011a). Interestingly, in countries where inequality has declined, the expansion of education and public transfers to the poor seem to have played a more important role than free-market allocation (Dabla-Norris and others 2015). In Latin America and the Caribbean, for instance, an increase in public expenditure on education since the early 1990s led to rising secondary school enrollment and completion rates and became a major determinant of the fall in wage inequality (Ferreira and others 2013; López-Calva and Lustig 2010).

The rise in income inequality has generated a rich literature on the causal links between inequality and development, with many researchers suggesting that inequality has a negative effect on economic growth.¹¹ Stiglitz (2012) argues that income inequality hinders economic growth because it skews the economy toward rich households, which have a lower propensity to consume and spur aggregate demand, rather than to middle- and low-income households. Herzer and Vollmer (2012, 489) also found in their study on per capita income in 46 countries over the period 1970–95 that “inequality has a negative long-run effect on income.”¹² The World Bank (2013a, 54) highlights that “social inclusion matters because exclusion is too costly. These costs are social, economic, and political and are often interrelated.” Also, recent International Monetary Fund studies provide statistical evidence that income inequality (as measured by the Gini coefficient) negatively affects growth and its sustainability (Berg and Ostry 2011; Ostry, Berg, and Tsangarides 2014).

⁸ High-income countries are those with a gross national income per capita of US\$12,476 or more in 2011, whereas low-income countries are those with a gross national income per capita of US\$1,025 or less, according to the World Bank. See UNDESA 2013, 25, <http://www.un.org/esa/socdev/documents/reports/InequalityMatters.pdf>.

⁹ See Inequality.org, “Income Inequality,” <http://inequality.org/income-inequality/>.

¹⁰ Most notably Mill (1848), Smith (1776), and Ricardo (1817).

¹¹ Surveys on this issue can be found in Bénabou (1996); Aghion, Caroli, and García-Peñalosa (1999); Bourguignon (2004); Bertola et al. (2005) and Ehrhart (2009). See also World Development Report 2006: Equity and Development (World Bank 2006), which provides a strong empirical underpinning to the claim that interventions that narrow inequality can be good for growth and long-term prosperity.

¹² Herzer and Vollmer 2012, 489.

Researchers have advanced different theories on the determinants of inequality. Some researchers believe that inequality can be traced back to inequality of opportunities, namely, unequal access to opportunities arising from circumstances outside the individual's control, including parental background, gender, ethnicity, and religion. The major proponents of this theory (also identified as luck egalitarianism by philosophers and political scientists) are, among others, John Roemer (2009), Xavier Ramos and Dirk Van de Gaer (2012), Marc Fleurbaey and Vito Peragine (2013), and Gustavo Marrero Juan Gabriel Rodriguez (2013). Those economists believe that the "circumstances" a person is born into—such as gender, location, and parental, social, and economic background—should not determine outcomes but that the individual's achievements in life should depend only on effort and innate ability. The principle is based on ideas developed by a long list of influential thinkers on issues of fairness and rights that underscore fairness of process and opportunities rather than outcomes (Dworkin 1981a, 1981b; Rawls 1971).

To address the rising income inequality and in response to these developments in economic theories, in 2013, the World Bank Group redefined its mission and gave itself two goals: ending extreme poverty by 2030 and boosting shared prosperity (World Bank 2013c). The twin-goal paradigm adopts a multidisciplinary approach recognizing that sustainable development can occur only when countries achieve progress in both monetary and nonmonetary dimensions of welfare. At the heart of the twin goals is the normative principle laid out by Basu (2001, 2006), which states that one should focus on the country's "quintile income" (per capita income of the poorest 20 percent of the country) in evaluating a country's well-being (Basu 2013). In other words, to help the poor and achieve real welfare for all, countries must adopt sound and robust economic policies while also promoting equal access to and participation in all aspects of the economic, social, and political arenas, including, among others, education, health care, water, sanitation, and essential infrastructure. This "new" World Bank mission contends that (a) unless all members of society partake in the development of the country, that country cannot possibly eradicate poverty and move toward shared prosperity; and (b) without institutions that encourage the ruling majorities to share resources equitably, the existing inequality among sectors of society will likely perpetuate over time, and the traditionally marginalized sectors will be further excluded and trapped in a cycle of low income and few opportunities for generations.

Among the factors that can hamper equality are laws and regulations that exclude certain sectors of society from reaping the benefits of economic growth. Such exclusion happens when minorities are discouraged and, at times, prevented from participating in the development of a country because of prejudice, racial stereotypes, and discriminatory cultural attitudes by the ruling majority. Often, those attitudes are enshrined in the laws that perpetually reinforce—both conceptually and in practice—the economic marginalization of members of society who could otherwise be a force for economic progress. Initial studies suggest that such discriminatory legal frameworks represent real costs for the economy that could be prevented. For example, a recent World Bank study on the cost of excluding minorities in Eastern Europe quantified the annual productivity losses resulting from Roma exclusion in Bulgaria, the Czech Republic, Romania, and Serbia to range from €230 million to €900 million (World Bank 2010). Another World Bank study on the exclusion of lesbian, gay, bisexual, transgender, and intersex (LGBTI) individuals in India shows that the cost of such discrimination in employment and health sectors in the country could be as high as US\$30.8 billion (Badgett 2014).

Discrimination against ethnic, religious, and sexual minorities is widely documented by international institutions and human rights groups. The most obvious manifestations of such divisions are the ongoing civil conflicts and the surge of the extremist group Daesh in the Middle East, which followed the Arab Spring and are, arguably, the consequence of deep-rooted hostility between Shia and Sunni Muslims. The immediate and long-term economic consequences of those wars in the region are incalculable. Similar struggles have affected Afghanistan, the Central African Republic, Pakistan, South Sudan, and Sudan for many years (Lattimer and Verbakel 2015). But even in non-war-torn countries, minorities often are the people most discriminated against. Following the economic downturn of 2008, racial discrimination in the workplace increased, posing, according to recent International Labour Office studies, tough questions about policies that have existed in the past decade (ILO 2011a). In the report titled *State of the World's Minorities and Indigenous Peoples 2015*, Minority Rights Group International reports that in Southeast Asia in 2014, minorities were evicted to make way for infrastructure and high-income housing developments in urban centers in Cambodia and Thailand. Similarly, in Myanmar, the Rohingya urban minority populations in Sittwe were at times openly discriminated against and violently targeted (Grant 2015, 148).

Discrimination often seems to go hand-in-hand with poverty and marginalization. In Vietnam, World Bank data show minorities face more barriers to obtaining access to education, credit, land, and the marketplace than do the Kinh major-

ity (2009, 2). World Bank data also show that the general poverty rate for ethnic minority groups in Vietnam in 2006 was 52 percent, more than five times that of ethnic majority groups (Dang 2010). The country made some reforms in recent years to address the problem, but the economic divide between the majority Kinh and the ethnic minorities—as highlighted by the United Nations Committee on the Elimination of Racial Discrimination (UNCERD 2012)—is still profound, even when those groups live in the same mountainous area.

“Institutionalized discrimination is bad for people and for societies. Widespread discrimination is also bad for economies. There is clear evidence that when societies enact laws that prevent productive people from fully participating in the workforce, economies suffer.”

Jim Yong Kim, president, World Bank Group (Kim 2014)

In 2013, the United Nations independent expert (now special rapporteur on minority issues) warned that hundreds of minority groups in Africa were in need of attention and protection because minorities remain among the poorest people, trapping them in a cycle of discrimination, exclusion, poverty, and underdevelopment.¹³ As reported by Minority Rights Group International, the Batwa people, a pastoralist minority in the Great Lakes Region in Africa, are among the poorest of the poor. A combination of lack of access to cultivable lands, poor health, and poor education places them as one of the most marginalized and poorest minorities on the continent.¹⁴

Similarly, indigenous peoples (who include about 5 percent of the world’s population) are estimated to represent 15 percent of the world’s poor (Hall and Patrinos 2012). In Mexico, as in most Latin American countries, they consistently rank lower than nonindigenous peoples on poverty indicators (Garcia-Moreno and Patrinos 2011). As noted by the World Bank Latin America and the Caribbean [LAC] Equity lab, “Even if the Latin American and Caribbean region has seen significant progress in terms of poverty reduction over the past decade, the indigenous populations have benefited little and remain among the poorest in LAC. In some areas, the difference in poverty between them and other groups has grown even wider.”¹⁵

Also, a recent World Bank study shows that from the early to the late 2000s, although the proportion of indigenous people living in moderate poverty (US\$4/day) and extreme poverty (US\$2.50/day) has decreased, the poverty gap between indigenous and nonindigenous people increased by 32 percent in Bolivia, 13 percent in Ecuador, and 99 percent in Brazil, but in Guatemala the gap decreased 0.36 percent. As a result of those gaps, in the Latin American countries for which data are available, the proportion of indigenous households living in poverty today (a) still doubles the proportion of nonindigenous households living in poverty, (b) is 2.7 times as high for extreme poverty, and (c) is three times as high for people living on less than US\$1.25 a day (see figure 1).¹⁶

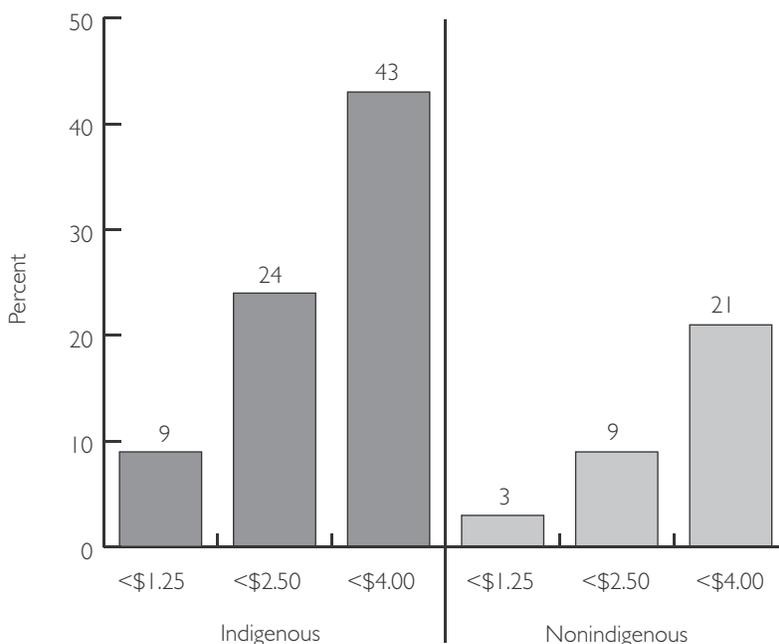
¹³ UNOHCHR 2014b, paras. 17 and 31, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G14/100/72/PDF/G1410072.pdf?OpenElement>.

¹⁴ Minority Rights Group International 2008.

¹⁵ See LAC Equity Lab, “Overview,” <http://www.worldbank.org/en/topic/poverty/lac-equity-lab1/overview>.

¹⁶ World Bank 2015a, 59.

Figure 1: Percentage of People Living on Less Than US\$1.25, US\$2.50, and US\$4 per Day, Late 2000s Weighted Average for Bolivia, Brazil, Ecuador, Guatemala, Mexico, and Peru



Source: SEDLAC data (CEDLAC and the World Bank) in World Bank 2015a.

Even in the more developed economies of Europe, minorities often are among the most disadvantaged. The European Union (EU) Special Eurobarometer 437—a public opinion survey conducted regularly on behalf of the European Commission, which looks into attitudes and perceptions of Europeans toward discrimination based on different grounds—reports that “discrimination on the grounds of ethnic origin continues to be regarded as the most widespread form of discrimination in the EU (64 percent), and it is more likely to be seen as widespread than was the case in 2012 (+8 percentage points). More than half of respondents in the EU say that discrimination is widespread in their country on the basis of sexual orientation (58 percent; +12) and gender identity (56 percent; +11), both showing substantial increases from the 2012 survey” (European Commission 2015). As in Africa, Asia, and Latin America, discrimination in Europe seems to be associated with poverty and economic marginalization. In a recent study on poverty and unemployment rates among the Roma population in 11 EU member states, the European Union Agency for Fundamental Rights concluded that, despite being the largest ethnic minority in the EU, 90 percent of the Roma people surveyed “live in households with an equivalised income below national poverty lines” and that “on average, around 40 percent of Roma live in households where somebody had to go to bed hungry at least once in the last month since they could not afford to buy food” (FRA 2014, 11).

IV. Indicators and Methodology

This paper proposes six new indicators for the collection of comparable cross-country data on discriminatory legal frameworks and tests the data collection methodology in six pilot economies (Bulgaria, Mexico, Morocco, the Netherlands, Tanzania, and Vietnam).¹⁷

¹⁷ The pilot countries were selected to represent the various regions and legal traditions of the world. They range from low- to high-income economies, and all of them contain segments of the population that are considered minorities and that face discrimination.

The methodology consists in a survey-based dataset and is drawn from the experience of the World Bank's Doing Business¹⁸ and Women, Business, and the Law¹⁹ reports, which have produced global objective quantitative indicators of business regulation and gender discrimination.²⁰ The dataset presents laws and policies in three main areas:

1. Laws that establish discriminatory treatment based on ethnicity, religion, gender identity, and sexual orientation
2. Laws that prohibit discrimination against ethnic, religious, and sexual minorities
3. Policies and other enforcement mechanisms to implement existing antidiscrimination laws

The six indicators identified to measure the equal treatment of people belonging to ethnic, religious, and sexual minorities are:

1. Access to institutions
2. Access to education
3. Access to the labor market
4. Access to property
5. Access to public services and social protection
6. Protection from hate crimes or hate speech

Data were collected from two sources, namely, surveys to experts of the pilot countries and desktop research. In particular, three surveys were developed: (a) one for ethnic minorities and indigenous peoples, (b) one for religious minorities, and (c) one for sexual minorities. Each survey was then divided into six sections, one for each indicator. The surveys were distributed to legal experts in the six pilot countries, including lawyers, ombudsman institutions, judges, academics, and civil society organizations (see appendix B).

The survey on ethnic minorities and indigenous peoples includes questions on laws, policies, and regulations related to obtaining citizenship and how they differ, if at all, from those that apply to the country's ethnic majority. The survey also includes questions on the rights of indigenous peoples to obtain collective land titles under access to property and questions on whether legal provisions on bilingual education exist, among others.

Under the indicator for access to institutions, the survey on religious minorities includes questions that address constitutional provisions that guarantee the freedom of belief and religion. Under access to education, the survey includes questions that attempt to identify whether legal quotas exist for religious minorities in primary, secondary, and tertiary education. The section on protection from hate crimes and hate speech addresses the existence of criminal provisions on hate speech that incites religious hatred and hate crimes motivated by religious bias.

The sexual minorities' survey includes questions that address legal discrimination and legal protection from discrimination for lesbian, gay, bisexual, transgender, and intersex (LGBTI) communities. Under each indicator, questions attempt to capture the laws related to those communities and whether those same laws apply to the majority of the population (that is, heterosexual or cisgender). For example, the survey determines whether the country has a comprehensive law that specifically mentions sexual orientation and gender identity as protective characteristics. The equal treatment of LGBTI communities in schools is addressed under access to education, which assesses whether the state has introduced laws and policies to combat bullying of LGBTI students in schools. The topic of access to public services and social protection mechanisms is especially important for LGBTI communities, and it is covered through questions about access to health care, human immunodeficiency virus (HIV) preventive services, and gender reassignment surgery, among others. The indicator for hate crimes and hate speech includes questions on the criminalization of hate crimes and hate speech

¹⁸ For further details on the Doing Business database and reports, see <http://www.doingbusiness.org/>.

¹⁹ For further details on the Women, Business, and the Law database and reports, see <http://wbl.worldbank.org/>.

²⁰ The Doing Business indicators are recognized as being extremely influential and successful in attracting the attention of senior policy makers, government officials, and members of the business community in many countries. Thus, they have contributed significantly to benchmarking economies against good practices and motivating policy makers to improve their laws and regulations. Similarly, in the period following the publication of *Women, Business, and the Law 2014* (World Bank 2013b), 65 countries reformed 94 laws that had discriminated against women.

motivated by bias against sexual minorities and questions on the existence of policies that mandate training for police officers on the identification and investigation of hate crimes.

The data collected from the surveys were then cross-referenced with public legal databases from international organizations and local human rights nongovernmental organizations. When the answers to the surveys were unclear, the experts were contacted again for clarification and the data verified through desk-top research. The findings were subsequently codified and submitted to experts within and outside the World Bank Group for peer review.

Disagreement often arises about which groups constitute a minority in a country. To control for different interpretations and to guarantee uniformity in the data collection, the experts who completed the surveys were given a predetermined list of ethnic and religious minorities in each of the pilot countries drawn from internationally recognized studies of minorities, including work by the International Labour Organization,²¹ United Nations Committee on the Elimination of Racial Discrimination,²² United Nations Office of the High Commissioner for Human Rights (UNOHCHR 2010, 2014),²³ United Nations Universal Periodic Review Process,²⁴ Minority Rights Group International,²⁵ and the European Union Agency for Fundamental Rights.²⁶

Equality of opportunities for minorities in society depends on the interplay of a variety of factors. This paper focuses on only one of those factors: the formal legal and regulatory environment (*de jure*) for six indicators; it does not cover the practice or implementation of the law (*de facto*) more than tangentially through the identification of policies and other enforcement mechanisms seen as proxies of implementation. Also, not everything of importance is covered. For example, although access to institutions includes laws covering quotas in parliament, it does not include political party laws—an important factor in determining minority representation in political parties. The indicator for access to education covers only public—not private—education. The indicator for protection from hate speech and hate crimes does not include the crime of genocide. Although genocide may be regarded as a crime inherently motivated by hate or bias, it is not included in the study because the study concerns only individually motivated crimes, not mass atrocities that constitute international crimes.

Also, the study focuses on laws governing the formal economy. Although many people belonging to ethnic, religious, and sexual minorities work in the informal economy, one of the main goals of the study is to define features of the formal economy that prevent those individuals from making the transition from the informal to the formal economy.

The study does not include immigrants and migrant workers unless they have been living in the country long enough to justify, on the basis international standards, the right to citizenship.²⁷ The contribution of migrant workers to the economy of the host country is undeniable. Their labor and residency rights should thus be respected. Also undeniable is the widespread discrimination suffered by those minorities. Because the primary responsibility of governments is to provide safe and equal economic environments to their citizens, however, the authors defer to the many existing studies on the cost of exclusion of migrant workers (see, for example, OECD 2014; World Bank 2010b).

²¹ Even if ILO Convention 169 does not define *indigenous* or *tribal peoples*, it is the only international treaty that deals with the rights of those peoples. See <http://www.ilo.org/global/topics/equality-and-discrimination/indigenous-and-tribal-peoples/lang--en/>.

²² For example, see General Recommendation XXVII on Discrimination against Roma, 57th session (2000), and General Recommendation XXIII on the Rights of Indigenous Peoples, 51st session (1997); both are available on the United Nations Treaty Body Database, http://tbinetnet.ohchr.org/_layouts/treatybodyexternal/TBSearch.aspx?Lang=en&TreatyID=6&DocTypeID=11.

²³ See UNOHCHR, “Combating Discrimination against Minorities”, http://www.ohchr.org/EN/Issues/Discrimination/Pages/discrimination_minorities.aspx.

²⁴ See UNOHCHR, “Universal Periodic Review” website, <http://www.ohchr.org/EN/HRBodies/UPR/Pages/UPRMain.aspx>.

²⁵ Minority Rights Group International provides a nonexhaustive list of minorities in many countries on its website, <http://minorityrights.org/>.

²⁶ See “EU-MIDIS: European Union Minorities and Discrimination Survey,” <http://fra.europa.eu/en/project/2011/eu-midis-european-union-minorities-and-discrimination-survey>.

²⁷ On average, migrant workers around the world have to be legally employed and reside in the host country for 10 years before becoming eligible to apply for citizenship. Thus, the project sets 10 years as the length of time after which migrant workers should be covered by the study.

Finally, the study does not cover customary or religious law because of their often-uncodified status and the resulting difficulties in defining their rules.

The survey data are current as of December 31, 2015. If a law was enacted but did not come into force before that date, the law was not included in the country data. Nonetheless, it was mentioned in the paper.

V. Findings and Analysis

The main goal of this paper is twofold: (a) to test six new indicators and the methodology for the collection of cross-country comparable data on discriminatory legal frameworks related to ethnic, religious, and sexual minorities; and (b) to present some findings from the data collection in six economies, highlighting some good and bad practices in the legal frameworks as they relate to equality of opportunities for minorities and their access to institutions, education, property, the labor force, social services, and protection from hate speech and hate crimes (the indicators). In doing so, the study aims to fill a gap in the existing literature related to poverty and development, which seldom looks at the issue of discrimination against those minorities through the prism of the effect that such exclusion might have on their economic potential and the overall cost for the country.

Following is an overview of the data collected (a) in the six pilot countries through the three surveys distributed to local experts and (b) from international legal databases and human rights organizations. The results are divided by indicators. Details of the specific variables examined and the answers to the surveys may be found in appendix C.

1. Access to Institutions

The access to institutions indicator explores the ability of individuals within a minority group to interact and influence the decision-making process of public authorities in the same way as people belonging to the majority or ruling minority. The indicator also covers certain fundamental political rights, such as the freedom of expression and freedom of religion. Participation of minorities in all three branches of government—legislative, executive, and judiciary—is a fundamental component of economic empowerment. If a group is unable to gain equal access to institutions

Parliaments as institutions can do more to extend some procedural accommodation for the participation of minorities and indigenous groups in legislative process.

(Inter-Parliamentary Union and the United Nations Development Programme 2010)

that determine the allocation of national resources (both monetary and nonmonetary), the allocation will likely be skewed in favor of the ruling group. Participation and representation of minorities in parliaments and local governments can affect government spending priorities toward more inclusive and equitable economic reforms. Similarly, representation of minorities in the judiciary can encourage respect for antidiscrimination laws and implementation of policies promoting the fair allocation of resources. As stated by the Inter-Parliamentary Union, “The parliamentary representation of minorities and indigenous peoples is essential for ensuring these groups’ effective participation in public affairs” (Protsyk 2010). Such disaggregated data in national parliaments are scarce, however, forcing the Leadership Council of the United Nations Sustainable Development Solutions Network (2015, 149) to call for action and urge states to collect such data as a necessary step toward the realization of the Sustainable Development Goals.

Of the six pilot economies analyzed, none has a formal legal quota system for the minimum participation of ethnic, religious, or sexual minorities in parliament. Vietnam, however, has a mechanism that allows for representation in Parliament of the 54 ethnic minority groups registered in the country. The Council of Ethnic Minorities is a body consisting of 40 deputies, and its main duties are to contribute to, investigate, and oversee legal documents (laws, acts, ordinances) and legal procedures regarding ethnic affairs. As a consequence, the Vietnamese parliament has passed various pieces of legislation that target the interests of ethnic minorities (Palmieri 2010, 11). Examples include (a) Decision 1592 related to land cultivation, housing, and water required to support ethnic minority households; (b) a provision that gives priority to ethnic minorities in accessing educational facilities, and (c) a law providing for interpreters for minorities using the courts.

Survey results also revealed that although all six economies ratified the 1969 UN International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)—Article 2 of which calls on all ratifying states to “prohibit and bring to an end, by all appropriate means, including legislation as required by circumstances, racial discrimination by any persons, group or organization”—only Bulgaria, Mexico, and the Netherlands have a comprehensive nondiscrimination law (see table 1). In all three of those economies, the law provides protection from discrimination on ethnic, religious, and sexual orientation grounds. Only in Bulgaria does the law also protect individuals from discrimination on gender identity grounds.²⁸ In Morocco and Tanzania, homosexuality is a crime and, therefore, no reference to the rights of LGBTI communities exists in the legislation of those two pilot countries.

Table 1: Does the Country Have an Antidiscrimination Law That Prohibits Discrimination Based on Ethnicity, Religion, and Sexual Orientation or Gender Identity?

	Bulgaria	Mexico	Morocco	Netherlands	Tanzania	Vietnam
Ethnic minorities	✓	✓		✓		
Religious minorities	✓	✓		✓		
Sexual orientation	✓	✓		✓		
Gender identity	✓					

Source: World Bank Equality Project.

In Morocco, the only relevant law is Dahir 19-68, a 1969 royal decree giving effect to ICERD in national jurisdiction. Although Morocco is a monist state²⁹ and thus the decree is, strictly speaking, a national law, the articles of the Convention are not as detailed as a nondiscrimination law, thus the decree can hardly be considered a sufficient tool to effectively protect the rights of ethnic, religious, and sexual minorities in the country.

In addition to ratifying the ICERD, all of the pilot economies have ratified the UN International Covenant on Civil and Political Rights; the UN International Covenant on Economic, Social and Cultural Rights; ILO 100, the Convention on Equal Remuneration; and ILO 111, the Convention on Discrimination (Employment and Occupation), all of which provide some form of protection for the rights of people belonging to ethnic and religious minorities. Only Mexico and the Netherlands have also ratified ILO 169, the Convention on Indigenous and Tribal Peoples³⁰ (table 2).

²⁸ On March 25, 2015, the Bulgarian parliament adopted on second hearing (final) a bill to amend two provisions of the Protection Against Discrimination Act: (a) Article 9 on the shift of the burden of proof and (b) a new provision that partially defines *sex* as a protected ground to include transgender status. New Subsection 17 in Section 1 of the Additional Provision reads, “Within the meaning of art. 4, section 1 [listing the protected grounds] the ground of ‘sex’ includes also gender reassignment cases,” <http://www.equalitylaw.eu/downloads/2756-52-bg-nd-amendments-adl-adopted>.

²⁹ In a monist legal system, international law is considered joined with and part of the internal legal order of a state. In a dualist legal system, on the other hand, international law stands apart from national law, and to have any effect on rights and obligations at the national level, international law must be domesticated through legislative process.

³⁰ Bulgaria voted in favor of adopting the 2007 United Nations Declaration on the Rights of Indigenous Peoples and ratified the Rome Convention for the Protection of Human Rights and Fundamental Freedoms in 1992. Mexico voted in favor of the adoption of the 2007 United Nations Declaration on the Rights of Indigenous Peoples and ratified the American Convention on Human Rights, “Pact of San Jose, Costa Rica,” in 1981. Morocco was absent during the session that adopted the 2007 United Nations Declaration on the Rights of Indigenous Peoples and has not ratified the African (Banjul) Charter on Human and Peoples’ Rights, as it is not a member of the African Union. The Netherlands voted in favor of the adoption of the 2007 United Nations Declaration on the Rights of Indigenous Peoples and ratified the Rome Convention for the Protection of Human Rights and Fundamental Freedoms in 1954. Tanzania voted in favor of the adoption of the 2007 United Nations Declaration on the Rights of Indigenous Peoples and ratified the African (Banjul) Charter on Human and Peoples’ Rights in 1984. Vietnam voted in favor of the adoption of the 2007 United Nations Declaration on the Rights of Indigenous Peoples. Although the United Nations Declaration on the Rights of Indigenous

Table 2: Treaties Ratified, by Country

	Bulgaria	Mexico	Morocco	Netherlands	Tanzania	Vietnam
International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)	✓	✓	✓	✓	✓	✓
International Covenant on Civil and Political Rights (ICCPR)	✓	✓	✓	✓	✓	✓
International Covenant on Economic, Social and Cultural Rights (ICERD)	✓	✓	✓	✓	✓	✓
Convention on Equal Remuneration (ILO Convention 100)	✓	✓	✓	✓	✓	✓
Convention on Discrimination (Employment and Occupation) (ILO Convention 111)	✓	✓	✓	✓	✓	✓
Indigenous and Tribal Peoples Convention (ILO Convention 169)		✓		✓		

Source: World Bank Equality Project.

In the field of LGBTI rights, the United Nations has yet to adopt a convention against discrimination based on sexual orientation and gender identity. In June 2016, however, the UN Human Rights Council passed a resolution to appoint an “independent expert” to investigate the causes of violence and discrimination against people because of their sexual orientation and gender identity and to discuss their protection with governments.³¹ Although a resolution does not impose any legal obligation on the states, it represents a step forward toward the development of an international consensus on the need to protect sexual minorities from violence and discrimination.

At the regional level, both Bulgaria and the Netherlands are bound by the European Union Directives 2000/43 (Racial Equality Directive)³² and 2000/78 (Employment Equality Directive),³³ which prohibit discrimination on grounds of ethnic origin, disability, age, and sexual orientation. Mexico ratified the 1969 American Convention on Human Rights³⁴ and the 1988 “Protocol of San Salvador,”³⁵ which recognizes the right to work, health, and education.³⁶ Tanzania is a party to the African Charter and ratified the 1980 African Charter on Human and Peoples’ Rights,³⁷ which, in addition to protecting civil and political rights, recognizes the right to development (Art. 22), especially relevant for minorities. Vietnam signed the 2012 ASEAN Human Rights Declaration,³⁸ which incorporates the principle of nondiscrimination in General Principles 2 and 9. Finally, Morocco is a party of the League of Arab States and signed—but has not ratified—the Arab Charter on Human Rights, which calls on ratifying states to provide equality of opportunity without dis-

Peoples, as a declaration, is not a formally binding treaty, it contains rights and freedoms, such as self-determination and nondiscrimination, set out in binding international human rights treaty law, of which some may be considered customary international law.

³¹ <http://www.un.org/apps/news/story.asp?NewsID=54385#.V9M540-V-Uk>.

³² <http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32000L0043&from=EN>.

³³ <http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32000L0078&from=EN>.

³⁴ http://www.oas.org/dil/treaties_B-32_American_Convention_on_Human_Rights.htm.

³⁵ <http://oas.org/juridico/english/treaties/a-52.html>.

³⁶ A recent effort that may potentially benefit minorities is the adoption of the Inter-American Convention Against All Forms of Discrimination and Intolerance (2013), which emphasizes that discrimination may be based on “sexual orientation, gender identity and expression, religion, and cultural identity.” The treaty has not entered into force, however, and Mexico has not ratified it.

³⁷ <http://www.achpr.org/instruments/achpr/>.

³⁸ 2012 ASEAN Human Rights Declaration, <http://www.ighrc.org/sites/default/files/629-1.pdf>.

crimination of any kind on grounds of race, sex, religion, language, political opinion, membership in a union, national origin, social origin, disability, or any other situation.³⁹

Other results of the surveys related to access to institutions show that hidden forms of institutionalized discrimination can cause certain groups to have difficulty exercising their political rights and, as a consequence, equal access to public services. For example, in Bulgaria, regulations on the issuance of identification cards require a registered address. Those regulations adversely affect mostly Roma minorities, who often have problems obtaining housing and do not have a registered address. Also, the Bulgarian Act on Social Benefits for Children, introduced in 2015, suspends child benefits for children of underage girls, affecting mostly Roma women, who tend to have children at a younger age than do women in the rest of the population. Those laws, coupled with the widely reported economic underperformance of Roma minorities in Bulgaria (Gatti and others 2016), give rise to interesting research questions on the correlation between seemingly neutral laws and the disproportionate effect that such laws can have on the continual economic marginalization of minorities in the country.

Similar findings come from Morocco, where the Nationality Law of 1958, as amended in 2007, provides that Moroccan nationality is acquired by birth except when the minister of justice opposes it. The Amazigh people from the south, however, usually lack birth certificates. As a result, the law setting out the requirements for foreigners to obtain Moroccan nationality—including knowledge of the Arabic language, which those ethnic minorities often do not speak—also applies to them. That apparently neutral provision in the nationality law makes obtaining nationality harder for the Amazigh people than for the Moroccan Arabic majority and, as a consequence, hinders access to social services and the labor market (UNCERD 2010). In the area of cultural rights, however, Morocco has made some progress in the new 2011 Constitution by recognizing Tamazight, the language of the Amazigh people, as an official language.⁴⁰

All six economies have constitutional provisions that guarantee the freedom of religion or belief;⁴¹ however, lack of harmonization with national legislation sometimes means that such rights are severely curtailed. In Morocco, although the law permits voluntary conversion, the authorities have used Article 220 of the penal code (see box 1) to actively prohibit attempts to proselytize Sunni Maliki Muslims.⁴² In Vietnam, the Ordinance on Belief and Religion (Ordinance 21) and government Decree 92, which implements the law, have been criticized by international observers for the excessive discretion they give to the government in regulating, restricting, and forbidding the free exercise of religion or belief in the country.⁴³

Box 1: Article 220 of the Moroccan Penal Code

Article 220 of the Moroccan Penal Code states that “anyone who has impeded or prevented one or more persons from worship or from attending worship services of any religion may be punished by six-months’ to three-years’ imprisonment and a fine of 200 to 500 dirhams.” Although Article 220 appears favorable to religious freedom, it applies the same penalty to “anyone who employs enticements to shake the faith of a Muslim or to convert him to another religion.”

Source: Penal Code of Morocco, Art. 220

With regard to enforcement mechanisms, the surveys highlight an encouraging practice in Mexico, where the 2003 Federal Law to Prevent and Eliminate Discrimination requires the judiciary and the police to receive training on existing an-

³⁹ Art. 34 of the Arab Charter of Human Rights, <http://hrlibrary.umn.edu/instree/loas2005.html>.

⁴⁰ Art. 5, Constitution of Morocco, 2011.

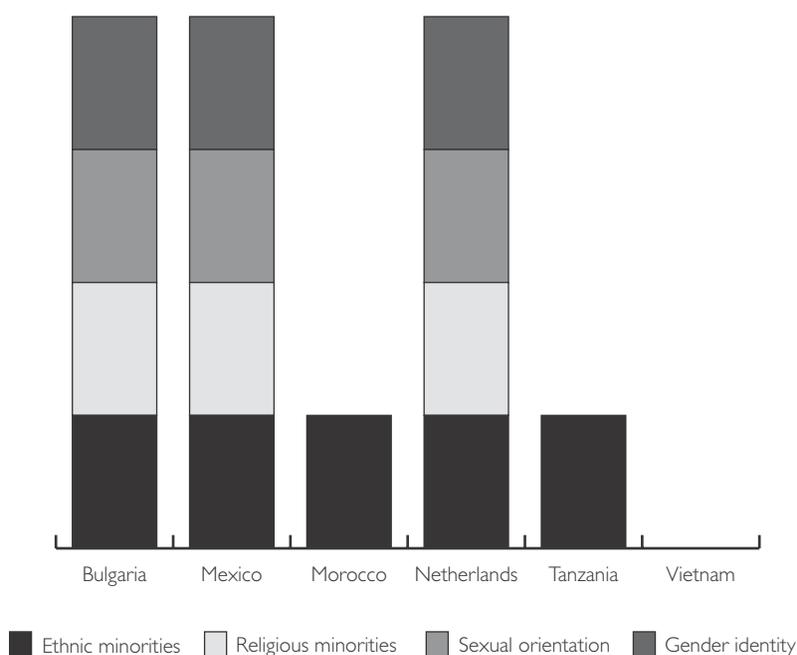
⁴¹ Bulgaria, art. 37, para. 1; Mexico, art. 24; Morocco, art. 3; the Netherlands, art. 6, para. 1; Tanzania, art. 19 (1); and Vietnam, art. 24 (2013).

⁴² United Nations Office of the High Commissioner for Human Rights, Doc. A/HRC/WG.6/13/Mar/3, Summary Prepared by the Office of the high commissioner for human rights in accordance with paragraph 5 of the annex to Human Rights Council Resolution 16/21 Morocco, Para. 42.

⁴³ United Nations Doc. A/HRC/28/66/Add.2, Report of the special rapporteur on freedom of religion or belief, Heiner Bielefeldt, Addendum, Mission to Vietnam (July 21–31, 2014).

tidiscrimination legislation. No other country studied shows a similar commitment to training the front-liners. Also, all economies except Vietnam have established a specialized body to receive complaints for violations of human rights. In Bulgaria, Mexico, and the Netherlands, those human rights bodies hear complaints of discrimination against ethnic, religious, and LGBTI groups. The Commission for Human Rights and Good Governance in Tanzania hears complaints of discrimination only on ethnic and religious grounds. In Morocco, the National Council for Human Rights is concerned mostly with the rights of women, children, persons with disabilities, detainees, and migrant workers.⁴⁴ The newly established Authority for Equality and the Combat of All Forms of Discrimination addresses discrimination based on ethnic and religious grounds but does not include a judicial mandate to hear complaints⁴⁵ (see figure 2).

Figure 2: Does the Country Have a Specialized Body Tasked with Hearing Complaints of Discrimination against Ethnic, Religious, or Sexual Minorities?



Source: World Bank Equality Project.

This brief overview of the results of the sections of the three surveys covering access to institutions enables one to make a few general considerations. First, all countries have some provisions to protect the rights of ethnic and religious minorities, but the level of protection varies greatly, with some countries directly or indirectly discriminating against those groups through other national legislation and other countries lacking appropriate legislation. Second, LGBTI communities are the least protected under the law, particularly in countries such as Morocco⁴⁶ and Tanzania,⁴⁷ where homosexuality is criminalized. Bulgaria is the only economy that has passed a comprehensive law that protects against discrimination on both sexual orientation and gender identity grounds. Finally, enforcement mechanisms for the implementation of nondiscrimination legislation are scarce and do not always equally address the needs of all targeted groups.

⁴⁴ United Nations Doc. A/HRC/WG.6/13/MAR/1, National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21, March 8, 2012, para. 20.

⁴⁵ HuffPost Maroc, Le projet de loi sur l'Autorité pour la parité adopté (May 10, 2016), http://www.huffpostmaghreb.com/2016/05/10/loi-autorite-parite-maroc_n_9886560.html.

⁴⁶ Penal Code (2015), art. 489.

⁴⁷ Penal Code of 1945, art.154 and art. 157. A careful analysis of the law suggests that only gay, not lesbian, relationships are prohibited under the law.

2. Access to Education

Receiving a good education is arguably the most important factor for the development of a child into a mature and productive member of society. If children receive substandard education and are discriminated against throughout their formative years, they will not develop the skills and the confidence they need to be competitive in the labor market.⁴⁸ That is especially true in today's emerging knowledge-based global economy, and numerous studies demonstrate that learning and skills play an increasingly important role in shaping prospects for economic growth, shared prosperity, and poverty reduction (Leitch 2006; Sapir 2003). Unfortunately, the United Nations Educational, Scientific, and Cultural Organization (UNESCO 2010, 5) reports, "Around a third of all children in developing countries, or 175 million annually, enter primary school having experienced malnutrition that irreparably damages their cognitive development." Often, such deprivation is the consequence of circumstances beyond the control of the children and their families. "Marginalization in education is the product of inherited disadvantage, deeply ingrained social processes, uneven power relationships, unfair economic arrangements—and bad policies. The overall effect of marginalization is to restrict opportunity as a result of circumstances over which children have no control, such as parental wealth, gender, ethnicity, and language" (UNESCO 2010, 272).

The access to education indicator examines legislation related to the access of minority groups to education and whether those laws differ from those applicable to the majority groups. In some countries—such as the Netherlands—education is well developed and offers children and their families a variety of educational curricula and the opportunity to choose a school according to one's ethnic, religious, and cultural preferences.⁴⁹ Liberal legislation in education, however, is not necessarily a guarantee of equal opportunity for all, as demonstrated by the recent discussions in the Netherlands on the segregation of children of Moroccan, Turkish, Surinamese, and Netherlands Antillean origins to so-called black schools (Hamilton 2015) (see box 2).

In addition to identifying the minority gap in accessing education, the indicator attempts to measure the quality of education and, in particular, the quality of the national school curriculum. That measurement is very important in overcoming prejudicial attitudes. A national study on structural discrimination in education in Pakistan highlights the many ways in which prejudice against religious minorities is reinforced by biased and outdated curricula that contain stereotypes of non-Muslims. The U.S. Commission on International Religious Freedom found that textbooks used in Pakistani primary and secondary schools foster prejudice and intolerance of religious minorities, especially Hindus and Christians (Hussain and Salim 2011, 9). According to its report, Hindus are repeatedly described in social studies textbooks as extremists and eternal enemies of Islam (Hussain and Salim 2011, 15). Finally, the sections of the three surveys covering access to education attempt to capture discrimination or nondiscrimination laws and policies at all stages of education, including primary, secondary, and tertiary education. That distinction is motivated by the vast literature in the field that suggests that intervention at the early stages of a child's education is important to address systematic inequalities (Human Rights Commission of New Zealand 2012, 30; see also Bishop 2010, 61).

"Education is key to a better life and the foundation of every strong society—but far too many children are still being left behind. To realize all our development goals, we need every child in school and learning."

Anthony Lake, executive director, UNICEF (UNICEF 2015)

⁴⁸ For more information on the importance of quality education, see Sustainable Development Goal 4: Quality Education, <http://www.un.org/sustainabledevelopment/education/>.

⁴⁹ Center on International Education Benchmarking, "System and School Organization," <http://www.ncee.org/programs-affiliates/center-on-international-education-benchmarking/top-performing-countries/netherlands-overview/netherlands-system-and-school-organization/>. See also Patrinos (2014).

Box 2: The “Black Schools” of the Netherlands

Parental choice regarding education in the Netherlands is sacrosanct. This derives partly from Article 23 of the Constitution, which was passed in 1917 and guaranteed equal government funding for both public and private schools, including denominational schools and institutions following specific pedagogical principles, such as Montessori schools. That system worked in the past, when schools were divided into Catholic, Protestant, and public schools. Following the influx of low-skilled immigrants in the 1950s and 1960s, however—especially Surinamese and Antilleans from former Dutch colonies, Moroccans, and Turks—native Dutch parents began selecting schools that were attended mostly by native-Dutch children, segregating the children of immigrants to predominantly “black” schools. Today, approximately 500 black schools operate in the Netherlands. (Hamilton 2015)

According to Mohammed Jaater, the policy assistant for the Department of Education: “Even though a school is not allowed to officially refuse children, it may use many strategies to deter certain families from bringing their child to a school. Schools may emphasize the identity of the school. For example, a school with a particular religious affiliation may place obstacles in the way of Muslim families. Also, many immigrant families are deterred by schools’ requests for high voluntary monetary donations. While giving money is never required, schools may choose not to emphasize this fact when addressing ethnic minorities. Currently, schools are not made accountable for their selection process so there is often no accurate documentation available which one may consult in cases of presumed (instrumental) discrimination.”

Source: Arts and Nabha (2001)

In Bulgaria, nearly 25 percent of Roma children ages 7–15 have never attended school, compared with 12 percent of ethnic Turks and only 6 percent of ethnic Bulgarians. Further, about 70 percent of ethnic Turks and 93 percent of Roma have not completed secondary education. By comparison, only 30 percent of ethnic Bulgarians have not completed secondary education (World Bank 2015c). Also, as shown in table 3, all economies surveyed have a law prohibiting discrimination on ethnic and religious grounds in education. Only Bulgaria and the Netherlands explicitly prohibit discrimination on sexual orientation and gender identity grounds, however.⁵⁰ In Morocco, worth noticing is the 2003 Circulaire Ministérielle 108, which introduced the teaching of Amazigh language in primary schools.⁵¹ According to UNESCO, the reform contributed to increased school attendance, with the percentage of children who had never been to school falling from 9 percent in 2003 to 4 percent in 2009.⁵²

Table 3: Does the Law Explicitly Prohibit Discrimination on Ethnic, Religious, Sexual Orientation, and Gender Identity Grounds in Education?

	Bulgaria	Mexico	Morocco	Netherlands	Tanzania	Vietnam
Ethnic minorities	✓	✓	✓	✓	✓	✓
Religious minorities	✓	✓	✓	✓	✓	✓
Sexual orientation	✓			✓		
Gender identity	✓			✓		

Source: World Bank Equality Project.

⁵⁰ Bulgaria explicitly prohibits discrimination in education based on sexual orientation and gender identity grounds in the Protection Against Discrimination Act but not in its education law. Bulgaria recently passed a law on preschool and school education which entered into force in August 2016. Although articles 3, 4, 5, and 7 of the law include various antidiscrimination provisions, they do not explicitly mention LGBTI communities as a protected group. <http://www.mon.bg/?go=page&pageId=7&subpageId=57>.

⁵¹ Circulaire ministérielle 108, 2003.

⁵² UNESCO 2014.

In the realm of enforcement mechanisms, a good example comes from Vietnam, where the Education Act of 2005 prescribes nomination quotas⁵³ for admission to secondary education and university for children belonging to ethnic minorities.⁵⁴ Also, article 61 of the same law calls on the government to establish and give priority in the budget allocation to boarding schools and pre-university schools for ethnic minority children.⁵⁵ That law has guaranteed access to education and skills development for many traditionally marginalized children and has increased their chances of being competitive in the labor market. In Bulgaria, the Action Plan for the Implementation of the National Roma Integration Strategy sets out a detailed program to promote the right to equal access to quality education and integration of Roma children and students in kindergartens and schools.⁵⁶ Also, in Bulgaria and Mexico, the laws require the reform of outdated curricula that include prejudicial language against minorities and the training of primary and secondary education teachers on nondiscrimination.⁵⁷ To evaluate the efforts of the pilot economies in sensitizing students to the principles of equality, the surveys also included a question on the teaching of cultural sensitivity courses in primary, secondary, and tertiary schools. Although the approaches vary, Bulgaria, Mexico, the Netherlands, and Vietnam have policies that attempt to educate students about human rights and nondiscrimination. No similar provisions could be identified in Morocco and Tanzania.

As revealed by the results of the surveys, all of the pilot economies have taken some positive steps to improve access to education for minorities; however, gaps remain. Especially in the realm of LGBTI rights, lack of protective legislation for sexual minorities may be a factor contributing to the widely reported discrimination against LGBTI individuals in schools.⁵⁸ In a recent assessment of the protection of LGBTI individuals in Vietnam, the U.S. Agency for International Development reports: “In summary, education institutions are not safe for LGBT students due to the lack of anti-bullying and non-discrimination policies. Furthermore, education on sex and on sexual orientation and gender identification (SOGI) is still limited in Vietnam and are considered sensitive topics that teachers usually avoid. There are also no government initiatives to teach diversity and tolerance, or interpersonal skills.” (UNDP and USAID 2014, 28).

3. Access to the Labor Market

Access to the labor market is the most intuitive of the indicators. When individuals are prevented from obtaining and keeping a job because of a cultural prejudice against their ethnicity, religion, sexual orientation, or gender identity—not because of their skills or performance—human capital is wasted, resources are not efficiently allocated, and the economy as a whole suffers. Also, if people are discriminated against in the workplace, their productivity decreases, and unemployment grows as people are discouraged from applying for a job because of fear of discrimination and distrust in the labor market. Employment discrimination also burdens the employer who, by giving up productive minority employees, must bear higher average labor costs and lose profit opportunities (Hanouz 2015). That situation causes higher levels of unemployment and consequential costs for the economy. Nonetheless, discrimination against minorities in the workplace is widely acknowledged and documented.⁵⁹

⁵³Article 1.1 of Decree 49/2015/ND-CP defines *nomination* as follows: “Nomination means the enrollment of students into professional secondary education, college, and university without taking enrollment examination in order to train public officials according to the tasks, job positions, and payroll norms; to train public employees according to working demand, job positions, professional title standards, and salary fund of public administration units for areas meeting with extraordinary socio-economic difficulties and ethnic minorities with no or few officials of college, university, or professional secondary education degrees.” Given the above definition, “nomination quotas” in the context of Article 90.2 of Law on Education 2005 means the maximum number of students who may be enrolled into professional secondary education, college and university without taking an enrollment examination, which the State sets aside for an ethnic minority.

⁵⁴ Education Law (2005), art. 90 para 1.

⁵⁵ Education Law (2005), art. 61.

⁵⁶ “Action Plan for Implementation of the National Roma Integration Strategy of the Republic of Bulgaria (2012–2020) and the Decade of Roma Inclusion 2005–2015,” http://www.romadecade.org/cms/upload/file/9305_file2_bg-action-plan-updated.pdf.

⁵⁷ See art. 35, para. 1 and 3, Protection Against Discrimination Act, Bulgaria; and art. 8 and art. 12, para. 3, General Education Law, Mexico.

⁵⁸ Bulgaria recently enacted the new Primary and Secondary Education Act. The law entered into force on August 1, 2016, and includes provisions for the protection of LGBTI individuals in education.

⁵⁹ See the International Labour Organization NATLEX database, which contains national laws regarding equal opportunity in employment and occupation, including specific laws on ethnic minorities or indigenous peoples, at <http://www.ilo.org/natlex>. See also OECD (2008) and ILO (2015).

In the United Kingdom, a test commissioned by the Department for Work and Pensions found that people with minority ethnic or foreign-sounding names are one-third less likely to be shortlisted for jobs than people with “white”-sounding names (Wood and others 2009). Also in the United Kingdom, among those age 16 years old and older, almost all ethnic minority groups have a higher proportion of their male population unemployed than do their white counterparts (Sims 2012, 11). In the United States, the General Society Survey, a national probability survey representative of the U.S. population, reports that, between 2003 and 2008, 38 percent of the lesbian, gay, and bisexual people who were open about their sexual orientation in the workplace and 78 percent of transgender people experienced at least one form of discrimination, be it in hiring, promotion, or job retention (Sears and Mallory 2011). In Belgium in 2009, 45 percent of all employment discrimination complaints received by the Centre for Equal Opportunities and Opposition to Racism were race related; of those, 36.5 percent concerned access to employment and 56.1 percent concerned conditions of work (ILO 2011a, 28).

The access to the labor market indicator identifies restrictions to accessing the job market, such as limitations to certain forms of discriminatory employment or hiring practices, and the existence of workplace protections for people belonging to ethnic, religious, and sexual minorities. The surveys revealed that all six pilot economies have constitutional provisions or national laws that prohibit discrimination in the workplace on ethnic and religious grounds.⁶⁰ In Bulgaria, Mexico, and the Netherlands, that prohibition also applies to sexual orientation,⁶¹ and in Bulgaria, it also applies to gender identity. All of the pilot economies prescribe equal remuneration for work of equal value for individuals belonging to religious and ethnic minorities. The same applies to LGBTI communities in Bulgaria, Mexico, and the Netherlands.⁶² The surveys also found that, in 2014, the government of the Netherlands passed a comprehensive action plan against labor market discrimination, targeting discrimination on the grounds of age, disability, race or ethnic origin, gender, and sexual orientation. The plan includes a wide range of measures, including the creation of the Labor Market Discrimination Team, which is charged with visiting companies to check on whether they have an effective antidiscrimination policy in place (Holtmaat 2016).

Even where nondiscriminatory labor laws exist, they will be effective only if the states ensure that no other barriers—such as high legal or administrative fees, lack of language interpreters, or other procedural hurdles—prevent or discourage minorities from lodging a claim for employment discrimination (see box 3). As stated by the United Nations Rule of Law Indicators’ report on access to justice, administrative hurdles and lack of transparent procedures can prevent a victim of discrimination from obtaining remedy.⁶³ The indicator for access to labor thus aims to assess the access to remedies for individuals who have been subject to employment discrimination and examines the ease of bringing a claim for employment discrimination on racial, religious, or sexual grounds in the public sector. Given the growing role of companies in the global economy, the indicator also assesses whether corporations have effective mechanisms for filing and addressing grievances from employees and communities that may be discriminated against by the companies’ operations. In that regard, the surveys revealed that all six economies have laws that allow an employee to bring a claim for employment discrimination on ethnic and religious grounds in both the private and public sectors. In Bulgaria, Mexico, and the Netherlands, that holds true also for claims of employment discrimination on sexual orientation and gender identity grounds (see table 4).

⁶⁰ Bulgaria, Labor

Code (1992), Art. 8, Para 3; Mexico, Federal Labor Law (1970), Articles 3, 133; Morocco, Labor Code (2011), Art. 9; the Netherlands, Equal Treatment Act (1994), Sec. 5(1); Tanzania, Employment and Labour Relations Act, (2004), Art. 7(4); Vietnam, Labor Code (2012), Art. 8.

⁶¹ Bulgaria, Labor Code (1992), Art. 8, Para 3; Mexico, Labor Law (1970), Articles 3, 133; the Netherlands, Equal Treatment Act (1994), Sec. 1(1)(b).

⁶² Protection Against Discrimination Act (2004), Art. 12, Para. 1 and Art. 4, Para. 1

⁶³ The United Nations Rule of Law Indicators is a tool for assessing the rule of law in post-conflict situations. See UNOHCHR (2011).

Box 3: Article 283(12) of the Mexican Federal Labor Act

Indigenous workers in the rural economy are particularly vulnerable to labor rights violations, the lack of training on rights and entitlements being one reason. In Mexico, 2012 amendments to the Federal Labor Act have introduced a provision requiring employers to use interpretation services when rural workers do not speak Spanish. Mexico has also launched a specific program to disseminate information on the rights of daily agricultural workers through community leaders and local authorities.

Source: Federal Labor Act of Mexico, Art. 283(12)

Table 4: Does the Law Allow an Employee to Bring a Claim for Employment Discrimination on Religious, Ethnic, Sexual Orientation, or Gender Identity Grounds in the Public and Private Sectors?

	Bulgaria	Mexico	Morocco	Netherlands	Tanzania	Vietnam
Ethnic minorities	✓	✓	✓	✓	✓	✓
Religious minorities	✓	✓	✓	✓	✓	✓
Sexual orientation	✓	✓		✓		
Gender identity	✓	✓		✓		

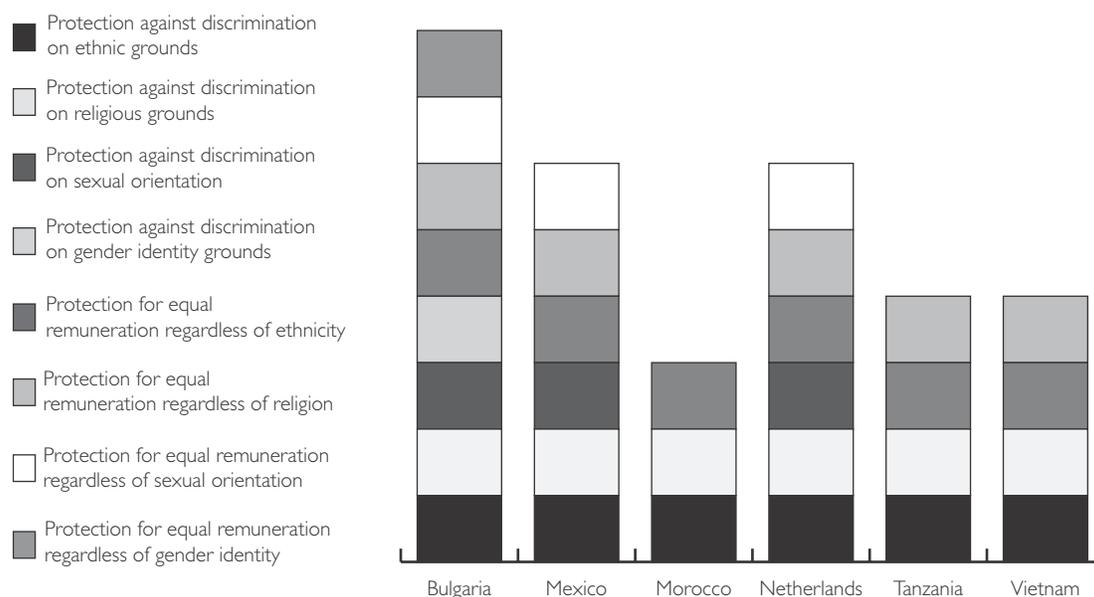
Source: World Bank Equality Project.

Recently, the International Labour Organization highlighted a global trend in nondiscrimination legislation in the workplace that shifts the burden of proof to the employer in cases of alleged discrimination (ILO 2011b, x). The survey results show that Bulgaria, Mexico, the Netherlands, and Tanzania are in line with such international trends. In all four economies, once an employee has brought a claim for discrimination, the burden of proof shifts to the employer, who must demonstrate that discrimination did not take place. Vietnam's new Civil Proceedings Code adopts a hybrid approach. According to the new law, the burden of proof shifts to the employer when the employer is the repository of the evidence or, in other words, holds the documentation related to the employment claim.⁶⁴ At present, Morocco has no similar forms of protection for its employees.

Discriminatory hiring practices, unfair labor treatment, and prejudicial attitudes toward certain minority groups may hinder their full participation in the labor market, wasting their potential and lowering the competitiveness of the economy. Survey results suggest that legislation in the field of nondiscrimination labor law is fairly well developed in all six economies. Interestingly, despite the fact that such economies have profoundly different legal traditions, they are adopting similar forms of enforcement mechanisms to implement the laws. Certainly, that trend is a reflection of the work of international organizations such as the International Labour Organization that have tirelessly worked for many years on the promotion of labor standards and harmonization of the law in that field. As mentioned, however, discrimination against minorities in the workplace is still a reality, which suggests that stronger enforcement mechanisms must be put in place to ensure equal opportunity in the labor market. Figure 3 shows that, as with the results of the surveys related to the previous indicators, the weakest body of law protecting access to the labor market is that related to LBGTI communities. In Morocco and Tanzania—where homosexuality is a crime—all existing protective legislation in the workplace applies only to ethnic and religious minorities.

⁶⁴ Decree 92/2015/QH13 on Civil Procedures Code (2015), Art. 91(1)(b), effective July 1, 2016.

Figure 3: Legal protection in the workplace



Source: World Bank Equality Project.

4. Access to Property

Access to property is the cornerstone of economic security. Land ownership is important not only as a means of capital accumulation but also as a source of income. Moreover, property reinforces bargaining power and agency. In addition, the ability to leverage property as collateral is important for obtaining credit and starting a business.

The access to property indicator seeks to capture the minority gap in the ability to own, manage, control, and inherit real property and to register and transfer a private business. The initial findings show that, although many property-related laws are apparently minority neutral, hidden regulations and gaps in the law are at the root of many forms of indirect discrimination regarding access to land and property rights.

In Mexico, “inequality has a particular effect on the most vulnerable sectors of the population, such as indigenous peoples—among whom the poverty rate is four times higher” (Inter-American Commission on Human Rights 2015, 42). Article 27 of the Mexican constitution recognizes indigenous peoples’ lands, protects their property, and grants them preferential rights over their traditionally occupied territories. Still, the struggle remains in the way the property law translates into inclusion and economic empowerment. Mexico has not implemented a law on free, prior, and informed consultation of indigenous peoples regarding development projects

Around one-quarter of the world’s urban population continues to live in slums and informal settlements. An increasing number of urban dwellers, especially the most poor and vulnerable groups, are living in precarious conditions, addressing their housing needs informally, lacking access to basic services and living space, isolated from livelihood opportunities and vulnerable to forced evictions or homelessness. ... Efforts to improve access to adequate housing for women, migrants, refugees, people with disabilities, indigenous and minorities have made little progress so far. (UN Habitat 2015)

that are implemented in their territories or that affect them in a direct manner. That situation has a negative effect on their use of their land and property by causing instability. The Inter-American Commission on Human Rights acknowl-

edged the problem in the latest human rights report on Mexico: “The granting of permits or concessions in or around indigenous lands without free, prior, and informed consent has triggered social unrest and even violence” (2015, 120).

Another finding related to access to indigenous land concerns Tanzania, where the hunter-gatherer Akie and Hadzabe and the pastoralist Barabaig and Maasai tribes face similar insecurity in land tenure as a consequence of discriminatory land legislation. As reported by the International Work Group for Indigenous Affairs (IWGIA), those four peoples “all share a strong attachment to the land, distinct identities, vulnerability, and marginalization. They also experience similar problems in relation to tenure insecurity, poverty, and inadequate political representation.”⁶⁵ The 1999 Village Land Act allows rural people to formalize their land holdings by registering their land as “village land.” The law grants indigenous peoples little real tenure security however, because the law also provides that all lands, including “village land,” are “public land vested in the President as trustee for and on behalf of all citizens of Tanzania.”⁶⁶ These provisions could potentially allow a head of state to convert village land into general public land or reserved land on the grounds of “public interest”⁶⁷ or because the land is considered to be “hazard land” (IWGIA 2016, 23).⁶⁸ This can weaken land security for pastoralists and hunter-gatherers who can be evicted on these grounds without any guarantee that the land will be used for the public interest. Although the new draft constitution grants wider recognition of the rights of indigenous populations, it leaves unchanged the grounds of eviction under the Village Land Act (IWGIA 2015b).

Social protection policies directly improve resilience by helping people insure against drops in well-being from a range of shocks and improve equity by reducing poverty and destitution and promoting equality of opportunity. (World Bank 2012)

With regard to access to housing, discrimination against LGBTI communities often is a reality in all six pilot economies covered by the study. In Tanzania, because of the criminalization of homosexuality, LGBTI individuals often are denied rental housing. According to the chief operations officer of Amka Empowerment, a nonprofit organization that focuses on health and human rights issues of sexual minorities and sex workers in Tanzania, “Almost all house owners don’t accept LGBT people” as tenants and “take it as a curse to their house to rent [to] LGBT.”⁶⁹

Detecting institutionalized discrimination against ethnic, religious, and sexual minorities in the area of access to property is more challenging than in the other indicators. Some forms of legal discrimination could be identified, but discrimination in this sector often happens in practice through de facto discriminatory behaviors by property managers and owners. The laws on contract formation, licensing, and inheritance also seem to be, for the vast majority, neutral with regard to ethnicity, religion, sexual orientation, and gender identity. Those results suggest the need for more targeted legislation to discourage discriminatory behaviors and to guarantee equal access to property, which is key in promoting financial stability and equal access to public services and social safety nets for vulnerable populations.

5. Access to Public Services and Social Protection

Social protection can be defined as “all public and private initiatives that provide income or consumption transfers to the poor, protect the vulnerable against livelihood risks, and enhance the social status and rights of the marginalized; with the overall objective of reducing the economic and social vulnerability of poor, vulnerable, and marginalized groups.”⁷⁰ World Bank Group research has consistently reaffirmed the importance of social protection in achieving the twin goals of “reducing extreme poverty” (World Bank 2014, 33) and helping “achieve visible impacts in terms of reducing unequal-

⁶⁵ International Work Group for Indigenous Affairs, “Indigenous Peoples in Tanzania,” <http://www.iwgia.org/regions/africa/tanzania>.

⁶⁶ See Village Land Act, Part II.

⁶⁷ See Village Land Act, part III on Transfers and Hazard Land, section 4 (I).

⁶⁸ Hazard land is land that, if developed, may endanger life or lead to degradation or environmental destruction.

⁶⁹ Correspondence from the chief operations officer of Amka Empowerment to the Research Directorate, Immigration and Refugee Board of Canada, July 28, 2014, <http://www.refworld.org/cgi-bin/texis/vtx/rwmain?page=search&docid=540421f24&skip=0&query=AMKA>.

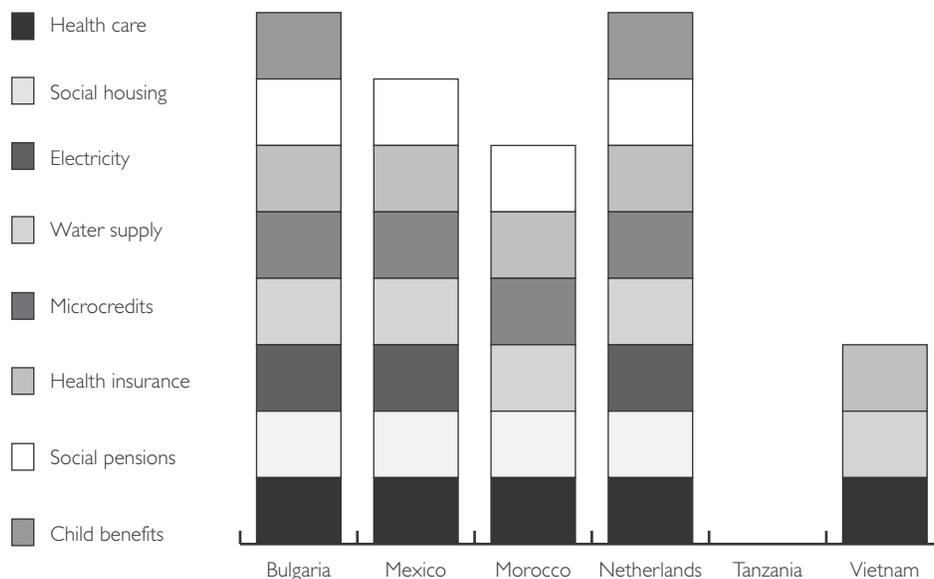
⁷⁰ This definition is from the Food and Agriculture Organization of the United Nations (FAO 2015), quoting Devereux and Sabates-Wheeler (2004, 9). For a more thorough discussion about the differences between *social protection*, *social security*, *social insurance*, and *social safety nets*, see Morlachetti 2015 (2–4).

ity” (World Bank 2015b, 48). Although a rapid expansion of social assistance programs has taken place in developing countries over the past 15 years (Morlachetti 2015, 4), not everyone is benefiting equally from those programs. The United Nations reports, “Because indigenous peoples often engage in informal work, they tend to lack coverage under existing social security schemes and, even where covered, they may not meet the conditions for the realization of their entitlements or are unable to access effectively programs and benefits (e.g., due to geographical and linguistic barriers, lack of adequate infrastructure)” (United Nations Inter-Agency Support Group on Indigenous Issues 2014, 9).

The indicator for access to public services and social protection examines the ability of individuals belonging to a minority group to access public services and social protections—including health care, social housing, electricity, water supply, microcredit, subsidized health insurance, social pensions, and child benefits—in the same way as does the dominant population in the country. The indicator also attempts to capture whether laws encourage nongovernmental organizations (NGOs) to provide similar services and whether the government imposes funding limitations on the provision of such services and allows tax deductions for donations to such NGOs.

The data show that Bulgaria, Mexico, and the Netherlands have comprehensive legal frameworks for nondiscrimination against minorities in the provision of social services. As shown in figure 4, those three economies prohibit discrimination (either in a clause in the constitution, in their respective nondiscrimination laws, or in a specific law that regulates each of the social services) in access to health care, housing, electricity, water supply, microcredits, health insurance, and social pensions. Morocco and Vietnam prohibit discrimination against minorities in the provision of some but not all of those services. In Tanzania, where the indigenous pastoralists and hunter-gatherers have little access to basic public services—such as education, health care, and water (IWGIA 2015a, 86–88)—no relevant laws could be identified.⁷¹

Figure 4: Does the Law Prohibit Discrimination against Ethnic and Religious Minorities and LGBTI Groups in Obtaining Social Protection Floors?



Source: World Bank Equality Project.

Note: Services listed are covered by the surveys; however, the list is not exhaustive, and the economies may have legal provisions prohibiting discrimination in obtaining other forms of social services. No relevant laws were found in Tanzania.

⁷¹ For a detailed analysis of Tanzania’s social protection framework, see ILO (2008).

The case of Mexico is particularly interesting. First, Mexico has a comprehensive constitutional framework that covers economic and social rights. Also, its Federal Law to Prevent and Eliminate Discrimination prohibits discrimination in obtaining those services for religious minorities, ethnic minorities, and LGBTI persons. In addition, Mexican laws on social security, health, housing, water, electricity, and financial services all contain an article that prohibits discrimination in the provision of the respective services.

In Morocco, the only relevant provision is Article 31 of the constitution, which guarantees equal access of its citizens to health care, housing, water supply, health insurance, and social pensions. Article 31 does not address equality in the provision of financial services, but the country has adopted a law on microcredits—Dahir 1-99-16 of 1999, modified by Dahir 1-04-12 of 2004—which provides for the disbursement of up to DH 50,000 to destitute people to help them either start a business for the production of goods or services, improve their housing conditions, or gain access to electricity and clean water.⁷² Although the law does not refer specifically to minorities, many of the minorities are among the poorest in the country and are therefore covered by the law.⁷³

In Vietnam, the 2013 constitution includes some—but not all—of the social services covered by the study. In particular, the Vietnamese constitution regulates health care and health insurance (Articles 38 and 58), welfare, social security, and housing (Art. 59). Despite such constitutional protections, other national laws in Vietnam limit access to social services for ethnic minorities in the country. In particular, the *hộ khẩu*, or system of household registration, represents a barrier to ethnic minorities, especially children, to obtaining access to education, health insurance, and other services⁷⁴ (see box 4).

Box 4: Vietnamese Household Registration System

The *hộ khẩu*, or system of household registration, was established by law in 1964 and stated that every citizen was to be registered as a resident in one and only one household at the place of permanent residence, and movements could take place only with the permission of authorities. Registration was linked to the provision of public services and employment. As shown in a recent World Bank Group report on Vietnam's Household Registration System, although the system has become less rigid over time, concerns persist that *hộ khẩu* limits the rights and access to public services of those who lack permanent registration. Incidentally, extremely few ethnic minorities are permanent registrants—just 1.8 percent of the overall permanent registrant population. (Nationally, ethnic minorities constitute approximately 14 percent of the population.) Ethnic minorities are a much larger fraction of temporary registrants. Children with temporary registration are substantially less likely to be enrolled in school at the lower and upper secondary levels, even after controlling for individual and household characteristics. Also, despite a national policy of free health insurance for children under age 6, one-quarter of temporary registrant children in that age group lack health insurance. Qualitative evidence indicates that this is due in part to their registration status. Some temporary registrants also face obstacles in designating a local facility as their health care location, which means that they pay higher fees for health care. Additionally, qualitative evidence suggests that policies on whether temporary registrants can qualify for social assistance are inconsistent. Temporary registrants are slightly less likely than comparable permanent registrants to appear on the “poor list,” but overall rates of appearing on the poor list and receiving most forms of social assistance are low (regardless of registration status) in areas where temporary registrants live. Temporary registrants also face difficulties in conducting basic government procedures such as registering a motorcycle.

Source: World Bank and Vietnam Academy of Social Sciences (2016)

⁷² Dahir 1-99-16 of February 5, 1999, promulgating the law 18-97 related to microcredit, http://81.192.52.100/BO/Fr/1999/BO_4678_Fr.pdf; and Dahir 1-04-12 of April 21, 2004, promulgating the law 58-03 modifying and supplementing the law 18-97 related to microcredit, <http://www.albaraka.ma/portail-des-administrateurs/wp-content/themes/albaraka/textes%20reglementaires/Dahir%20Loi%20microcr%C3%A9dit/Dahir%201-04-12.pdf>.

⁷³ World Bank 2011, 103.

⁷⁴ World Bank and Vietnam Academy of Social Sciences 2016, XI.

As shown previously, even when laws are neutral, minorities tend to have less access to property because of de facto discrimination by property managers and owners. As a consequence, minorities tend to depend more on public housing. Survey results in Bulgaria reveal that the government has created a policy to address the issue. The National Roma Integration Strategy aims to improve the living conditions of neighborhoods with a high density of Roma people and other ethnic minorities. The strategy includes building public housing and undertaking other measures to increase the ability of Roma populations and other ethnic minorities to acquire public services and social protection floors, such as preventive maternal and child care, health services, health awareness and information, and health insurance for long-term unemployed persons.

LGBT individuals are at particular risk of targeted violence at the hands of private actors. Homophobic and transphobic violence has been recorded in all regions. Such violence may be physical (including murder, beatings, kidnappings, rape, and sexual assault) or psychological (including threats, coercion, and arbitrary deprivations of liberty). (UN Office of the High Commissioner for Human Rights 2012)

In Morocco, Article 3 of the Associations Act, as amended in 2002, imposes indirect restrictions on the access to services for people belonging to religious minorities. According to that article, “An association that is founded for illegal purpose or goal contrary to the public morals or that may aim at violating the Islamic religion or the unity of the national soil or the royal regime or may call on all forms of discrimination will be invalid.”⁷⁵ Although Article 3 can be justified by the government’s need to restrict the operations of extremist religious groups, it is debatable whether such wide government discretion on the formation of religious associations in general is conducive to equal opportunity and the protection of religious freedom in the country.⁷⁶

Finally, public services and social protection can be enhanced by the work of NGOs locally. Data collection from the six economies revealed that none of them impose direct funding limitations to the work of NGOs. In Morocco and Tanzania, however, where homosexuality is criminalized, the law applies only to the work of NGOs dealing with the interest of ethnic and religious minorities but not the interests of sexual minorities. This situation can have some serious consequences for the LGBTI community. Despite having the fourth-highest number of deaths from AIDS in the world, Tanzania does not provide specialized HIV services to LGBTI individuals (Human Rights Watch 2013).

This survey of the laws on provision of public services and social protection in the six economies has shown that most countries acknowledge the importance of providing citizens basic access to public services and social protection, with some countries addressing discrimination in some but not all of the public services and social protection floors covered by the study. A notable exception on this topic is Tanzania, where the law is much less developed. In Vietnam, nondiscrimination provisions in obtaining public services are present, but indirect discrimination occurs as a consequence of other national laws that limit access of ethnic minorities in the country to certain public services.⁷⁷

6. Protection from Hate Crimes or Hate Speech

The indicator for protection from hate crimes or hate speech examines the existence of laws and mechanisms that prosecute hate crimes and laws that prosecute hate speech and provide protection for individuals belonging to ethnic, religious, and sexual minorities (see box 5). In addition to being a violation of the fundamental rights of every human being

⁷⁵ International Center for Not-for-Profit Law, Morocco Act on the Right of Association, <http://www.icnl.org/research/library/files/Morocco/Act-2002-en.pdf>.

⁷⁶ For example, see UNCERD (2010).

⁷⁷ Worth mentioning is that the government of Vietnam has recently taken the initial steps toward an alternative system that could ultimately supplant the household registration system. Under the Law on Civil status, which came into effect at the beginning of 2016, the government is establishing a national population database and a citizen identification card with a citizen identification number linked to the database. The national database will hold basic information on each individual, including gender, ethnicity, and marital status. It will also include place of permanent registration and current residence. Public officials have described a gradual expansion of the system, with citizen identification cards linked to the national database largely replacing other administrative papers, such as the *hộ khẩu* booklet. See World Bank and Vietnam Academy of Social Sciences 2016, <http://documents.worldbank.org/curated/en/158711468188364218/pdf/106381-PUB-P132640-ADD-ISBN-ON-BACK-COVER-PUBLIC.pdf>; See also World Bank and Ministry of Planning and Investment of Vietnam 2016, <https://openknowledge.worldbank.org/handle/10986/23724> License: CC BY 3.0 IGO.

to life and security,⁷⁸ violence against minorities (in the case of hate crimes) affects the economic outcomes of individuals and of the country as a whole (Crehan and McCleary-Sills 2015, 6). Countries that criminalize homosexuality also have costs associated with police enforcement, judicial proceedings, and incarceration. In the particular case of transgender prisoners, for example, reports reveal that they are susceptible to abuse when they are placed within the general prison population, and avoiding the abuse increases the costs associated with the incarceration of those individuals (UNOHCHR 2012, 24). A recent World Bank study on the cost of discrimination against LGBT people in India estimates that the cost of violence against LGBT people in the country could be as high as US\$30.8 billion (Badgett 2014).

Box 5: What Are Hate Crimes and Hate Speech?

Hate crimes are criminal acts motivated by bias or prejudice toward particular groups of people. To be considered a hate crime, the offense must meet two criteria: First, the act must constitute an offense under criminal law; second, the act must have been motivated by bias. Bias motivations can be broadly defined as preconceived negative opinions, stereotypical assumptions, intolerance or hatred directed to a particular group that shares a common characteristic, such as race, ethnicity, language, religion, nationality, sexual orientation, gender, or any other similar common factor.

Source: OSCE (2009)

As shown in table 5, data gathered by the study show no uniformity among the pilot economies in confronting the issue of bias-motivated crimes. In general, three different approaches were found: (a) countries with specific legislation concerning hate crimes and laws concerning hate speech (Bulgaria); (b) countries with legislation regarding hate speech but no laws related to hate crimes (Mexico, Morocco, the Netherlands, and Vietnam); and (c) countries with no legislation regarding either hate crimes or hate speech (Tanzania). One good practice is found in Bulgaria’s criminal code, which contains specific provisions regarding bias-motivated crimes in Articles 162–165. Article 162(2) concerns “crimes against national and racial equality” and punishes anyone who “uses violence against another or damages his property because of his nationality, race, religion, or political convictions.”

Table 5: Does the Law Criminalize Hate Crime or Hate Speech?

	Bulgaria	Mexico	Morocco	Netherlands	Tanzania	Vietnam
Hate crime	✓					
Hate speech	✓	✓	✓	✓		✓

Source: World Bank Equality Project.

Mexico criminalizes hate speech but does not provide for autonomous hate crime legislation at the federal level. Article 138(VIII) of the Penal Code of Mexico City, however, considers “hate” an aggravating circumstance that augments the punishment of the “base crimes” of homicide and bodily harm or injuries. Interestingly, this code provides that “hate” includes the religious and ethnic origin of the victim, but it also expressly mentions sexual orientation and gender identity as characteristics that constitute a bias when committing the crimes of homicide or bodily harm or injuries.⁷⁹ The gender identity characteristic is not expressly mentioned in any of the penal codes of the other countries. In Morocco, the penal code criminalizes inciting hatred during sports events. Vietnam’s penal code does not regulate hate crimes, but it does prohibit hate speech as the action of “sowing hatred, ethnic bias and/or division, infringing upon the rights to

⁷⁸ See Article 3 of the Universal Declaration of Human Rights, which reads, “Everyone has the right to life, liberty, and security of person.”

⁷⁹ Criminal Code for the Federal District (2002), Art. 138, Para. VIII.

equality among the community of Vietnamese nationalities.”⁸⁰ The Netherlands created a system of prosecutorial guidelines, called BOS/Polaris,⁸¹ which require prosecutors to seek higher sentences when bias motivation is found in a crime. The implementation of those guidelines imposes increased penalties on the perpetrator if an element of hate is present in a crime. The target groups of bias crimes are defined on the basis of race, ethnicity, religion and faith, sexual orientation, and disabilities (Ringnalda and Kool 2012).

Finally, to assess whether the economy is committed to the implementation of the law, the indicator for protection from hate crime or hate speech assesses the existence of policies or other forms of enforcement mechanisms that mandate the training of the judiciary in hate crime legislation so judges can effectively address crimes motivated by ethnic, religious, and sexual orientation or gender identity bias. None of the economies surveyed in the study have such detailed provisions in their laws. Some notable results with regard to enforcement mechanisms were found in Bulgaria, however, where Articles 377–384 of the Judiciary System Act require government agencies to collect data on hate crimes and Articles 21–22 of the Legal Aid Act guarantee free legal aid to the victims.

VI. Conclusions

Findings from the six pilot economies seem to confirm anecdotal information regarding a correspondence between gaps in equality laws and policies and the economic marginalization of certain ethnic, religious, and sexual minorities. Ten main findings resulted from the data collection and analysis for the six indicators:

1. **All of the pilot economies have some laws addressing discrimination against minorities.** Some countries—Bulgaria, Mexico, and the Netherlands—have a comprehensive law that addresses discrimination on the basis of ethnic, religious, and sexual orientation grounds. Following a 2015 amendment, the Bulgarian law also covers discrimination on gender identity grounds. The other countries—Morocco, Tanzania, and Vietnam—have some form of legislation aimed at protecting ethnic and religious minorities but not sexual minorities, who are subject to criminal prosecution in Morocco and Tanzania.
2. **Of the laws surveyed for the six indicators (access to institutions, access to education, access to the labor market, access to property, access to public good and social protection, protection from hate crimes and hate speech), nondiscrimination legislation in access to the labor market is the most advanced.** In that area, all pilot economies have provisions in their labor codes that prohibit discrimination against ethnic and religious minorities in the workplace. In Bulgaria, Mexico, and the Netherlands, those provisions also cover sexual minorities. In all six economies, a claim can be filed for employment discrimination in both the public and the private sectors. Also, in Bulgaria, Mexico, the Netherlands, and Tanzania, the burden of proof (that is, proving that no discrimination occurred) is shifted to the employer, in line with recent international developments.⁸² A recent amendment to the Vietnamese labor law includes a similar provision.
3. **Of the laws surveyed under the access to property indicator, the only de jure discrimination identified relates to indigenous lands.** That suggests that discrimination in this area is mostly de facto (that is, in practice) rather than de jure (that is, by law). It also suggests that wider government intervention is needed to prevent discrimination in this area.
4. **All pilot economies have adopted some enforcement mechanism for the implementation of existing nondiscrimination laws.** Bulgaria, Mexico, Morocco, the Netherlands, and Tanzania all have specialized agencies tasked with hearing complaints of discrimination. In Bulgaria, Mexico, and the Netherlands, such agencies hear complaints of discrimination on ethnic, religious, and sexual orientation grounds. In Tanzania the agency only hears complaints of discrimination on ethnic and religious grounds. In Morocco, the National Council for Human Rights addresses the rights of ethnic minorities but only if they are migrant workers. The country recently established a specialized agency to address other forms of discrimination, but that agency is not charged

⁸⁰ Criminal Code (1999), Art. 87, Para. 1(b).

⁸¹ The guidelines were created to establish uniformity and standardize decision making with regard to the scale of punishment for crimes because similar crimes should be judged similarly.

⁸² International Labour Organization, Labour Legislation Guidelines, chapter VII, <http://www.ilo.org/legacy/english/dialogue/ifpdial/llg/noframes/ch7.htm#28>.

with hearing complaints. Vietnam does not have a similar institution, but the Council of Ethnic Minorities in the National Assembly has been instrumental in the adoption of various pro-ethnic minority laws.

5. **In all pilot economies, some good practices have been identified.** Among them are (a) the inclusion of transgender individuals in the Protection Against Discrimination Act of Bulgaria; (b) the training of individuals in the judiciary and the police under Mexico's Federal Law to Prevent and Eliminate Discrimination; (c) the recognition of Tamazight as an official language in the new constitution of Morocco; (d) the Labor Market Discrimination Team established by the Dutch Action Plan against Labor Market Discrimination; (e) the recognition of ethnic minorities and the introduction of a special provision for their protection in Tanzania's new draft constitution; and (f) the Vietnamese Education Act of 2005, which sets quotas for children belonging to ethnic minorities, allowing them to gain access to education.
6. **De jure discrimination can be direct**—such as Article 220 of the Moroccan penal code, which prohibits the proselytization of Sunni Malik Muslims by other sects and religions—**and indirect**—such as the Vietnamese household registration system, which limits Protestant minorities' access to services by requiring a household registration booklet to obtain services that is often denied to those communities by local wardens.
7. At times, **discrimination is an unintended effect of liberal laws that were intended to promote freedom of choice**—such as in the Netherlands, where liberal laws in education have contributed to segregating Moroccan, Turkish, Surinamese, and Netherlands Antillean children to so-called black schools.
8. **Lack of protective legislation can also contribute to discrimination against certain groups.** For example, in Mexico, the lack of a law on free, prior, and informed consultation with indigenous peoples regarding development projects in their territories has limited their access to property.
9. **The absence of harmonization between pieces of national legislation can have the unintended consequence of affecting one group more than another.** For example, in Bulgaria, the equal access to services guaranteed by the Protection Against Discrimination Act is hampered by regulations that require a registered address—which Roma minorities often do not possess—for obtaining national identification documents.
10. **Of the three groups—ethnic, religious, and sexual minorities—the least protected under the law are sexual minorities.** In Bulgaria, Mexico, and the Netherlands, the laws protecting LGBTI communities from discrimination are slowly being developed, but more must be done in the realm of enforcement mechanisms. In Vietnam, homosexuality is not a crime, but same-sex couples are ineligible for the legal protections available to heterosexual couples. In Morocco and Tanzania, homosexuality is a crime, and sexual minorities are marginalized and denied even the most basic services, such as housing and health care.

A few general lessons can be drawn from this exercise. First, a worrisome dearth of systematic data exists in the field of nondiscrimination legislation disaggregated by ethnicity, religion, and sexual orientation and gender identity. More research is needed to understand the problem, calculate the economic costs of marginalization, and conduct comparable cross-country analysis. In addition, the surveys must be revised to include questions that address other hidden forms of institutionalized discrimination, especially in the area of access to property.

The premise of this study is that legislation and policies that discriminate against ethnic, religious, and sexual minorities or lack of appropriate protective measures against discrimination has a reverse effect on the economy. The reasoning is that excluding otherwise productive members of society from the labor market and financial systems (through marginalization in institutions, education, property, public services, the labor market, and the criminal law) reduces the competitiveness of the economy and its potential revenues. Admittedly, a much wider pool of data is needed to prove this premise; however, what is clear is that people around the world are systematically discriminated against for reasons beyond their control. Also apparent is that countries with have adopted more inclusive laws and policies have seen improvements in their economies. That may be a coincidence—or maybe what is needed is a more critical look at legal frameworks, with the underlying premise that human dignity is not negotiable and that everyone deserves equal opportunities, irrespective of ethnicity, religion, sexual orientation, or gender identity.

Appendix A: Existing Legal Datasets on Nondiscrimination

Database	Agency	Focus	How it differs from the World Bank Equality Project
Legislationonline	Organization for Security and Co-operation in Europe (OSCE)	Legislationonline is a free, online legislative database created in 2002 to assist OSCE participating states in bringing their legislation in line with relevant international human rights standards. Includes legislation on nondiscrimination, freedom of religion, citizenship, national human rights institutions, and hate crimes.	Covers only OSCE countries and does not cover issues related to education, property, social services and social protection, and the labor market (unless covered by the antidiscrimination legislation). Does not allow for cross-country comparison.
NATLEX	International Labour Organization (ILO)	NATLEX is a database of national labor, social security, and related human rights legislation. Includes legislation on nondiscrimination in the labor market.	Covers only labor legislation and related human rights laws and not issues related to institutions, education, property, public goods, social protection, and hate crimes or hate speech. Does not allow for cross-country comparison.
NORMLEX	ILO	NORMLEX is a database of national labor and social security laws, ratification information, reporting requirements, and comments of the ILO's supervisory bodies. Includes legislation on nondiscrimination in the labor market and ratification of employment discrimination conventions.	Covers only labor legislation and international instruments and does not cover issues related to institutions, education, property, public goods, social protection, and hate crimes or hate speech. Does not allow for cross-country comparison.
General Surveys (2012, 1996, 1986) of the Committee of Experts	ILO	The General Surveys are reports examining law and practice in a particular subject area related to labor in member states that have or have not ratified relevant ILO conventions. Includes legislation on nondiscrimination in the labor market.	Covers only labor legislation and does not cover issues related to institutions, education, property, public goods, social protection, and hate crimes or hate speech. Does not allow for cross-country comparison.
The OHCHR antidiscrimination database	Office of the High Commissioner for Human Rights (OHCHR)	The database includes existing measures and practices to combat address racism, racial discrimination, xenophobia, and related intolerance at the international, regional and national levels.	Does not cover issues related to institutions, education, property, public goods, social protection, and hate crime and hate speech (unless covered by nondiscrimination legislation). Does not allow for cross-country comparison.
Planipolis	United Nations Educational, Scientific and Cultural Organization (UNESCO)	The Planipolis database provides legislation, policies, and plans on education from official sources of UNESCO member states.	Does not cover issues related to institutions, labor market, property, public goods, social protection, and hate crime or hate speech. Does not allow for cross-country comparison.

The International Bureau of Education (IBE)—legal dataset	UNESCO	The IBE provides a country database that includes profiles of education systems (including laws and policies), a selection of official reports from national education authorities, information on national curricula, and links to official information sources on education (including Ministries of Education).	Does not cover issues related to institutions, labor market, property, public goods, social protection, and hate crime or hate speech. Does not allow for cross-country comparison.
European Equality Law Network—Legal Developments	European Equality Law Network	The network includes updates on legislative, policy, and case-law developments in the field of nondiscrimination in the 35 states that participate in the network.	Does not cover non-European countries. Does not allow for cross-country comparison.
WORLD Policy Forum—Data on Education	The WORLD Policy Analysis Center at University of California, Los Angeles (UCLA)	The WORLD Policy Forum includes laws and public policies in 191 countries covering poverty, discrimination, education, health, child labor, child marriage, and parental care.	Does not cover institutions, property, public goods, social protection, and hate crime or hate speech.
Compendium of blasphemy laws	Human Rights First	Compendium of blasphemy laws covers legislation that seeks to criminalize those who insult or defame religions and related legislation. Includes legislation on freedom of religion and discriminatory laws against religious minorities.	Covers only religious minorities. Does not cover other groups and does not cover labor market, education, property, public goods, social protections, and hate speech and hate crimes.
Sexual Orientation Laws in the World	International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA)	The Sexual Orientation Laws in the World dataset includes criminalization, protection, and recognition laws related to sexual minorities.	Covers only sexual minorities.

Appendix B: Contributors

This report was possible with the contribution of nearly 50 experts who answered the surveys and provided guidance with regard to local legislation in the six pilot countries. We greatly appreciate the time and effort they dedicated to the Equality Research Paper.

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Appendix C: Country Data

Ethnic Minorities

INSTITUTIONS	Bulgaria		Mexico		Morocco		Netherlands		Tanzania		Vietnam	
The Constitution and National Legislation												
Under the Constitution:												
Is there a general nondiscrimination clause?	Yes	Constitution of the Republic of Bulgaria (1991), Art. 6 Para. 2	Yes	Constitución Política de los Estados Unidos Mexicanos (1917), Art. 1	No		Yes	Constitution of the Kingdom of the Netherlands (2008), Art. 1	Yes	Constitution of the United Republic of Tanzania (1977), Arts. 9(g), 13(1)(2)	Yes	Constitution of Vietnam (2013), Art. 5 Para. 2
If yes, does it explicitly mention ethnic minorities?	Yes	Constitution of the Republic of Bulgaria (1991), Art. 6 Para. 2	Yes	Constitución Política de los Estados Unidos Mexicanos (1917), Art. 1	N/A		Yes	Constitution of the Kingdom of the Netherlands (2008), Art. 1	Yes	Constitution of the United Republic of Tanzania (1977), Arts. 9(g), 13(1)(2)	Yes	Constitution of Vietnam (2013), Art. 5 Para. 2
Is there a provision that guarantees equality before the law?	Yes	Constitution of the Republic of Bulgaria (1991), Art. 6 Paras. 1,2	Yes	Constitución Política de los Estados Unidos Mexicanos (1917), Art. 4	Yes	Constitution du Royaume du Maroc (2011), Art. 6	Yes	Constitution of the Kingdom of the Netherlands (2008), Art. 1	Yes	Constitution of the United Republic of Tanzania (1977), Arts. 12, 13(1)	Yes	Constitution of Vietnam (2013), Art. 16 Para. 1
If yes, does it explicitly mention ethnic minorities?	Yes	Constitution of the Republic of Bulgaria (1991), Art. 6 Para. 2	Yes	Constitución Política de los Estados Unidos Mexicanos (1917), Art. 2 Para. A Sec. III	No		Yes	Constitution of the Kingdom of the Netherlands (2008), Art. 1	Yes	Constitution of the United Republic of Tanzania (1977), Art. 13(5)	No	
Is customary law recognized as a valid source of law?	No		Yes.	Constitución Política de los Estados Unidos Mexicanos (1917), Art. 2 Para. A Sec. II	No		No		Yes	Judicature and Application of Laws Act (1920), Art. 11 (1)	No	
If yes, is customary law invalid if it violates provisions on nondiscrimination or equality?	Not applicable (N/A)		Yes	Constitución Política de los Estados Unidos Mexicanos (1917), Art. 2 Para. A Sec. II	N/A		N/A		Yes	Judicature and Application of Laws Act (1920), Art. 11 (3)	N/A	
Is there a provision that guarantees the freedom of ethnic minorities to express their culture/traditions or speak their language?	Yes	Constitution of the Republic of Bulgaria (1991), Arts. 36, 54	Yes	Constitución Política de los Estados Unidos Mexicanos (1917), Art. 2 Para. A Sec. IV	Yes	Constitution du Royaume du Maroc (2011), Art. 6	No		No		Yes	Constitution of Vietnam (2013), Art. 5 Para. 3; Art. 42
Under National Legislation:												
Is there a specific law on nondiscrimination?	Yes	Protection Against Discrimination Act (2004)	Yes	Ley Federal para Prevenir y Eliminar la Discriminación (2003)	No		Yes	Equal Treatment Act (1994)	No		No	

If yes, does it provide protection from discrimination on ethnic grounds?	Yes	Protection Against Discrimination Act (2004), Art. 4 Para. 1	Yes	Ley Federal para Prevenir y Eliminar la Discriminación (2003), Art. 1 Sec. III	N/A		Yes	Equal Treatment Act (1994), Sec. 1(b) is the most accurate answer even though it does not state the words <i>ethnic</i> or <i>ethnicity</i>	N/A		N/A	
Are there any other laws that protect ethnic minorities from discrimination?	Yes	Criminal Code (1968), Arts 162 Para. 1, 172 Para. 1 Labor Code (1992), Art. 8 Para. 3 National Education Act (1991), Art. 4	Yes	Ley General de Derechos Lingüísticos de los Pueblos Indígenas (2003) Ley de la Comisión Nacional para el Desarrollo de los Pueblos Indígenas (2003)	Yes	Code Pénal (1962), Art. 431-1, Art. 431-2 Dahir n° 1-79-186 portant publication du Pacte international relatif aux droits économiques, sociaux et culturels et du Pacte international relatif aux droits civils et politiques (1979), Art. 27	Yes	Criminal Code (1881), Art. 137	No		Yes	Criminal Code (1999), Art. 3 Para. 2
Political Rights												
Is there a provision that guarantees freedom of opinion and expression?	Yes	Constitution of the Republic of Bulgaria (1991), Art. 39 Para. 1	Yes	Constitución Política de los Estados Unidos Mexicanos (1917), Arts. 6, 7	Yes	Constitution du Royaume du Maroc (2011), Art. 25	Yes	Constitution of the Kingdom of the Netherlands (2008), Art. 7	Yes	Constitution of the United Republic of Tanzania (1977), Art. 18	Yes	Constitution of Vietnam (2013), Art. 25
Do laws and/or regulations relating to any of these categories differ between ethnic minorities and the ethnic majority?												
Obtaining citizenship?	No	Constitution of the Republic of Bulgaria (1991), Art. 25 Para. 1	No	Constitución Política de los Estados Unidos Mexicanos (1917), Art. 30 Para. A	No	Code de la nationalité marocaine (1958), Art. 9	No	Constitution of the Kingdom of the Netherlands (2008), Art. 1 Netherlands Nationality Act (2010), Art. 3	No	Tanzania Citizenship Act (1995), Arts. 4–6	No	Nationality Law (2008), Art. 2 Para. 2
Registering birth?	No	Constitution of the Republic of Bulgaria (1991), Art. 25 Para. 3	No	Constitución Política de los Estados Unidos Mexicanos (1917), Art. 4.	No	Loi n°37-99 relative à l'état civil (2002), Art. 16	No	Constitution of the Kingdom of the Netherlands (2008), Art. 1	No	Births and Deaths Registration Act (1920), Art. 11	No	Decree 158/2005/ND-CP on Civil Status Registration and Management, (2005), Artt. 13–16
Obtaining a passport?	No	Bulgarian Personal Documents Act (1999), Art. 4 Para. 1	No	Constitución Política de los Estados Unidos Mexicanos (1917), Art. 4 Reglamento de Pasaportes y del Documento de Identidad y Viaje (2011), Art. 14	No	Décret n°2-08-310 instituant le passeport biométrique (2008), Art. 1	No	Constitution of the Kingdom of the Netherlands (2008), Art. 1	No	Tanzania Passports and Travel Documents Act (2002), Art. 12	No	Decree No. 136/2007 ND-CP 17 on Vietnamese Citizens' Exit and Entry (2007), Art. 8

Obtaining an ID card?	No	Bulgarian Personal Documents Act (1999), Art. 4 Para. 1	No	Constitución Política de los Estados Unidos Mexicanos (1917), Art. 4	No	Loi n° 35-06 (2007), instituant la carte nationale d'identité électronique, Art. 1	No	Constitution of the Kingdom of the Netherlands (2008), Art. 1	No	Registration and Identification of Persons Act (1986), Arts. 8, 9	No	Decree No. 05/1999/ND-CP 3 on the People's Identity Card (1999), Art. 3 Para 2 and 4
Do laws and/or regulations relating to freedom of movement differ between ethnic minorities and the ethnic majority?												
In moving within the country?	No	Constitution of the Republic of Bulgaria (1991), Art. 35	No	Constitución Política de los Estados Unidos Mexicanos (1917), Art. 11	No	Constitution du Royaume du Maroc, Art. 24 Dahir n 19-68 portant ratification et publication de la convention internationale sur l'élimination de toutes les formes de discrimination raciale (1969), Art. 5	No	Constitution of the Kingdom of the Netherlands (2008), Art. 1 Directive 2004/38/EC of the European Parliament and of the Council (2004), Art. 3	No	Constitution of the United Republic of Tanzania (1977), Art. 17(1)	No	Constitution of Vietnam (2013), Art. 23
In leaving and returning to the country?	No	Constitution of the Republic of Bulgaria (1991), Art. 35	No	Constitución Política de los Estados Unidos Mexicanos (1917), Art. 11	No	Constitution du Royaume du Maroc, Art. 24 Dahir n 19-68 portant ratification et publication de la convention internationale sur l'élimination de toutes les formes de discrimination raciale (1969), Art. 5	No	Constitution of the Kingdom of the Netherlands (2008), Art. 1 Directive 2004/38/EC of the European Parliament and of the Council, (2004), Arts. 4, 5	No	Constitution of the United Republic of Tanzania (1977), Art. 17(1)	No	Constitution of Vietnam (2013), Art. 23
Are NGOs that promote the interests of ethnic minorities:												
Permitted under the law?	Yes	Bulgarian Non-Profit Legal Entities Act (2000), Art. 2 Paras. 1-2	Yes	Constitución Política de los Estados Unidos Mexicanos (1917), Art. 9 Ley Federal de Fomento a las Actividades realizadas por Organizaciones de la Sociedad Civil (2004), Art. 5, Sec. XIII	Yes	Dahir 1-58-376 réglementant le droit d'association (1958), Art. 2	Yes	Constitution of the Kingdom of the Netherlands (2008), Art. 8 Civil Code, Book 2 (1972), Art. 2:285	Yes	Non-Governmental Organizations Act (2002), Art. 2	Yes	Decree No. 12/2012/ND-CP on registration and management of operation of non-governmental organizations in Vietnam, (2012), Art. 3 Para. 1 Decree No. 30 on social and charity funds (2012), Art. 2

If yes, are the NGOs subject to limitation by the state on the basis of national security, public order, morality, or other grounds?	Yes	Bulgarian Non-Profit Legal Entities Act (2000), Art. 3 (2)	Yes	Ley Federal de Fomento a las Actividades realizadas por Organizaciones de la Sociedad Civil (2004), Art. 30	Yes	Dahir 1-58-376 réglementant le droit d'association (1958), Art. 3	Yes	Civil Code, Book 2 (1972), Art. 2:20	Yes	Non-Governmental Organizations Act (2002), Art. 14(1)	Yes	Decree No. 12/2012/ND-CP on registration and management of operation of non-governmental organizations in Vietnam, (2012), Art. 4 Decree No. 30 on social and charity funds (2012), Art. 7.1
Representation in the Three Branches of Government (Legislative, Executive, and Judiciary)												
Does the law:												
Mandate quotas for ethnic minorities in parliament?	No		No		No		No		No		No	
Does the law prohibit an individual belonging to a ethnic minority from:												
Holding ministerial posts?	No		No		No		No		No		No	
Enforcement of Antidiscrimination Laws and Policies												
Does the law:												
Require the judiciary to receive training on the application of existing antidiscrimination laws dealing with ethnic minorities?	No		Yes	Ley Federal para Prevenir y Eliminar la Discriminación (2003), Art. 20, Para. XL, 34, Para. IV	No		No		No		No	
Require the police to receive training on the application of existing antidiscrimination laws dealing with ethnic minorities?	No		Yes	Ley Federal para Prevenir y Eliminar la Discriminación (2003), Art. 20, Para. XL, 34, Para. IV Ley General del Sistema Nacional de Seguridad Pública (2009), Art. 40, Secs. I, IV	No		No		No		No	

Establish a specialized body tasked with receiving complaints for violations of human rights (Human Rights Committee, Ombudsman, etc.)?	Yes	Ombudsman Act (2003), Art. 2 Protection Against Discrimination Act (2004), Art. 40	Yes	Ley de la Comisión Nacional de los Derechos Humanos (1992), Art. 2: Comisión Nacional de los Derechos Humanos Ley Federal para Prevenir y Eliminar la Discriminación (2003), Art. 16: Consejo Nacional para Prevenir la Discriminación (not a general human rights body, but specialized in discrimination)	Yes	Dahir n 1-11-19 portant création du Conseil national des droits de l'Homme (2011) Constitution du Royaume du Maroc (2011), Artt. 19, 161, and 164	Yes	Institute for Human Rights Act, Sec. I. Institute for Human Rights (formerly Equal Treatment Commission)	Yes	Constitution of the United Republic of Tanzania (1977), Art. 129(1) Commission for Human Rights and Good Governance Act (2001), Art. 6(1)(b)	No	
If yes, does such body hear complaints of ethnic discrimination?	Yes	Ombudsman Act (2003) Art. 19 Para. 1 Protection Against Discrimination Act (2004), 48 Para. 2	Yes	Ley de la Comisión Nacional de los Derechos Humanos (1992), Art. 3 Ley Federal para Prevenir y Eliminar la Discriminación (2003), Arts. 1 Para. III, 43	No	Dahir n 1-11-19 portant création du Conseil national des droits de l'Homme (2011), Artt. 1, 3, and 4	Yes	Institute for Human Rights Act (2011), Secs. 3(a), 10(1)	Yes	Commission for Human Rights and Good Governance Act (2001), Arts. 6(1)(b), 28(1)(c)	N/A	
Is there a budget allocation for the operation of such body/bodies?	Yes	Ombudsman Act (2003), Art. 7 Protection Against Discrimination Act (2004), Art. 40 Para. 3	Yes	Constitución Política de los Estados Unidos Mexicanos (1917), Art. 102 Para. B Ley de la Comisión Nacional de los Derechos Humanos (1992), Arts. 2, 75 Ley Federal para Prevenir y Eliminar la Discriminación (2003), Art. 16 (regarding CONAPRED, not the Ombudsman)	Yes	Dahir n 1-11-19 portant création du Conseil national des droits de l'Homme (2011), Art. 55	Yes	The Ministry of Justice has the main responsibility for the Institute's budget. The budget is regulated in the Annual Budgets Act and not in the Netherlands Institute for Human Rights Act.	Yes	Commission for Human Rights and Good Governance Act (2001), Art. 29	N/A	
EDUCATION		Bulgaria		Mexico		Morocco		Netherlands		Tanzania		Vietnam
Participation in Education												
Does the law prohibit discrimination in school admission on ethnic grounds in:												

Primary education?	Yes	National Education Act (1991) Art. 4 Para. 2	Yes	Constitución Política de los Estados Unidos Mexicanos (1917), Art. 3 Ley General de Educación (1993), Art. 2 Ley Federal para Prevenir y Eliminar la Discriminación (2003), Art. 9	Yes	Constitution du Royaume du Maroc (2011), Art. 31 Dahir n 19-68 portant ratification et publication de la convention internationale sur l'élimination de toutes les formes de discrimination raciale (1969), Art. 5 Dahir n 1-79-186 portant publication du Pacte international relatif aux droits économiques, sociaux et culturels et du Pacte international relatif aux droits civils et politiques (1979), Art. 13	Yes	Equal Treatment Act (1994), Sec. 7(1) (c).	Yes	Education Act (1978), Art. 56(2) Law of the Child Act (2009), Art. 5(2), 8(2)	Yes	Decree No. 38/2005/QH11 on Education Law (2005), Art. 10
Secondary education?	Yes	National Education Act (1991) Art. 4 Para. 2	Yes	Constitución Política de los Estados Unidos Mexicanos (1917), Art. 3 Ley General de Educación (1993), Art. 2 Ley Federal para Prevenir y Eliminar la Discriminación (2003), Art. 9	Yes	Constitution du Royaume du Maroc (2011), Art. 31 Dahir n 19-68 portant ratification et publication de la convention internationale sur l'élimination de toutes les formes de discrimination raciale (1969), Art. 5 Dahir n 1-79-186 portant publication du Pacte international relatif aux droits économiques, sociaux et culturels et du Pacte international relatif aux droits civils et politiques (1979), Art. 13	Yes	Equal Treatment Act (1994), Sec. 7(1) (c).	Yes	Education Act (1978), Art. 56(2) Law of the Child Act (2009), Arts. 5(2), 8(2)	Yes	Decree No. 38/2005/QH11 on Education Law (2005), Art. 10

Tertiary education?	Yes	National Education Act (1991) Art. 4 Para. 2	Yes	Constitución Política de los Estados Unidos Mexicanos (1917), Art. 3 Ley General de Educación (1993), Art. 2 Ley Federal para Prevenir y Eliminar la Discriminación (2003), Art. 9	Yes	Constitution du Royaume du Maroc (2011), Art. 31 Dahir n 19-68 portant ratification et publication de la convention internationale sur l'élimination de toutes les formes de discrimination raciale(1969), Art. 5 Dahir n 1-79-186 portant publication du Pacte international relatif aux droits économiques, sociaux et culturels et du Pacte international relatif aux droits civils et politiques (1979), Art. 13	Yes	Equal Treatment Act (1994), Sec. 7(I) (c).	Yes	Education Act (1978)	Yes	Decree No. 38/2005/QH11 on Education Law (2005), Art. 10
Does the law prescribe quotas for individuals belonging to ethnic minorities in:												
Primary education?	No		No		No		No		No		No	
Secondary education?	No		No		No		No		No		Yes	Decree No. 38/2005/QH11 on Education Law (2005), Art. 90 Para. 1
Tertiary education?	No		No		No		No		No		Yes	Decree No. 38/2005/QH11 on Education Law (2005), Art. 90 Para. 1
Fighting Marginalization in Education												
Does the law mandate the adoption of measures aimed at sensitizing the students to the principles of nondiscrimination and equality in:												
Primary education?	Yes	Protection Against Discrimination Act (2004), Art. 35 Paras. 1, 3 National Education Act (1991) Art. 15 Para. 2	Yes	Constitución Política de los Estados Unidos Mexicanos (1917), Art. 3 Para. 4 Ley General de Educación (1993), Arts. 7, 8, 33	No		Yes	Primary Education Act (1981), Art. 46	No		Yes	Decree No. 38/2005/QH11 on Education Law (2005), Arts. 5 Para. 1, 7 Para 2.

Secondary education?	Yes	Protection Against Discrimination Act (2004), Art. 35 Paras. 1, 3 National Education Act (1991), Art. 15 Para. 2	Yes	Constitución Política de los Estados Unidos Mexicanos (1917), Art. 3 Para. 4 Ley General de Educación (1993), Arts. 7, 8, 33	No		Yes	Secondary Education Act (1963), Art. 42	No		Yes	Law No. 38/2005/QH11 Education Law(2005), Arts. 5 Para. 1, 7 Para 2.
Does the law:												
Mandate the revision of national textbooks in primary and secondary education to eliminate discriminatory language?	Yes	Protection Against Discrimination Act (2004), Art. 35 Paras. 1, 3	Yes	Ley General de Educación (1993), Arts. 8, 12 Para. III	No		No		No		No	
Mandate the training of school teachers in primary and secondary education on antidiscrimination of ethnic minorities?	Yes	Protection Against Discrimination Act (2004), Art. 35 Paras. 1, 3	Yes	Ley General de Educación (1993), Arts. 8, 12 Para. III	No		No		No		No	
LABOR	Bulgaria		Mexico		Morocco		Netherlands		Tanzania		Vietnam	
Equality in Accessing the Labor Force												
Does the law:												
Prohibit individuals belonging to ethnic minorities from obtaining employment in specific sectors?	No	Labor Code (1992) Art. 8 Para. 3 Protection Against Discrimination Act (2004), Art. 12	No	Ley Federal para Prevenir y Eliminar la Discriminación (2003), Art. 9 Para. III.	No	Code du Travail (2011), Art. 9, and Art. 478 Constitution du Royaume du Maroc (2011), Art. 31	No	Constitution of the Kingdom of the Netherlands (2008), Art. 19 Para. 3. Equal Treatment Act (1994), Sec. 5(1)(b)	No	Constitution of the United Republic of Tanzania (1977), Art. 22 (1) Employment and Labour Relations Act (2004), Art. 7(1)	No	Decree No. 10/2012/QH13 Labor Code (2012), Art. 5 Para 1, Art. 8 Para. 1

Prohibit discrimination on ethnic grounds in recruitment in the public sector?	Yes	Labor Code (1992), Art. 8 Para. 3 Protection Against Discrimination Act (2004), Art. 12 Civil Servants Act (1999), Art. 7 Para. 6	Yes	Ley Federal para Prevenir y Eliminar la Discriminación (2003), Art. 9 Para. III. Ley Federal del Trabajo (1970), Arts.3, 133	Yes	Code du Travail (2011), Art. 9, and Art. 478 Constitution du Royaume du Maroc (2011), Art. 31	Yes	Equal Treatment Act (1994), Sec. 5(1)	Yes	Constitution of the United Republic of Tanzania (1977), Art. 22 (2) Employment and Labour Relations Act (2004), Arts. 7(1), 7(4)(g)	Yes	Decree No. 10/2012/QH13 Labor Code (2012), Art. 5 Para. 1 Decree No. 05/2011 IND-CP on Ethnic Minorities Work, Art. 7 Para. 1 Decree No. 58/2010/QH12 Law on Public Employees (2010), Art. 21 Paras. 1, 5 Decree No. 22/2008QH12 on Cadres and Civil Servants (2008), Art. 38 Paras. 1, 4
Prohibit discrimination on ethnic grounds in recruitment in the private sector?	Yes	Labor Code (1992), Art. 8 Para. 3 Protection Against Discrimination Act (2004), Art. 12 Para. 1	Yes	Ley Federal para Prevenir y Eliminar la Discriminación (2003), Art. 9 Para. III. Ley Federal del Trabajo (1970), Arts.3, 133	Yes	Code du Travail (2011), Art. 9, and Art. 478 Constitution du Royaume du Maroc (2011), Art. 31	Yes	Equal Treatment Act (1994), Sec. 5(1). The exception is Equal Treatment Act (1994), Sec. 5(3)	Yes	Employment and Labour Relations Act, (2004), Art. 7(4)(g)	Yes	Decree No. 10/2012/QH13 Labor Code (2012), Art. 8 Para. 1
Prohibit an employer from asking about an individual's ethnicity during the recruitment phase?	Yes	Protection Against Discrimination Act (2004), Art. 12 Para. 1	No		No		No		No		No	
Prescribe equal remuneration for work of equal value for individuals belonging to ethnic minorities?	Yes	Protection Against Discrimination Act (2004), Art. 14 Para. 1	Yes	Constitución Política de los Estados Unidos Mexicanos (1917), Art. 123 Para. VII Ley Federal del Trabajo (1970), Art. 56	Yes	Code du Travail (2011), Art. 9 and Art. 478.	Yes	Equal Treatment Act (1994), Sec. 5 (1)(e), (h)	Yes	Constitution of the United Republic of Tanzania (1977), Art. 23 (1) Employment and Labour Relations Act (2004), Art. 7(10)	Yes	Decree No. 10/2012/QH13 Labor Code (2012), Arts. 5 Para. 1 (a), 8 Para. 1, 90 Para. 3

Prohibit discrimination on ethnic grounds in the dismissal of employees?	Yes	Criminal Code (1968), Art. 172 Para. 1 Protection Against Discrimination Act (2004), Arts. 20–21	Yes	Ley Federal del Trabajo (1970), Arts. 3, 133	Yes	Code du Travail (2011), Art. 9, Art. 36, Para. 5	Yes	Equal Treatment Act (1994), Secs. 5(1), 8	Yes	Employment and Labour Relations Act, (2004), Arts. 7(4)(c), 37(3)(b)(iii)	Yes	Law on Public Employees, Art. 30, Decree No. 10/2012/QH13 Labor Code (2012), Art. 3 Para. 7, and 194 Para. 6
Access to Remedy												
Does the law allow an employee to bring a claim for employment discrimination on ethnic grounds:												
In the public sector?	Yes	Protection Against Discrimination Act (2004), Arts. 50, 71.	Yes	Ley Federal del Trabajo (1970), Arts. 2, 3, 133 Ley Federal para Prevenir la Discriminación (2003), Art. 43.	Yes	Code du Travail (2011), Arts.9, 41	Yes	Equal Treatment Act (1994), Secs. 10, 12 (2)	Yes	Employment and Labour Relations Act, (2004), Arts. 7(4)(c), 37(3).	Yes	Decree No. 10/2012/QH13 Labor Code (2012), Art. 8 Para. 1
If there is a law, does it prohibit retaliation by the employer for bringing a complaint or participating in any manner in an employment discrimination proceeding?	Yes	Protection Against Discrimination Act (2004), Arts. 5, additional provisions, Sec. 1 (3)	No	No provisions could be located	Yes	Code du Travail (2011), Art. 36, Para. 4	Yes	Equal Treatment Act (1994), Sec. 8(a)	No	No provisions could be located	No	No provisions could be located
In the private sector?	Yes	Protection Against Discrimination Act (2004), Arts. 50, 71.	Yes	Ley Federal del Trabajo (1970), Arts.2, 3, 133. Ley Federal para Prevenir la Discriminación (2003), Art. 43	Yes	Code du Travail (2011), Arts. 9, 41	Yes	Equal Treatment Act (1994), Secs. 10, 12 (2)	Yes	Employment and Labour Relations Act, (2004), Arts. 7(4)(c), 37(3).	Yes	Decree No. 10/2012/QH13 Labor Code (2012), Art. 3 Para. 7, and 194 Para. 6
If there is a law, does it prohibit retaliation by the employer for bringing a complaint or participating in any manner in an employment discrimination proceeding?	Yes	Protection Against Discrimination Act (2004), Arts. 5, additional provisions, Sec. 1 (3)	No	No provisions could be located	Yes	Code du Travail (2011), Art. 36, Para. 4	Yes	Equal Treatment Act (1994), Sec. 8(a)	No	No provisions could be located	No	No provisions could be located
Does the law:												

Shift the burden of proof for antidiscrimination claims from the employee to the employer?	Yes	Protection Against Discrimination Act (2004), Art. 9	Yes	Ley Federal del Trabajo (1970), Art. 784	Yes	Code du Travail (2011), Art. 63	Yes	Equal Treatment Act (1994), Sec. 10 (1)	Yes	Employment and Labour Relations Act, (2004), Art. 7(8)(a)	No	Decree No. 10/2012/QH13 Labor Code (2012), Art. 192 Para. 2(a); Civil Proceeding Code (2012), Art. 79 Para. 1
Allow class action lawsuits for employment discrimination on ethnic grounds?	Yes	Protection Against Discrimination Act (2004), Art. 71 Paras. 2, 3 Civil Procedure Code (2007), Art. 379 Para. 1	Yes	Ley Federal del Trabajo (1970), Art. 697	Yes	Code du Travail (2011), Art. 549	Yes	Equal Treatment Act (1994), Sec. 10 (2)	No		Yes	Civil Proceeding Code (2012), Art. 31 Para. 2(a)
PROPERTY		Bulgaria		Mexico		Morocco		Netherlands		Tanzania		Vietnam
Access to Land												
Do laws and/or regulations relating to any of these transactions differ between ethnic minorities and the ethnic majority?												
Obtain a title of land (e.g., for the purposes of transfer or sale)?	No		No		No		No		No		No	
Lease land?	No		No		No		No		No		No	
License land?	No		No		No		No		No		No	
Obtain a mortgage?	No		No		No		No		No		No	
Inherit land?	No		No		No		No		No		No	
Does the law allow indigenous peoples:												
To demarcate and obtain a communal or collective title to property for their territories and lands?	No		Yes	Constitución Política de los Estados Unidos Mexicanos (1917), Art. 27 Para. VII Ley Agraria (1992), Art. 106	No		No		No		Yes	Land Law (2013), Art. 5.3
Contractual Capacity, Ownership and Private Businesses												
Do laws and/or regulations relating to any of these transactions differ between ethnic minorities and the ethnic majority?												
Sign a contract?	No		No		No		No		No		No	
Register a company?	No		No		No		No		No		No	

Transfer a private business?	No		No		No		No		No		No	
PUBLIC SERVICES AND SOCIAL PROTECTION	Bulgaria		Mexico		Morocco		Netherlands		Tanzania		Vietnam	
Public Services Provided by the Government												
Does the law prohibit discrimination against individuals belonging to ethnic minorities in accessing:												
Health care?	Yes	Protection Against Discrimination Act (2004), Art. 37 Health Act (2004), Art. 85	Yes	Ley General de Salud (1984), Art. 77 bis 36 Paras. VII, XX Ley del Seguro Social (1995), Arts. 214–217, 238 Ley Federal para Prevenir y Eliminar la Discriminación (2003), Art. 9 Para. XX	Yes	Constitution du Royaume du Maroc (2011), Art. 31	Yes	Equal Treatment Act (1994), Secs. 7 (1)(b)–(c)	No		Yes	Decree No. 40/2009/QH12 Law on Medical Examination and Treatment (2009), Art. 9 Para. 1
Social housing?	Yes	Social Assistance Act (1998), Art. 3	Yes	Ley General de Vivienda (2006), Art. 3 Ley Federal para Prevenir y Eliminar la Discriminación (2003), Art. 9 Para. XXI	Yes	Constitution du Royaume du Maroc (2011), Art. 31	Yes	Equal Treatment Act (1994), Secs. 7 (1)(b)–(c)	No		No	
Electricity?	Yes	Protection Against Discrimination Act (2004), Art. 37 Energy Act (2003), Art. 31	Yes	Ley Federal para Prevenir y Eliminar la Discriminación (2003), Art. 9 Para. XXII Ley de la Industria Electrica (2014), Art. 50	No		Yes	Equal Treatment Act (1994), Secs. 7 (1)(b)–(c)	No		Yes	Decree No. 28/2004/QH11 Electricity Law (2004), Art. 4.2
Water supply?	Yes	Protection Against Discrimination Act (2004), Art. 37	Yes	Ley Federal para Prevenir y Eliminar la Discriminación (2003), Art. 9 Para. XXII	Yes	Constitution du Royaume du Maroc (2011), Art. 31	Yes	Equal Treatment Act (1994), Secs. 7 (1)(b)–(c)	No		Yes	Decree No. 15/2012/L/CTN Law on Water Resources (2012), Art. 3. Para 5
Microcredits?	Yes	Protection Against Discrimination Act (2004), Art. 37	Yes	Ley para la Transparencia y el Ordenamiento de los Servicios Financieros (2007), Arts. 4 bis 3 Para. III, 17	Yes	Loi 18-97 relative au micro-crédit (1999), Art. 6	Yes	Equal Treatment Act (1994), Secs. 7 (1)(d)	No		No	

Subsidized health insurance?	Yes	Social Assistance Act (1998), Art. 3	Yes	Ley Federal para Prevenir y Eliminar la Discriminación (2003), Art. 9 Para. VII	Yes	Constitution du Royaume du Maroc (2011), Art. 31	Yes	Equal Treatment Act (1994), Secs. 7 (1)(b)–(c)	No		Yes	Decree No. 23/2008/L-CTN Law on Health Insurance (2009), Art. 11 Para. 4
Social pensions?	Yes	Social Assistance Act (1998), Art. 3	Yes	Ley Federal para Prevenir y Eliminar la Discriminación (2003), Art. 9 Para. XX	No		Yes	Equal Treatment Act (1994), Secs. 7 (1)(b)–(c)	No		No	
Child benefits?	Yes	Constitution of the Republic of Bulgaria (1991), Art. 6 Para. 2 Protection Against Discrimination Act (2004), Arts. 4 Para. 1, 37 Social Assistance Act (1998), Art. 3	No		No		Yes	Equal Treatment Act (1994), Secs. 7 (1)(b)–(c)	No		No	
Public Services Provided by Civil Society												
Does the law allow civil society organizations (CSOs) to provide social services specifically to individuals belonging to ethnic minorities including:												
Vaccination?	Yes	Bulgarian Non-Profit Legal Entities Act (2000), Art. 38 Health Act (2004), Art. 222	Yes	Ley Federal de Fomento a las Actividades realizadas por Organizaciones de la Sociedad Civil (2004), Art. 5 Paras. I, V, XI	Yes	Not explicit but should be covered by Dahir I-58-376 réglementant le droit d'association (1958), Art. 2	Yes	Not explicit but should be covered by Constitution of the Kingdom of The Netherlands (2008), Art. 8	Yes	Not explicitly but should be covered by Non-Governmental Organizations Act (2002), Art. 2	Yes	Not explicitly but should be covered by Decree No. 12/2012/ND-CP on registration and management of operation of non-governmental organizations in Vietnam, (2012), Art. 4

Water?	Yes	Bulgarian Non-Profit Legal Entities Act (2000), Art. 38	Yes	Ley Federal de Fomento a las Actividades realizadas por Organizaciones de la Sociedad Civil (2004), Art. 5 Paras. I, V, XI	Yes	Not explicit but should be covered by Dahir I-58-376 réglementant le droit d'association (1958), Art. 2	Yes	Not explicit but should be covered by Constitution of the Kingdom of The Netherlands (2008), Art. 8	Yes	Not explicitly but should be covered by Non-Governmental Organizations Act (2002), Art. 2	Yes	Not explicitly but should be covered by Decree No. 12/2012/ND-CP on registration and management of operation of non-governmental organizations in Vietnam, (2012), Art. 4
Sanitation?	Yes	Bulgarian Non-Profit Legal Entities Act (2000), Art. 38	Yes	Ley Federal de Fomento a las Actividades realizadas por Organizaciones de la Sociedad Civil (2004), Art. 5 Paras. I, V, XI	Yes	Not explicit but should be covered by Dahir I-58-376 réglementant le droit d'association (1958), Art. 2	Yes	Not explicit but should be covered by Constitution of the Kingdom of The Netherlands (2008), Art. 8	Yes	Not explicitly but should be covered by Non-Governmental Organizations Act (2002), Art. 2	Yes	Not explicitly but should be covered by Decree No. 12/2012/ND-CP on registration and management of operation of non-governmental organizations in Vietnam, (2012), Art. 4
Family Planning?	Yes	Bulgarian Non-Profit Legal Entities Act (2000), Art. 38	Yes	Ley Federal de Fomento a las Actividades realizadas por Organizaciones de la Sociedad Civil (2004), Art. 5 Paras. I, V, XI	Yes	Not explicit but should be covered by Dahir I-58-376 réglementant le droit d'association (1958), Art. 2	Yes	Not explicit but should be covered by Constitution of the Kingdom of The Netherlands (2008), Art. 8	Yes	Not explicitly but should be covered by Non-Governmental Organizations Act (2002), Art. 2	Yes	Not explicitly but should be covered by Decree No. 12/2012/ND-CP on registration and management of operation of non-governmental organizations in Vietnam, (2012), Art. 4
Does the law:												
Impose funding limitations on CSOs on the provision of such services?	No		No		No		No		No		No	
Taxation												
Does the law:												

Allow tax deductions for donations to NGOs that promote the interests of ethnic minorities?	Yes	Bulgarian Non-Profit Legal Entities Act (2000), Art. 4 Corporate Income Tax Act (2006), Art. 31	Yes	Ley del Impuesto sobre la Renta (2013), Arts. 79	Yes	Loi n. 24-86 instituant un impôt sur les sociétés (1986), Art. 7 Para. 9 (b)	Yes	Law on Giving Act, Geefwet (2012), Art. 8	Yes	Not explicitly but should be covered by the Income Tax Act, (2004) Art. 16(1)	No	
HATE CRIMES AND HATE SPEECH	Bulgaria		Mexico		Morocco		Netherlands		Tanzania		Vietnam	
Hate Crimes Legislation												
Does the law:												
Criminalize hate speech?	Yes	Criminal Code (1968), Arts. 162 Para. 1	No	Codigo Penal Federal (1931), Art. 149 Ter refers to the crime of "discrimination"	Yes	Code Pénal (1962), Art. 308-5 referring only to incitement of hate during sport events.	Yes	Criminal Code (1881), Art. 137c	No		Yes	Criminal Code (1999), Art. 87 Para. 1(b)
Criminalize hate crimes?	Yes	Criminal Code (1968), Arts. 162-165	No		No		No		No		No	
If there is a law, does it define hate crime as a substantive offense?	Yes	Criminal Code (1968), Art. 162	N/A		N/A		N/A		N/A		N/A	
If there is a law, does it define hate crime as an aggravating circumstance?	Yes	Criminal Code (1968), Art. 116.	N/A		N/A		N/A		N/A		N/A	
If there is a law, does it define ethnic identity as a protected characteristic?	Yes	Criminal Code (1968), Art. 162	N/A		N/A		N/A		N/A		N/A	
If there is a law, does it protect property?	Yes	Criminal Code (1968), Art. 163	N/A		N/A		N/A		N/A		N/A	
If there is a law, does it extend to victims by association?	No		N/A		N/A		N/A		N/A		N/A	
Awareness Raising and Training on Hate Crimes												
Does the law:												

Require government agencies to collect data on hate crimes committed on ethnic grounds?	Yes	Judiciary System Act (2007), Arts. 377–384	N/A									
Does the law mandate trainings of the following professionals on recognizing and identifying hate crimes?												
Paramedics?	No		N/A		N/A		N/A		N/A		N/A	
Police officers?	No		N/A		N/A		N/A		N/A		N/A	
Prosecutors?	No		N/A		N/A		N/A		N/A		N/A	
Judges?	No		N/A		N/A		N/A		N/A		N/A	
Social workers?	No		N/A		N/A		N/A		N/A		N/A	
Other?	No		N/A		N/A		N/A		N/A		N/A	
Services to Victims of Hate Crimes												
Does the law mandate the provision of any of the following services to victims of hate crimes:												
Legal assistance (including asylum applications)?	Yes	Legal Aid Act (2005), Arts. 21, 22 Asylum and Refugees Act (2002), Art. 20	N/A									
Shelter/Housing?	No		N/A		N/A		N/A		N/A		N/A	
Forensic or medical examinations?	Yes	Law on Support and Financial Compensation to Crime Victims (2006), Art. 8	N/A									

Religious Minorities

INSTITUTIONS	Bulgaria		Mexico		Morocco		Netherlands		Tanzania		Vietnam	
The Constitution and National Legislation												
Under the Constitution:												
Is there a state religion?	Yes	Constitution of the Republic of Bulgaria (1991), Art. 13 Para. 3	No	Constitución Política de los Estados Unidos Mexicanos (1917), Arts. 24, 40, 130	Yes	Constitution du Royaume du Maroc (2011), Art. 3	No		No	Constitution of the United Republic of Tanzania (1977), Art. 3 (1)	No	
Is there a provision that guarantees the freedom of belief and religion?	Yes	Constitution of the Republic of Bulgaria (1991), Art. 37 Para. 1	Yes	Constitución Política de los Estados Unidos Mexicanos (1917), Art. 24	Yes	Constitution du Royaume du Maroc (2011), Art. 3	Yes	Constitution of the Kingdom of the Netherlands (2008), Art. 6 Para. 1	Yes	Constitution of the United Republic of Tanzania (1977), Art. 19 (1)	Yes	Constitution of Vietnam (2013), Art. 24
Is there a general nondiscrimination clause?	Yes	Constitution of the Republic of Bulgaria (1991), Art. 6 Para. 2	Yes	Constitución Política de los Estados Unidos Mexicanos (1917), Art. 1	No		Yes	Constitution of the Kingdom of the Netherlands (2008), Art. 1	Yes	Constitution of the United Republic of Tanzania (1977), Arts. 9(g), 13(1)(2)	Yes	Constitution of Vietnam (2013), Art. 16 Para. 2
If yes, does it explicitly mention religious minorities?	Yes	Constitution of the Republic of Bulgaria (1991), Art. 6 Para. 2	Yes	Constitución Política de los Estados Unidos Mexicanos (1917), Art. 1	N/A		Yes	Constitution of the Kingdom of the Netherlands (2008), Art. 1	Yes	Constitution of the United Republic of Tanzania (1977), Arts. 9(g), 13(5)	No	
Is there a provision that guarantees equality before the law?	Yes	Constitution of the Republic of Bulgaria (1991), Art. 6 Paras. 1, 2	Yes	Constitución Política de los Estados Unidos Mexicanos (1917), Art. 4	Yes	Constitution du Royaume du Maroc (2011), Art. 6	Yes	Constitution of the Kingdom of the Netherlands (2008), Art. 1	Yes	Constitution of the United Republic of Tanzania (1977), Arts. 12, 13(1)	Yes	Constitution of Vietnam (2013), Art. 16 Para. 1
If yes, does it explicitly mention religious minorities?	Yes	Constitution of the Republic of Bulgaria (1991), Art. 6 Paras. 1,2	No		No		Yes	Constitution of the Kingdom of the Netherlands (2008), Art. 1	Yes	Constitution of the United Republic of Tanzania (1977), Art. 13(5)	No	
Is customary law recognized as a valid source of law?	No		Yes	Constitución Política de los Estados Unidos Mexicanos (1917), Art. 2 Para. A Sec. II	No		No		Yes	Judicature and Application of Laws Act (1920), Art. 11 (1)	No	
If yes, is customary law invalid if it violates provisions on nondiscrimination or equality?	Not applicable (N/A)		Yes	Constitución Política de los Estados Unidos Mexicanos (1917), Art. 2 Para. A Sec. II	N/A		N/A		Yes	Judicature and Application of Laws Act (1920), Art. 11 (3)	N/A	
Is personal law recognized as a valid source of law?	No		No		No		No		No		No	

If yes, is personal law invalid if it violates provisions on nondiscrimination or equality?	N/A		N/A		N/A		N/A		N/A		N/A	
Under National Legislation:												
Is there a law on nondiscrimination?	Yes	Protection Against Discrimination Act (2004)	Yes	Ley Federal para Prevenir y Eliminar la Discriminación (2003)	No		Yes	Equal Treatment Act (1994)	No		No	
If yes, does it provide protection from discrimination on religious grounds?	Yes	Protection Against Discrimination Act (2004), Art. 4 Para. 1	Yes	Ley Federal para Prevenir y Eliminar la Discriminación (2003), Art. I Sec. III	N/A		Yes	Equal Treatment Act (1994), Sec. 1(b)	N/A		N/A	
Are there any other laws that protect religious minorities from discrimination?	Yes	Criminal Code (1968), Arts 162 Para 1, 172 Para. 1 Labor Code (1992), Art. 8 Para. 3 National Education Act (1991), Art 4. Religious Denominations Act (2002), Art. 4 Para. 4	Yes	Ley de Asociaciones Religiosas y Culto Público (1992)	Yes	Penal Code (1962), Art. 431-1, Art 431-2 Dahir n 1-79-186 portant publication du Pacte international relatif aux droits économiques, sociaux et culturels et du Pacte international relatif aux droits civils et politiques (1979), Art. 27	Yes	Criminal Code (1881), Art. 137	No		Yes	Ordinance No. 21/2004 (2004) on Belief and Religion, Art. 1 Decree 92/2012/ND-CP (2012) on detailed regulations and enforcement measures
Political Rights												
Is there a provision that guarantees freedom of opinion and expression?	Yes	Constitution of the Republic of Bulgaria (1991), Art. 39 Para. 1	Yes	Constitución Política de los Estados Unidos Mexicanos (1917), Arts. 6, 7	Yes	Constitution du Royaume du Maroc (2011), Art. 25	Yes	Constitution of the Kingdom of the Netherlands (2008), Art. 7	Yes	Constitution of the United Republic of Tanzania (1977), Art. 18	Yes	Constitution of Vietnam (2013), Art. 25
Do laws and/or regulations relating to any of these categories differ between religious minorities and the majority?												
Obtaining citizenship?	No	Constitution of the Republic of Bulgaria (1991), Art. 25 Para. 1	No	Constitución Política de los Estados Unidos Mexicanos (1917), Art. 30 Para. A	No	Code de la nationalité marocaine (1958), Art. 9	No	Constitution of the Kingdom of the Netherlands (2008), Art. 1 Netherlands Nationality Act (2010), Art. 3	No	Tanzania Citizenship Act (1995), Arts. 4–6	No	Nationality Law (2008), Art. 2 Para. 2
Registering birth?	No	Constitution of the Republic of Bulgaria (1991), Art. 25 Para. 3	No	Constitución Política de los Estados Unidos Mexicanos (1917), Art. 4.	No	Loi n°37-99 relative à l'état civil (2002), Art. 16	No	Constitution of the Kingdom of the Netherlands (2008), Art. 1	No	Births and Deaths Registration Act (1920), Art. 11	No	Decree 158/2005/ND-CP on Civil Status Registration and Management (2005), Artt. 13–16

Obtaining a passport?	No	Bulgarian Personal Documents Act (1999), Art. 4 Para. 1	No	Constitución Política de los Estados Unidos Mexicanos (1917), Art. 4. Reglamento de Pasaportes y del Documento de Identidad y Viaje (2011), Art. 14	No	Décret n°2-08-310 instituant le passeport biométrique (2008), Art. 1	No	Constitution of the Kingdom of the Netherlands (2008), Art. 1	No	Tanzania Passports and Travel Documents Act (2002), Art. 12	No	Decree No. 136/2007 ND-CP 17 on Vietnamese Citizens' Exit and Entry (2007), Art. 8
Obtaining an ID card?	No	Bulgarian Personal Documents Act (1999), Art. 4 Para. 1	No	Constitución Política de los Estados Unidos Mexicanos (1917), Art. 4	No	Loi n° 35-06 (2007) instituant la carte nationale d'identité électronique, Art. 1	No	Constitution of the Kingdom of the Netherlands (2008), Art. 1	No	Registration and Identification of Persons Act (1986), Arts. 8, 9	No	Decree No. 05/1999/ND-CP 3 on the People's Identity Card (1999), Art. 3 Para. 2 and 4
Do laws and/or regulations relating to freedom of movement differ between religious minorities and the majority?												
In moving within the country?	No	Constitution of the Republic of Bulgaria (1991), Art. 35	No	Constitución Política de los Estados Unidos Mexicanos (1917), Art. 11	No	Constitution du Royaume du Maroc, Art. 24 Dahir n 19-68 portant ratification et publication de la convention internationale sur l'élimination de toutes les formes de discrimination raciale (1969), Art. 5 Para. d.1	No	Constitution of the Kingdom of the Netherlands (2008), Art. 1 Directive 2004/38/EC of the European Parliament and of the Council (2004), Art. 3	No	Constitution of the United Republic of Tanzania (1977), Art. 17(1)	No	Constitution of Vietnam (2013), Art. 23
In leaving and returning to the country?	No	Constitution of the Republic of Bulgaria (1991), Art. 35	No	Constitución Política de los Estados Unidos Mexicanos (1917), Art. 11	No	Constitution du Royaume du Maroc (2011), Art 5. Para. d.1	No	Constitution of the Kingdom of the Netherlands (2008), Art. 1 Directive 2004/38/EC of the European Parliament and of the Council (2004), Arts. 4, 5	No	Constitution of the United Republic of Tanzania (1977), Art. 17(1)	No	Constitution of Vietnam (2013), Art. 23
Are NGOs that promote the interests of religious minorities:												
Permitted under the law?	Yes	Bulgarian Non-Profit Legal Entities Act (2000), Art. 2 Paras. 1-2	Yes	Constitución Política de los Estados Unidos Mexicanos (1917), Art. 9 Ley Federal de Fomento a las Actividades realizadas por Organizaciones de la Sociedad Civil (2004), Art. 5, Sec. XIII	Yes	Dahir 1-58-376 réglementant le droit d'association (1958), Art. 2	Yes	Constitution of the Kingdom of the Netherlands (2008), Art. 8 Civil Code, Book 2 (1972), Art. 2:285	Yes	Non-Governmental Organizations Act (2002), Art. 2	Yes	Decree No. 12/2012/ND-CP on registration and management of operation of nongovernmental organizations in Vietnam, (2012), Art. 3 Para. 1 Decree No. 30 on social and charity funds (2012), Art. 2
If yes, are the NGOs subject to limitation by the state on the basis of national security, public order,	Yes	Bulgarian Non-Profit Legal Entities Act (2000), Art. 3 (2)	Yes	Ley Federal de Fomento a las Actividades realizadas por Organizaciones de la Sociedad Civil (2004), Art. 30	Yes	Dahir 1-58-376 réglementant le droit d'association (1958), Art. 3	Yes	Civil Code, Book 2 (1972), Art. 2:20	Yes	Non-Governmental Organizations Act (2002), Art. 14(1)	Yes	Decree No. 12/2012/ND-CP on registration and management of operation of nongovernmental organizations in Vietnam,

morality, or other grounds?													(2012), Art. 4 Decree No. 30 on social and charity funds (2012), Art. 7.1
Representation in the Three Branches of Government (Legislative, Executive, and Judiciary)													
Does the law:													
Mandate quotas for religious minorities in parliament?	No		No		No		No		No		No		
Does the law prohibit an individual belonging to a religious minority from:													
Holding ministerial posts?	No		No		No		No		No		No		
Enforcement of Antidiscrimination Laws and Policies													
Does the law:													
Require the judiciary to receive training in the application of existing antidiscrimination laws dealing with religious minorities?	No		Yes	Ley Federal para Prevenir y Eliminar la Discriminación (2003), Art. 20, Para. XL, 34, Para. IV	No		No		No		No		
Require the police to receive training in the application of existing antidiscrimination laws dealing with religious minorities?	No		Yes	Ley Federal para Prevenir y Eliminar la Discriminación (2003), Art. 20, Para. XL, 34, Para. IV Ley General del Sistema Nacional de Seguridad Pública (2009), Art. 40, Secs. I, IV	No		No		No		No		

Establish a specialized body tasked with receiving complaints for violations of human rights (Human Rights Committee, Ombudsman, etc.)?	Yes	Ombudsman Act (2003), Art. 2 Protection Against Discrimination Act (2004), Art. 40	Yes	Ley de la Comisión Nacional de los Derechos Humanos (1992), Art. 2: Comisión Nacional de los Derechos Humanos. ALSO, Ley Federal para Prevenir y Eliminar la Discriminación (2003), Art. 16: Consejo Nacional para Prevenir la Discriminación (not a general human rights body, but specialized in discrimination)	Yes	Dahir n 1-11-19 portant création du Conseil national des droits de l'Homme (2011) Constitution du Royaume du Maroc (2011), Artt. 19, 161, and 164	Yes	Institute for Human Rights Act, Sec. 1 Institute for Human Rights (formerly Equal Treatment Commission)	Yes	Constitution of the United Republic of Tanzania (1977), Art. 129(1) Commission for Human Rights and Good Governance Act (2001), Art. 6(1)(b)	No	
If yes, does such body hear complaints of religious discrimination?	Yes	Ombudsman Act (2003) Art. 19 Para. 1 Protection Against Discrimination Act (2004), Art. 48 Para. 2	Yes	Ley de la Comisión Nacional de los Derechos Humanos (1992), Art. 3 Ley Federal para Prevenir y Eliminar la Discriminación (2003), Arts. 1, Para. III, 43	No	Dahir n 1-11-19 portant création du Conseil national des droits de l'Homme (2011), Artt. 1, 3, and 4	Yes	Institute for Human Rights Act (2011), Secs. 3(a), 10(1)	Yes	Commission for Human Rights and Good Governance Act (2001), Arts. 6(1)(b), 28(1)(c)	N/A	
Is there a budget allocation for the operation of such body/bodies?	Yes	Ombudsman Act (2003), Art. 7 Protection Against Discrimination Act (2004), Art. 40 Para. 3	Yes	Constitución Política de los Estados Unidos Mexicanos (1917), Art. 102 Para. B Ley de la Comisión Nacional de los Derechos Humanos (1992), Arts. 2, 7 Ley Federal para Prevenir y Eliminar la Discriminación (2003), Art. 16 (regarding CONAPRED, not the Ombudsman)	Yes	Dahir n 1-11-19 portant création du Conseil national des droits de l'Homme (2011), Art. 55	Yes	The Ministry of Justice has the main responsibility for the Institute's budget. The budget is regulated in the Annual Budgets Act and not in the Netherlands Institute for Human Rights Act.	Yes	Commission for Human Rights and Good Governance Act (2001), Art. 29	N/A	
LABOR		Bulgaria		Mexico		Morocco		Netherlands		Tanzania		Vietnam
Equality in Accessing the Labor Force												
Does the law:												
Prohibit individuals belonging to religious minorities from obtaining employment in specific sectors?	No	Constitution of the Republic of Bulgaria (1991), Art. 6 Para. 2 Protection Against Discrimination Act (2004), Art. 4	No	Ley Federal para Prevenir y Eliminar la Discriminación (2003), Art. 9 Para. III	No	Code du Travail (2011), Art. 9 and Art. 478 Constitution du Royaume du Maroc (2011), Art. 31	No	Constitution of the Kingdom of the Netherlands (2008), Art. 19 Para. 3 Equal Treatment Act (1994), Sec. 5 (1)(b)	No	Constitution of the United Republic of Tanzania (1977), Art. 22 (1) Employment and Labour Relations Act (2004), Art. 7(1)	No	Decree No. 10/2012/QH 13 Labor Code (2012), Art. 5 Para. 1, Art. 8 Para. 1

Prohibit discrimination on religious grounds in recruitment in the public sector?	Yes	Labor Code (1992) Art. 8 Para. 3 Protection Against Discrimination Act (2004), Art. 12 Civil Servants Act (1999), Art. 7 Para. 6	Yes	Ley Federal para Prevenir y Eliminar la Discriminación (2003), Art. 9 Para. III Ley Federal del Trabajo (1970), Arts. 3, 133	Yes	Code du Travail (2011), Art. 9 and Art. 478 Constitution du Royaume du Maroc (2011), Art. 31	Yes	Equal Treatment Act (1994), Sec. 5 (1)	Yes	Constitution of the United Republic of Tanzania (1977), Art. 22 (2) Employment and Labour Relations Act (2004), Arts. 7(1), 7(4)(g)	Yes	Decree No. 10/2012/QH13 Labor Code (2012), Art. 5 Para. 1 Law on Public Employees, (2010) Art. 21 Paras. 1, 5 Decree No. 22/2008QH12 on Cadres and Civil Servants (2008), Art. 38 Paras. 1, 4
Prohibit discrimination on religious grounds in recruitment in the private sector?	Yes	Labor Code (1992) Art. 8 Para. 3 Protection Against Discrimination Act (2004), Art. 12 Para. 1	Yes	Ley Federal para Prevenir y Eliminar la Discriminación (2003), Art. 9 Para. III Ley Federal del Trabajo (1970), Arts. 3, 133	Yes	Code du Travail (2011), Art. 9 and Art. 478 Constitution du Royaume du Maroc (2011), Art. 31	Yes	Equal Treatment Act (1994), Sec. 5 (1) The exception is Equal Treatment Act (1994), Sec. 5 (3)	Yes	Employment and Labour Relations Act, (2004), Art. 7(4)(g)	Yes	Decree No. 10/2012/QH13 Labor Code (2012), Art. 8 Para. 1
Prohibit an employer from asking about an individual's religion during the recruitment phase?	Yes	Protection Against Discrimination Act (2004), Art. 12 Para. 1	No		No		No		No		No	
Prescribe equal remuneration for work of equal value for individuals belonging to religious minorities?	Yes	Protection Against Discrimination Act (2004), Art. 14 Para. 1	Yes	Constitución Política de los Estados Unidos Mexicanos (1917), Art. 123 Para. VII Ley Federal del Trabajo (1970), Art. 56	Yes	Code du Travail (2011), Art. 9 and Art. 478	Yes	Equal Treatment Act (1994), Sec. 5 (1)(e), (h)	Yes	Constitution of the United Republic of Tanzania (1977), Art. 23 (1) Employment and Labour Relations Act, (2004), Art. 7(10)	Yes	Decree No. 10/2012/QH13 Labor Code (2012), Arts. 5 Para. 1 (a), 8 Para. 1, 90 Para. 3 Ordinance No. 21/2004 (2004) on Belief and Religion, Art. 8 Para. 1
Prohibit discrimination on religious grounds in the dismissal of employees?	Yes	Criminal Code (1968), Art. 172 Para. 1 Protection Against Discrimination Act (2004), Arts. 20–21	Yes	Ley Federal del Trabajo (1970), Arts. 3, 133	Yes	Code du Travail (2011), Art. 9, Art. 36, Para. 5	Yes	Equal Treatment Act (1994), Secs. 5 (1), 8	Yes	Employment and Labour Relations Act, (2004), Arts. 7(4)(g), 37(3)(b)(iii)	Yes	Decree No. 10/2012/QH13 Labor Code (2012), Art. 8 Para. 1
Access to Remedy												
Does the law allow an employee to bring a claim for employment discrimination on religious grounds?												
In the public sector?	Yes	Protection Against Discrimination Act (2004), Arts. 50, 71	Yes	Ley Federal del Trabajo (1970), Arts. 2, 3, 133 Ley Federal para Prevenir la Discriminación (2003), Art. 43	Yes	Code du Travail (2011), Arts. 9, 41	Yes	Equal Treatment Act (1994), Secs. 10, 12 (2)	Yes	Employment and Labour Relations Act, (2004), Arts. 7(4)(g), 37(3)	Yes	Law on Public Employees, Art. 30, Decree No. 10/2012/QH13 Labor Code (2012), Art. 3 Para. 7, and 194 Para. 6

If there is a law, does it prohibit retaliation by the employer for bringing a complaint or participating in any manner in an employment discrimination proceeding?	Yes	Protection Against Discrimination Act (2004), Arts. 5, additional provisions, Sec. 1 (3)	No	No provisions could be located	Yes	Code du Travail (2011), Art. 36, Para. 4	Yes	Equal Treatment Act (1994), Sec. 8(a)	No	No provisions could be located	No	No provisions could be located
In the private sector?	Yes	Protection Against Discrimination Act (2004), Art. 50 (administrative protection) Protection Against Discrimination Act (2004), Art. 71 (judicial protection)	Yes	Ley Federal del Trabajo (1970), Arts. 2, 3, 133 Ley Federal para Prevenir la Discriminación (2003), Art. 43	No	Code du Travail (2011), Arts. 9, 41	Yes	Equal Treatment Act (1994), Secs. 10, 12 (2)	Yes	Employment and Labour Relations Act, (2004), Arts. 7(4)(g), 37(3)	Yes	Decree No. 10/2012/QH13 Labor Code (2012), Art. 3 Para. 7, and 194 Para. 6
If there is a law, does it prohibit retaliation by the employer for bringing a complaint or participating in any manner in an employment discrimination proceeding?	Yes	Protection Against Discrimination Act (2004), Arts. 5, additional provisions, Sec. 1 (3)	No	No provisions could be located	Yes	Code du Travail (2011), Art. 36, Para. 4	Yes	Equal Treatment Act (1994), Sec. 8(a)	No	No provisions could be located	No	No provisions could be located
Does the law:												
Shift the burden of proof for antidiscrimination claims from the employee to the employer?	Yes	Protection Against Discrimination Act (2004), Art. 9	Yes	Ley Federal del Trabajo (1970), Art. 784	No		Yes	Equal Treatment Act (1994), Sec. 10 (1)	Yes	Employment and Labour Relations Act (2004), Art. 7(8)(a)	No	Decree No. 10/2012/QH13 Labor Code (2012), Art. 192 Para. 2(a) Civil Proceeding Code (2012), Art. 79 Para. 1
Allow class action lawsuits for employment discrimination on religious grounds?	Yes	Protection Against Discrimination Act (2004), Art. 71 Paras. 2, 3 Civil Procedure Code (2007), Art. 379 Para. 1	Yes	Ley Federal del Trabajo (1970), Art. 697	Yes	Code du Travail (2011), Art. 549	Yes	Equal Treatment Act (1994), Sec. 10 (2)	No		Yes	Civil Proceeding Code (2012), Art. 31 Para. 2 (a)
EDUCATION	Bulgaria		Mexico		Morocco		Netherlands		Tanzania		Vietnam	
Participation in Education												
Does the law prohibit discrimination in school admission on religious grounds in:												

Primary education?	Yes	National Education Act (1991), Art. 4 Para. 2	Yes	Constitución Política de los Estados Unidos Mexicanos (1917), Art. 3 Ley General de Educación (1993), Art. 2 Ley Federal para Prevenir y Eliminar la Discriminación (2003), Art. 9	Yes	Constitution du Royaume du Maroc (2011), Art. 31 Dahir n 19-68 portant ratification et publication de la convention internationale sur l'élimination de toutes les formes de discrimination raciale (1969), Art. 5 Dahir n 1-79-186 portant publication du Pacte international relatif aux droits économiques, sociaux et culturels et du Pacte international relatif aux droits civils et politiques (1979), Art. 13	Yes	Equal Treatment Act (1994), Sec. 7 (1)(c) Primary Education Act (1981), Art. 46 Para. 2	Yes	Education Act (1978), Art. 56(2) Law of the Child Act (2009), Art. 5(2), 8(2)	Yes	Decree No. 38/2005/QH11 on Education Law (2005), Art. 10
Secondary education?	Yes	National Education Act (1991), Art. 4 Para. 2	Yes	Constitución Política de los Estados Unidos Mexicanos (1917), Art. 3 Ley General de Educación (1993), Art. 2 Ley Federal para Prevenir y Eliminar la Discriminación (2003), Art. 9	Yes	Constitution du Royaume du Maroc (2011), Art. 31 Dahir n 19-68 portant ratification et publication de la convention internationale sur l'élimination de toutes les formes de discrimination raciale (1969), Art. 5 Dahir n 1-79-186 portant publication du Pacte international relatif aux droits économiques, sociaux et culturels et du Pacte international relatif aux droits civils et politiques (1979), Art. 13	Yes	Equal Treatment Act (1994), Sec. 7 (1)(c) Secondary Education Act (1963), Art. 42 Para. 2	Yes	Education Act (1978), Art. 56(2) Law of the Child Act (2009), Art. 5(2), 8(2)	Yes	Decree No. 38/2005/QH11 on Education Law (2005), Art. 10

Tertiary education?	Yes	Higher Education Act (1995), Art. 4	Yes	Constitución Política de los Estados Unidos Mexicanos (1917), Art. 3 Ley General de Educación (1993), Art. 2 Ley Federal para Prevenir y Eliminar la Discriminación (2003), Art. 9	Yes	Constitution du Royaume du Maroc (2011), Art. 31 Dahir n 19-68 portant ratification et publication de la convention internationale sur l'élimination de toutes les formes de discrimination raciale (1969), Art. 5 Dahir n 1-79-186 portant publication du Pacte international relatif aux droits économiques, sociaux et culturels et du Pacte international relatif aux droits civils et politiques (1979), Art. 13	Yes	Equal Treatment Act (1994), Sec. 7 (1)(c)	Yes	Education Act (1978), Art. 56(2)	Yes	Decree No. 38/2005/QH11 on Education Law (2005), Art. 10
Does the law prescribe quotas for individuals belonging to religious minorities in:												
Primary education?	No		No		No		No		No		No	
Secondary education?	No		No		No		No		No		No	
Tertiary education?	No		No		No		No		No		No	
Fighting Marginalization in Education												
Does the law mandate the adoption of measures aimed at sensitizing the students to the principles of nondiscrimination and equality in:												
Primary education?	Yes	Protection Against Discrimination Act (2004), Art. 35 Paras. 1, 3 National Education Act (1991) Art. 15 Para. 2	Yes	Constitución Política de los Estados Unidos Mexicanos (1917), Art. 3 Para. 4 Ley General de Educación (1993), Arts. 7, 8, 33	No		Yes	Primary Education Act (1981), Art. 46	No		No	
Secondary education?	Yes	Protection Against Discrimination Act (2004), Art. 35 Paras 1, 3. National Education Act (1991), Art. 15 Para. 2	Yes	Constitución Política de los Estados Unidos Mexicanos (1917), Art. 3 Para. 4 Ley General de Educación (1993), Arts. 7, 8, 33	No		Yes	Secondary Education Act (1963), Art. 42	No		No	
Does the law:												

Mandate the revision of national textbooks in primary and secondary education to eliminate discriminatory language?	Yes	Protection Against Discrimination Act (2004), Art 35 Paras. 1, 3	Yes	Ley General de Educación (1993), Arts. 8, 12 Para. III	No		No		No		No	
Mandate the training of school teachers in primary and secondary education on anti-discrimination of religious minorities?	Yes	Protection Against Discrimination Act (2004), Art 35 Paras. 1, 3	Yes	Ley General de Educación (1993), Arts. 8, 12 Para. III	No		No		No		No	
Does the law allow individuals belonging to religious minorities to show signs of religious affiliation in:												
Primary education?	Yes	Constitution of the Republic of Bulgaria (1991), Art 37 Para. 1 Religious Denominations Act (2002), Arts. 5, 6	Yes	Constitución Política de los Estados Unidos Mexicanos (1917), Art. 24 Ley de Asociaciones Religiosas y Culto Público (1992), Arts. 1, 2	Yes	Constitution du Royaume du Maroc (2011), Art. 3	Yes	Constitution of the Kingdom of the Netherlands (2008), Art. 23 Para. 3	Yes	Constitution of the United Republic of Tanzania, Art. 19	No	
Secondary education?	Yes	Constitution of the Republic of Bulgaria (1991), Art. 37 Para. 1 Religious Denominations Act (2002), Arts. 5, 6	Yes	Constitución Política de los Estados Unidos Mexicanos (1917), Art. 24 Ley de Asociaciones Religiosas y Culto Público (1992), Arts. 1, 2	Yes	Constitution du Royaume du Maroc (2011), Art. 3	Yes	Constitution of the Kingdom of the Netherlands (2008), Art. 23 Para. 3	Yes	Constitution of the United Republic of Tanzania, Art. 19	No	
Tertiary education?	Yes	Constitution of the Republic of Bulgaria (1991), Art. 37 Para. 1 Religious Denominations Act (2002), Arts. 5, 6	Yes	Constitución Política de los Estados Unidos Mexicanos (1917), Art. 24 Ley de Asociaciones Religiosas y Culto Público (1992), Arts. 1, 2	Yes	Constitution du Royaume du Maroc (2011), Art. 3	Yes	Constitution of the Kingdom of the Netherlands (2008), Art. 23 Para. 3	Yes	Constitution of the United Republic of Tanzania, Art. 19	Yes	Constitution of Vietnam (2013), Art. 24
PROPERTY	Bulgaria		Mexico		Morocco		Netherlands		Tanzania		Vietnam	
Access to Land												
Do laws and/or regulations relating to any of these transactions differ between religious minorities and the majority?												
Obtain a title of land (e.g., for the purposes of transfer or sale)?	No		No		No		No		No		No	
Lease land?	No		No		No		No		No		No	

License land?	No		No		No		No		No		No	
Obtain a mortgage?	No		No		No		No		No		No	
Inherit land?	No		No		Yes	Loi n°70-03 portant Code de la Famille (2004), Art. 2	No		No		No	
Contractual Capacity, Ownership and Private Businesses												
Do laws and/or regulations relating to any of these transactions differ between religious minorities and the majority?												
Sign a contract?	No		No		No		No		No		No	
Register a company?	No		No		No		No		No		No	
Transfer a private business?	No		No		No		No		No		No	
PUBLIC SERVICES AND SOCIAL PROTECTION	Bulgaria		Mexico			Morocco		Netherlands		Tanzania		Vietnam
Public Services Provided by the Government												
Does the law prohibit discrimination against individuals belonging to religious minorities in accessing:												
Health care?	Yes	Protection Against Discrimination Act (2004), Art. 37 Health Act (2004), Art. 85	Yes	Ley General de Salud (1984), Art. 77 bis 36 Paras. VII, XX Ley del Seguro Social (1995), Arts. 214-217, 238 Ley Federal para Prevenir y Eliminar la Discriminación (2003), Art. 9 Para. XX	Yes	Constitution du Royaume du Maroc (2011), Art. 31	Yes	Equal Treatment Act (1994), Secs. 7 (1)(b)-(c)	No		Yes	Decree No. 40/2009/QH12 Law on Medical Examination and Treatment (2009), Art. 9 Para. 1
Social housing?	Yes	Constitution of the Republic of Bulgaria (1991), Art. 6 Para. 2 Protection Against Discrimination Act (2004), Arts. 4 Para. 1, 37 Social Assistance Act (1998), Art. 3	Yes	Ley General de Vivienda (2006), Art. 3 Ley Federal para Prevenir y Eliminar la Discriminación (2003), Art. 9 Para. XXI	Yes	Constitution du Royaume du Maroc (2011), Art. 31	Yes	Equal Treatment Act (1994), Secs. 7 (1)(b)-(c)	No		No	
Electricity?	Yes	Constitution of the Republic of Bulgaria (1991), Art. 6 Para. 2 Protection Against Discrimination Act (2004), Arts. 4 Para. 1, 37 Energy Act (2003), Art. 31	Yes	Ley Federal para Prevenir y Eliminar la Discriminación (2003), Art. 9 Para. XXII Ley de la Industria Eléctrica (2014), Art. 50	No		Yes	Equal Treatment Act (1994), Secs. 7 (1)(b)-(c)	No		No	

Water supply?	Yes	Constitution of the Republic of Bulgaria (1991), Art. 6 Para. 2 Protection Against Discrimination Act (2004), Arts. 4 Para. 1, 37	Yes	Ley Federal para Prevenir y Eliminar la Discriminación (2003), Art. 9 Para. XXII	Yes	Constitution du Royaume du Maroc (2011), Art. 31	Yes	Equal Treatment Act (1994), Secs. 7 (1)(b)–(c)	No		Yes	Decree No. 15/2012/L/CTN Law on Water Resources (2012), Art. 3 Para. 5
Microcredits?	Yes	Constitution of the Republic of Bulgaria (1991), Art. 6 Para. 2 Protection Against Discrimination Act (2004), Arts. 4 Para. 1, 37	Yes	Ley para la Transparencia y el Ordenamiento de los Servicios Financieros (2007), Arts. 4 bis 3 Para. III, 17	Yes	Loi 18-97 relative au micro-crédit (1999), Art. 6	Yes	Equal Treatment Act (1994), Secs. 7 (1)(d)	No		No	
Subsidized health insurance?	Yes	Constitution of the Republic of Bulgaria (1991), Art. 6 Para. 2 Protection Against Discrimination Act (2004), Arts. 4 Para. 1, 37	Yes	Ley Federal para Prevenir y Eliminar la Discriminación (2003), Art. 9 Para. VII	Yes	Constitution du Royaume du Maroc (2011), Art. 31	Yes	Equal Treatment Act (1994), Secs. 7 (1)(b)–(c)	No		Yes	Decree No. 23/2008/L-CTN Law on Health Insurance (2009), Art. 11 Para. 4
Social pensions?	Yes	Constitution of the Republic of Bulgaria (1991), Art. 6 Para. 2 Protection Against Discrimination Act (2004), Arts. 4 Para. 1, 37	Yes	Ley Federal para Prevenir y Eliminar la Discriminación (2003), Art. 9 Para. XX	No		Yes	Equal Treatment Act (1994), Secs. 7 (1)(b)–(c)	No		No	
Child benefits?	Yes	Constitution of the Republic of Bulgaria (1991), Art. 6 Para. 2 Protection Against Discrimination Act (2004), Arts. 4 Para. 1, 37 Social Assistance Act (1998), Art. 3	No		No		Yes	Equal Treatment Act (1994), Secs. 7 (1)(b)–(c)	No		No	
Public Services Provided by Civil Society												
Does the law allow civil society organizations (CSOs) to provide social services specifically to individuals belonging to religious minorities including:												
Vaccination?	Yes	Bulgarian Non-Profit Legal Entities Act (2000), Art. 38 Health Act (2004), Art. 222.	Yes	Ley Federal de Fomento a las Actividades realizadas por Organizaciones de la Sociedad Civil (2004), Art. 5 Paras. I, V, XI	Yes	Not explicit but should be covered by Dahir 1-58-376 réglementant le droit d'association (1958), Art. 2	Yes	Not explicit but should be covered by Constitution of The Netherlands (2008), Art. 8	Yes	Not explicitly but should be covered by Non-Governmental Organizations Act (2002), Art. 2	Yes	Not explicit but should be covered by Decree No. 12/2012/ND-CP on registration and management of operation of nongovernmental organizations in Vietnam (2012), Art. 4

Water?	Yes	Bulgarian Non-Profit Legal Entities Act (2000), Art. 38	Yes	Ley Federal de Fomento a las Actividades realizadas por Organizaciones de la Sociedad Civil (2004), Art. 5 Paras. I, V, XI	Yes	Not explicit but should be covered by Dahir I-58-376 réglementant le droit d'association (1958), Art. 2	Yes	Not explicit but should be covered by Constitution of the Kingdom of The Netherlands (2008), Art. 8	Yes	Not explicitly but should be covered by Non-Governmental Organizations Act (2002), Art. 2	Yes	Not explicit but should be covered by Decree No. 12/2012/ND-CP on registration and management of operation of nongovernmental organizations in Vietnam (2012), Art. 4
Sanitation?	Yes	Bulgarian Non-Profit Legal Entities Act (2000), Art. 38	Yes	Ley Federal de Fomento a las Actividades realizadas por Organizaciones de la Sociedad Civil (2004), Art. 5 Paras. I, V, XI	Yes	Not explicit but should be covered by Dahir I-58-376 réglementant le droit d'association (1958), Art. 2	Yes	Not explicit but should be covered by Constitution of the Kingdom of The Netherlands (2008), Art. 8	Yes	Not explicitly but should be covered by Non-Governmental Organizations Act (2002), Art. 2	Yes	Not explicit but should be covered by Decree No. 12/2012/ND-CP on registration and management of operation of nongovernmental organizations in Vietnam (2012), Art. 4
Family planning?	Yes	Bulgarian Non-Profit Legal Entities Act (2000), Art. 38	Yes	Ley Federal de Fomento a las Actividades realizadas por Organizaciones de la Sociedad Civil (2004), Art. 5 Paras. I, V, XI	Yes	Not explicit but should be covered by Dahir I-58-376 réglementant le droit d'association (1958), Art. 2	Yes	Not explicit but should be covered by Constitution of the Kingdom of The Netherlands (2008), Art. 8	Yes	Not explicitly but should be covered by Non-Governmental Organizations Act (2002), Art. 2	Yes	Not explicit but should be covered by Decree No. 12/2012/ND-CP on registration and management of operation of nongovernmental organizations in Vietnam (2012), Art. 4
Does the law:												
Impose funding limitations on CSOs on the provision of such services?	No		No		No		No		No		No	
Taxation												
Does the law:												
Allow tax deductions for donations to NGOs that promote the interests of religious minorities?	Yes	Bulgarian Non-Profit Legal Entities Act (2000), Art. 4 Corporate Income Tax Act (2006), Art. 31	Yes	Ley del Impuesto sobre la Renta (2013), Arts. 79	Yes	Loi n. 24-86 instituant un impôt sur les sociétés (1986), Art. 7 Para. 9 (b)	Yes	Law on Giving Act, Geefwet (2012), Art. 8	Yes	Not explicitly but should be covered by the Income Tax Act (2004), Art. 16(1)	No	
HATE CRIMES AND HATE SPEECH	Bulgaria		Mexico		Morocco		Netherlands		Tanzania		Vietnam	
Hate Crimes Legislation												
Does the law:												

Criminalize hate speech?	Yes	Criminal Code (1968), Art. 162 Para. 1	No	Codigo Penal Federal (1931), Art. 149 Ter refers to the crime of "discrimination"	Yes	Code Pénal (1962), Art. 308-5 referring only to incitement of hate during sport events	Yes	Criminal Code (1881), Art. 137c	No		Yes	Criminal Code (1999), Art. 87 Para. 1(b)
Criminalize hate crimes?	Yes	Criminal Code (1968), Arts. 162–165	No		No		No		No		No	
If there is a law, does it define hate crime as a substantive offense?	Yes	Criminal Code (1968), Arts. 162, 172	N/A		N/A		N/A		N/A		N/A	
If there is a law, does it define hate crime as an aggravating circumstance?	Yes	Criminal Code (1968), Arts. 116, 131 Para. 1 Sec. 12	N/A		N/A		N/A		N/A		N/A	
If there is a law, does it define religious identity as a protected characteristic?	Yes	Criminal Code (1968), Arts. 162, 131 Para 1. Sec. 12, 416–419	N/A		N/A		N/A		N/A		N/A	
If there is a law, does it protect property?	Yes	Criminal Code (1968), Art. 162 Para. 2, 163	N/A		N/A		N/A		N/A		N/A	
If there is a law, does it extend to victims by association?	No		N/A		N/A		N/A		N/A		N/A	
Awareness Raising and Training on Hate Crimes												
Does the law:												
Require government agencies to collect data on hate crimes committed on religious grounds?	Yes	Judiciary System Act (2007), Arts. 377–384	N/A		N/A		N/A		N/A		N/A	
Does the law mandate trainings of the following professionals on recognizing and identifying hate crimes?												
Paramedics?	No		N/A		N/A		N/A		N/A		N/A	
Police officers?	No		N/A		N/A		N/A		N/A		N/A	
Prosecutors?	No		N/A		N/A		N/A		N/A		N/A	
Judges?	No		N/A		N/A		N/A		N/A		N/A	
Social workers?	No		N/A		N/A		N/A		N/A		N/A	

Other?	No		N/A		N/A		N/A		N/A		N/A	
Services to Victims of Hate Crimes												
Does the law mandate the provision of any of the following services to victims of hate crimes:												
Legal assistance (including asylum applications)?	Yes	Legal Aid Act (2005), Arts. 21, 22 Asylum and Refugees Act (2002), Art. 20	N/A									
Shelter/housing?	No		N/A		N/A		N/A		N/A		N/A	
Forensic or medical examinations?	Yes	Law on Support and Financial Compensation to Crime Victims (2006), Art. 8	N/A									

LGBTI Survey

INSTITUTIONS	Bulgaria		Mexico		Morocco		Netherlands		Tanzania		Vietnam	
The Constitution and National Legislation												
Under the Constitution:												
Is there a general nondiscrimination clause?	Yes	Constitution of the Republic of Bulgaria (1991), Art. 6 Para. 2	Yes	Constitución Política de los Estados Unidos Mexicanos (1917), Art. 1	No		Yes	Constitution of the Kingdom of the Netherlands (2008), Art. 1	Yes	Constitution of the United Republic of Tanzania (1977), Arts. 9(g), 13(1)(2)	Yes	Constitution of Vietnam (2013) Art. 5 Para. 2
If yes, does it explicitly mention sexual orientation as a protective status?	No		Yes	Constitución Política de los Estados Unidos Mexicanos (1917), Art. 1	N/A		No		No		No	
If yes, does it explicitly mention gender identity as a protective status?	No		No		N/A		No		No		No	
Is there a provision that guarantees equality before the law?	Yes	Constitution of the Republic of Bulgaria (1991), Art. 6 Paras. 1, 2	Yes	Constitución Política de los Estados Unidos Mexicanos (1917), Art. 4	Yes	Constitution du Royaume du Maroc (2011), Art. 6	Yes	Constitution of the Kingdom of the Netherlands (2008), Art. 1	Yes	Constitution of the United Republic of Tanzania (1977), Arts. 12, 13(1)	Yes	Constitution of Vietnam (2013) Art. 16 Para. 1
If yes, does it explicitly mention LGBTI individuals?	No		No		No		No		No		No	
Under national legislation:												
Is there a specific law on nondiscrimination?	Yes	Protection Against Discrimination Act (2004)	Yes	Ley Federal para Prevenir y Eliminar la Discriminación (2003)	No		Yes	Equal Treatment Act (1994)	No		No	
If yes, does it provide protection from discrimination on sexual orientation grounds?	Yes	Protection Against Discrimination Act (2004), Art. 4 Para. 1	Yes	Ley Federal para Prevenir y Eliminar la Discriminación (2003), Art. 1	N/A		Yes	Equal Treatment Act (1994), Sec. 1(b)	N/A		N/A	
If yes, does it provide protection from discrimination on gender identity grounds?	Yes	Protection Against Discrimination Act (2004), Art. 4 Para. 1, Additional Provisions, Sec. 1, Subsection 17	No		N/A		No		N/A		N/A	

Are there any other laws that protect LGBTI individuals from discrimination?	Yes	Criminal Code (1968), Art. 8 Para. 3 National Education Act (1991) Higher Education Act (1995) Labor Code (1992) Health Act (2004)	No		No		Yes	Criminal Code (1881), Art. 137	No		No	
Political Rights												
Is there a provision that guarantees freedom of opinion and expression?	Yes	Constitution of the Republic of Bulgaria (1991), Art. 39 Para. 1	Yes	Constitución Política de los Estados Unidos Mexicanos (1917), Arts. 6, 7	Yes	Constitution du Royaume du Maroc (2011), Art. 25	Yes	Constitution of the Kingdom of the Netherlands (2008), Art. 7	Yes	Constitution of the United Republic of Tanzania (1977), Art. 18	Yes	Constitution of Vietnam (2013), Art. 25
Do laws and/or regulations relating to any of these categories differ between LGBTI individuals and the rest of the population?												
Obtaining citizenship?	No	Constitution of the Republic of Bulgaria (1991), Art. 25 Para. 1	No	Constitución Política de los Estados Unidos Mexicanos (1917), Art. 30 Para. A	No	Code de la nationalité marocaine(1958), Art. 9	No	Constitution of the Kingdom of the Netherlands (2008), Art. 1 Netherlands Nationality Act (2010), Art. 3	No	Tanzania Citizenship Act (1995), Arts. 4–6	No	Nationality Law (2008), Art. 2 Para. 2
Obtaining a passport?	No	Bulgarian Personal Documents Act (1999), Art. 4 Para. 1	No	Constitución Política de los Estados Unidos Mexicanos (1917), Art. 4 Reglamento de Pasaportes y del Documento de Identidad y Viaje (2011), Art. 14	No	Décret n°2-08-310 instituant le passeport biométrique (2008), Art. 1	No	Constitution of the Kingdom of the Netherlands (2008), Art. 1 No restriction or different treatment could be found on the Passport Act	No	Tanzania Passports and Travel Documents Act (2002), Art. 12	No	Decree No. 136/2007 ND-CP 17 on Vietnamese Citizens' Exit and Entry (2007), Art. 8
When applying for a passport, are there only two options, "male" or "female"?	Yes	Regulations for Issuing of Bulgarian Personal Documents, Appendix 2	Yes	Secretaria de Relaciones Exteriores, Formato de solicitud de pasaporte. Reglamento de Pasaportes y del Documento de Identidad y Viaje (2011), Art. 16	Yes	Décret n°2-08-310 instituant le passeport biométrique (2008), Formulaire de demande du Passeport Biométrique	No	Passport/identity card application, item 1.7	Yes	Tanzania Passports and Travel Documents Act (2002), First Schedule	Yes	Circular No. 07/2013/TT-BCA (2013) amending and supplementing the issuance, amendment, and supplementation of ordinary passports granted in the country, form X01
When applying for an ID card, are there only two options, "male" or "female"?	Yes	Regulations for Issuing of Bulgarian Personal Documents, Appendix 2	Yes	Ley General de Instituciones y Procedimientos Electorales (2014), Art. 156	Yes	Loi n°35-06 instituant la carte nationale d'identité électronique (2007), Art. 3	No	Passport/identity card application, item 1.7	Yes	Registration and Identification of Persons Act (1986), Art. 9(b)(v)	Yes	Circular 05; Decree No. 05/1999/ND-CP 3 on the People's Identity Card (1999), Art. 2
Does the law:												

Require the assigned gender on the passport to match the expression of one's gender?	Yes	Bulgarian Personal Documents Act (1999)	Yes	Secretaria de Relaciones Exteriores, Formato de solicitud de pasaporte. Reglamento de Pasaportes y del Documento de Identidad y Viaje (2011), Art. 16	Yes	Formulaire de demande du Passeport Biométrique	No	Civil Code, Book 1 (1970), Art. 1:28	Yes	Passport Application Form	Yes	Decree 158/2005/ND-CP on Civil Status Registration and Management (2005), Art. 38 Para. 4
Require gender-reassignment surgery for intersex children in order to receive a birth certificate?	N/A	No applicable provisions could be located	N/A	No applicable provisions could be located	N/A	No applicable provisions could be located	N/A	No applicable provisions could be located	N/A	No applicable provisions could be located	No	Decree 158/2005/ND-CP 27 (December 2005) on Civil Status Registration and Management, Art. 38 Para. 4
Allow an individual to obtain a new ID card or passport after gender reassignment?	Yes	Bulgarian Personal Documents Act (1999), Art. 9 Para. 1 Regulations for Issuing of Bulgarian Personal Documents, Art. 20	Yes	Reglamento de Pasaportes y del Documento de Identidad y Viaje (2011), Art. 16	N/A	No applicable provisions could be located	Yes	Civil Code, Book 1 (1970), Art. 1:28	N/A	No applicable provisions could be located	Yes	Law No. 60/2014/QH13 on Civil Status (2014), Art. 3 Para. 2(c)
Are NGOs that promote the interests of LGBTI individuals:												
Permitted under the law?	Yes	Bulgarian Non-Profit Legal Entities Act (2000), Art. 2 Para. 1 and Art. 2 Para. 2	Yes	Constitución Política de los Estados Unidos Mexicanos (1917), Art. 9 Ley Federal de Fomento a las Actividades realizadas por Organizaciones de la Sociedad Civil (2004), Art. 5 Sec. XIII	N/A		Yes	Constitution of the Kingdom of the Netherlands (2008), Art. 8 Civil Code, Book 2 (1972), Art. 2:285	N/A		Yes	Decree No. 12/2012/ND-CP on registration and management of operation of nongovernmental organizations in Vietnam (2012), Art. 3 Para. 1 Decree No. 30 on social and charity funds (2012), Art. 2
If yes, are the NGOs subject to limitation by the state on the basis of national security, public order, morality, or other grounds?	Yes	Bulgarian Non-Profit Legal Entities Act (2000), Art. 3 (2)	Yes.	Ley Federal de Fomento a las Actividades realizadas por Organizaciones de la Sociedad Civil (2004), Art. 30	N/A		Yes	Civil Code, Book 2 (1972), Art. 2:20	N/A		Yes	Decree No. 12/2012/ND-CP on registration and management of operation of nongovernmental organizations in Vietnam, (2012), Art. 4 Decree No. 30 on social and charity funds (2012), Art. 7.1
Representation in the Three Branches of Government (Legislative, Executive, and Judiciary)												
Does the law:												
Mandate quotas for LGBTI individuals in parliament?	No		No		No		No		No		No	

Does the law prohibit LGBTI individuals from:												
Holding ministerial posts?	No		No		No		No		No		No	
Enforcement of Antidiscrimination Laws and Policies												
Does the law:												
Require the judiciary to receive training in the application of existing antidiscrimination laws dealing with sexual orientation and/or gender identity?	No		Yes	Ley Federal para Prevenir y Eliminar la Discriminación (2003), Art. 20, Para. XL, 34, Para. IV	N/A		No		N/A		No	
Require the police to receive training in the application of existing antidiscrimination laws dealing with sexual orientation and/or gender identity?	No		Yes	Ley Federal para Prevenir y Eliminar la Discriminación (2003), Art. 20 Para XL, 34, Para. IV Ley General del Sistema Nacional de Seguridad Pública (2009), Art. 40, Secs. I, IV	N/A		No		N/A		No	
Establish a specialized body tasked with receiving complaints for violations of human rights (Human Rights Committee, Ombudsman, etc.)?	Yes	Ombudsman Act (2003), Art. 2. Protection Against Discrimination Act (2004), Art. 40.	Yes	Ley de la Comisión Nacional de los Derechos Humanos (1992), Art. 2: Comisión Nacional de los Derechos Humanos Ley Federal para Prevenir y Eliminar la Discriminación (2003), Art. 16: Consejo Nacional para Prevenir la Discriminación (not a general human rights body, but specialized in discrimination)	Yes	Dahir n 1-11-19 portant création du Conseil national des droits de l'Homme (2011) Constitution du Royaume du Maroc (2011), Artt. 19, 161 and 164	Yes	Institute for Human Rights Act, Sec. I Institute for Human Rights (formerly Equal Treatment Commission)	Yes	Constitution of the United Republic of Tanzania (1977), Art. 129(1) Commission for Human Rights and Good Governance Act (2001), Art. 6(1)(b)	No	
If yes, does such body hear complaints of discrimination against LGBTI individuals or those perceived as such?	Yes	Ombudsman Act (2003), Art. 19. Para. 1 Protection Against Discrimination Act (2004), Art. 48 Para. 2	Yes	Ley de la Comisión Nacional de los Derechos Humanos (1992), Art. 3 Ley Federal para Prevenir y Eliminar la Discriminación (2003), Arts. I Para. III, 43	No		Yes	Institute for Human Rights Act (2011), Secs. 3(a), 10 (1)	No		N/A	

Is there a budget allocation for the operation of such body?	Yes	Ombudsman Act (2003), Art. 7 Protection Against Discrimination Act (2004), Art. 40 Para. 3	Yes	Constitución Política de los Estados Unidos Mexicanos (1917), Art. 102 Para. B Ley de la Comisión Nacional de los Derechos Humanos (1992), Arts. 2, 75 Ley Federal para Prevenir y Eliminar la Discriminación (2003), Art. 16 (regarding CONAPRED, not the Ombudsman)	Yes	Dahir n 1-11-19 portant création du Conseil national des droits de l'Homme (2011), Art. 55	Yes	The Ministry of Justice has the main responsibility for the Institute's budget. The budget is regulated in the Annual Budgets Act and not in the Netherlands Institute for Human Rights Act.	Yes	Commission for Human Rights and Good Governance Act (2001), Art. 29	N/A	
LABOR		Bulgaria		Mexico		Morocco		Netherlands		Tanzania		Vietnam
Equality in Accessing the Labor Force												
Does the law:												
Prohibit LGBTI individuals from obtaining employment in specific sectors?	No	Labor Code (1992), Art. 8 Para. 3 Protection Against Discrimination Act (2004), Art. 12	No	Ley Federal para Prevenir y Eliminar la Discriminación (2003), Art. 9 Para. III	No	Code du Travail (2011), Art. 9 and Art. 478 Constitution du Royaume du Maroc (2011), Art. 31	No	Constitution of the Kingdom of the Netherlands (2008), Art. 19 Para. 3 Equal Treatment Act (1994), Sec. 5 (1)(b)	No	Constitution of the United Republic of Tanzania (1977), Art. 22 (1) Employment and Labour Relations Act, (2004), Art. 7(1)	No	Decree No. 10/2012/QH13 Labor Code (2012), Art. 5 Para. 1, Art. 8 Para. 1
Prohibit discrimination in recruitment in the public sector?	Yes	Labor Code (1992), Art. 8 Para. 3 Protection Against Discrimination Act (2004), Art. 12 Para. 1	Yes	Ley Federal para Prevenir y Eliminar la Discriminación (2003), Art. 9 Para. III Ley Federal del Trabajo (1970), Arts. 2, 3, 133	Yes	Code du Travail (2011), Art. 9 and Art. 478 Constitution du Royaume du Maroc (2011), Art. 31	Yes	Equal Treatment Act (1994), Sec. 5 (1)	No		Yes	Decree No. 10/2012/QH13 Labor Code (2012), Arts. 5 Para. 1, 38 Paras 1, 4
If yes, is sexual orientation included?	Yes	Labor Code (1992), Art. 8 Para. 3 Protection Against Discrimination Act (2004), Art. 12 Para. 1, Art. 4 Para. 1	Yes	Ley Federal para Prevenir y Eliminar la Discriminación (2003), Art. 9 Para. III Ley Federal del Trabajo (1970), Arts. 2, 3, 133	No		Yes	Equal Treatment Act (1994), Sec. 1 (1)(b)	N/A		No	
If yes, is gender identity included?	Yes	Protection Against Discrimination Act (2004), Art. 12 Para. 1, Art. 4 Para. 1	No		No		No		N/A		No	
Prohibit discrimination in recruitment in the private sector?	Yes	Labor Code (1992), Art. 8 Para. 3 Protection Against Discrimination Act (2004), Art. 12 Para. 1	Yes	Ley Federal para Prevenir y Eliminar la Discriminación (2003), Art. 9 Para. III Ley Federal del Trabajo (1970), Arts. 2, 3, 133	Yes	Code du Travail (2011), Art. 9 and Art. 478 Constitution du Royaume du Maroc (2011), Art. 31	Yes	Equal Treatment Act (1994), Sec. 5 (1)	No		Yes	Decree No. 10/2012/QH13 Labor Code (2012), Art. 8 Para. 1, Art. 5 Para. 1

If yes, is sexual orientation included?	Yes	Labor Code (1992), Art. 8 Para. 3 Protection Against Discrimination Act (2004), Art. 12 Para. 1, Art. 4 Para. 1	Yes	Ley Federal para Prevenir y Eliminar la Discriminación (2003), Art. 9 Para. III Ley Federal del Trabajo (1970), Arts. 2, 3, 133	No		Yes	Equal Treatment Act (1994), Sec. 1 (1)(b)	N/A		No	
If yes, is gender identity included?	Yes	Protection Against Discrimination Act (2004), Art. 12 Para. 1, Art. 4 Para. 1	No		No		No		N/A		No	
Prohibit an employer from asking about an individual's sexual orientation or gender identity during the recruitment phase?	Yes	Protection Against Discrimination Act (2004), Art. 12 Para. 2	No		No		No		No		No	
Prescribe equal remuneration for work of equal value for LGBTI individuals?	Yes	Protection Against Discrimination Act (2004), Art. 14 Para. 1	Yes	Constitución Política de los Estados Unidos Mexicanos (1917), Art. 123 Para. VII Ley Federal del Trabajo (1970), Art. 56	No		Yes	Equal Treatment Act (1994), Sec. 5 (1)(e), (h)	No		Yes	Decree No. 10/2012/QH13 Labor Code (2012), Arts. 5 Para 1 (a), 8 Para. 1, 90 Para. 3
Prohibit the dismissal of employees on sexual orientation or gender identity grounds?	Yes	Protection Against Discrimination Act (2004), Art. 21	Yes	Ley Federal del Trabajo (1970), Arts. 3, 133	No		Yes	Equal Treatment Act (1994), Secs. 5(1), 8	No		No	
Access to Remedy												
Does the law allow an employee to bring a claim for employment discrimination on sexual orientation or gender identity grounds:												
In the public sector?	Yes	Protection Against Discrimination Act (2004), Art. 50, 71.	Yes	Ley Federal del Trabajo (1970), Arts. 2, 3, 133 Ley Federal para Prevenir la Discriminación (2003), Art. 43	N/A		Yes	Equal Treatment Act (1994), Secs. 10, 12 (2)	N/A		No	
If yes, is the employee required to prove loss or injury?	No	Protection Against Discrimination Act (2004), Art. 9	No	Ley Federal del Trabajo (1970), Art. 784	N/A		No	Equal Treatment Act (1994), Sec. 10 (1)	N/A		N/A	
If there is a law, does it prohibit retaliation by the employer for bringing a complaint or participating in any manner in an employment discrimination proceeding?	Yes	Protection Against Discrimination Act (2004), Art. 5, additional provisions, Sec. 1 (3)	No	No provisions could be located	N/A		Yes	Equal Treatment Act (1994), Sec. 8(a)	N/A		No	No provisions could be located

In the private sector?	Yes	Protection Against Discrimination Act (2004), Arts. 50, 71.	Yes	Ley Federal del Trabajo (1970), Arts. 2, 3, 133 Ley Federal para Prevenir la Discriminación (2003), Art. 43	No		Yes	Equal Treatment Act (1994), Secs. 10, 12 (2)	No		No	
If yes, is the employee required to prove loss or injury?	No	Protection Against Discrimination Act (2004), Art. 9	No	Ley Federal del Trabajo (1970), Art. 784	N/A		No	Equal Treatment Act (1994), Sec. 10 (1)	N/A		N/A	
If there is a law, does it prohibit retaliation by the employer for bringing a complaint or participating in any manner in an employment discrimination proceeding?	Yes	Protection Against Discrimination Act (2004), Arts. 5, additional provisions, Sec. 1 (3)	No	No provisions could be located	N/A		Yes	Equal Treatment Act (1994), Sec. 8(a)	N/A		No	No provisions could be located
Does the law:												
Shift the burden of proof for antidiscrimination claims from the employee to the employer?	Yes	Protection Against Discrimination Act (2004), Art. 9	Yes	Ley Federal del Trabajo (1970), Art. 784	No		Yes	Equal Treatment Act (1994), Sec. 10 (1)	Yes	Employment and Labour Relations Act (2004), Art. 7(8)(a)	No	
Allow class action lawsuits for employment discrimination claims based on sexual orientation or gender identity grounds?	Yes	Protection Against Discrimination Act (2004), Art. 71 Paras. 2, 3 Civil Procedure Code (2007), Art. 379 Para. 1	Yes	Ley Federal del Trabajo (1970), Art. 697	No		Yes	Equal Treatment Act (1994), Sec. 10 (2)	No		No	
EDUCATION	Bulgaria		Mexico		Morocco		Netherlands		Tanzania		Vietnam	
Participation in Education												
Does the law prohibit discrimination in school admission on sexual orientation grounds in:												
Primary education?	Yes	Protection Against Discrimination Act (2004), Arts. 4 Para. 1, 29 Para 2.	Yes	Constitución Política de los Estados Unidos Mexicanos (1917), Art. 3 Ley General de Educación (1993), Art. 2 Ley Federal para Prevenir y Eliminar la Discriminación (2003), Art. 9	N/A		Yes	Equal Treatment Act (1994), Sec. 7 (1)(c)	N/A		No	

Secondary education?	Yes	Protection Against Discrimination Act (2004), Arts. 4 Para. 1, 29 Para. 2	Yes	Constitución Política de los Estados Unidos Mexicanos (1917), Art. 3 Ley General de Educación (1993), Art. 2 Ley Federal para Prevenir y Eliminar la Discriminación (2003), Art. 9	N/A		Yes	Equal Treatment Act (1994), Sec. 7 (1)(c)	N/A		No	
Tertiary education?	Yes	Protection Against Discrimination Act (2004), Art. 4, Para. 1 Higher Education Act, Art. 4	Yes	Constitución Política de los Estados Unidos Mexicanos (1917), Art. 3 Ley General de Educación (1993), Art. 2 Ley Federal para Prevenir y Eliminar la Discriminación (2003), Art. 9	N/A		Yes	Equal Treatment Act (1994), Sec. 7 (1)(c)	N/A		No	
Does the law:												
Mandate the creation of an action plan to combat bullying against LGBT students, or those perceived as such?	No		Yes	Anti Bullying policy implemented	No		Yes	Antibullying policy implemented	No		No	
Fighting Marginalization in Education												
Does the law mandate the adoption of measures aimed at sensitizing the students to the principles of nondiscrimination and equality in:												
Primary education?	Yes	Protection Against Discrimination Act (2004), Art. 35 Paras. 1, 3 National Education Act (1991), Art. 15 Para. 2	Yes	Constitución Política de los Estados Unidos Mexicanos (1917), Art. 3 Para. 4 Ley General de Educación (1993), Arts. 7, 8, 33	No		Yes	Primary Education Act (1981), Art. 46	No		Yes	Decree No. 38/2005/QH11 on Education Law (2005), Arts. 5 Para. 1, 7 Para 2.
Secondary education?	Yes	Protection Against Discrimination Act (2004), Art. 35 Paras. 1, 3 National Education Act (1991), Art. 15 Para. 2	Yes	Constitución Política de los Estados Unidos Mexicanos (1917), Art. 3 Para. 4 Ley General de Educación (1993), Arts. 7, 8, 33	No		Yes	Secondary Education Act (1963), Art. 42	No		Yes	Law No. 38/2005/QH11 Education Law(2005), Arts. 5 Para. 1, 7 Para 2.
Does the law:												

Mandate the revision of national textbooks in primary and secondary education to eliminate discriminatory language (e.g., homophobic or transphobic language)?	Yes	Final Provisions of the Ordinance on Informative Notebooks, Textbooks, and Handbooks, Art. 12, Para. 3 in relation to § 4	Yes	Ley General de Educación (1993), Arts. 8, 12 Para. III, 42	No		No		No		No	
Mandate the training of school teachers in primary and secondary education on anti-discrimination of LGBTI students, or those perceived as such?	No		Yes	Ley General de Educación (1993), Arts. 8, 12 Para. III, 42	No		No		No		No	
Include courses on sex education in an LGBTI-inclusive manner?	No		No		No		No		No		No	
PROPERTY	Bulgaria		Mexico		Morocco		Netherlands		Tanzania		Vietnam	
Access to Land												
Do laws and/or regulations relating to any of these transactions differ between LGBTI individuals and the rest of the population?												
Obtain a title of land (e.g., for the purposes of transfer or sale)?	No		No		No		No		No		No	
Lease land?	No		No		No		No		No		No	
License land?	No		No		No		No		No		No	
Obtain a mortgage?	No		No		No		No		No		No	
Inherit land?	No		No		No		No		No		No	
PUBLIC SERVICES AND SOCIAL PROTECTION	Bulgaria		Mexico		Morocco		Netherlands		Tanzania		Vietnam	
Public Services Provided by the Government												
Does the law prohibit discrimination based on sexual orientation in accessing:												

Health care?	Yes	Protection Against Discrimination Act (2004), Art. 37 Health Act (2004), Art. 85	Yes	Ley General de Salud (1984), Art. 77 bis 36 Paras. VII, XX Ley del Seguro Social (1995), Arts. 214–217, 238 Ley Federal para Prevenir y Eliminar la Discriminación (2003), Art. 9 Para. XX	N/A		Yes	Equal Treatment Act (1994), Secs. 7 (1)(b)–(c)	No		Yes	Decree No. 40/2009/QH12 Law on Medical Examination and Treatment (2009), Art. 9 Para. 1
Social housing?	Yes	Social Assistance Act (1998), Art. 3 Protection Against Discrimination Act (2004), Art. 37	Yes	Ley General de Vivienda (2006), Art. 3 Ley Federal para Prevenir y Eliminar la Discriminación (2003), Art. 9 Para. XXI	N/A		Yes	Equal Treatment Act (1994), Secs. 7 (1)(b)–(c)	No		No	
Electricity?	Yes	Protection Against Discrimination Act (2004), Art. 37 Energy Act (2003), Art. 31	Yes	Ley Federal para Prevenir y Eliminar la Discriminación (2003), Art. 9 Para. XXII Ley de la Industria Eléctrica (2014), Art. 50	No		Yes	Equal Treatment Act (1994), Secs. 7 (1)(b)–(c)	No		Yes	Decree No. 28/2004/QH11 Electricity Law (2004), Art. 4.2
Water supply?	Yes	Protection Against Discrimination Act (2004), Art. 37	Yes	Ley Federal para Prevenir y Eliminar la Discriminación (2003), Art. 9 Para. XXII	N/A		Yes	Equal Treatment Act (1994), Secs. 7 (1)(b)–(c)	No		Yes	Decree No. 15/2012/L/CTN Law on Water Resources (2012), Art. 3 Para. 5
Microcredits?	Yes	Protection Against Discrimination Act (2004), Art. 37	Yes	Ley para la Transparencia y el Ordenamiento de los Servicios Financieros (2007), Arts. 4 bis 3 Para. III, 17	N/A		Yes	Equal Treatment Act (1994), Secs. 7 (1)(b)–(c)	No		No	
Subsidized health insurance?	Yes	Protection Against Discrimination Act (2004), Art. 37	Yes	Ley Federal para Prevenir y Eliminar la Discriminación (2003), Art. 9 Para. XX	N/A		Yes	Equal Treatment Act (1994), Secs. 7 (1)(b)–(c)	No		Yes	Decree No. 23/2008/L-CTN Law on Health Insurance (2009), Art. 11 Para. 4
Social pensions?	Yes	Protection Against Discrimination Act (2004), Art. 37	Yes	Ley Federal para Prevenir y Eliminar la Discriminación (2003), Art. 9 Para. VII	No		Yes	Equal Treatment Act (1994), Secs. 7 (1)(b)–(c)	No		No	

Child benefits?	Yes	Constitution of the Republic of Bulgaria (1991), Art. 6 Para. 2 Protection Against Discrimination Act (2004), Art. 4 Paras. 1, 37 Social Assistance Act (1998), Art. 3	No		No		Yes	Equal Treatment Act (1994), Secs. 7 (1)(b)–(c)	No		No	
Public Services Provided by Civil Society												
Does the law allow civil society organizations (CSOs) to provide social services specifically to LGBTI individuals, including:												
Vaccination?	Yes	Bulgarian Non-Profit Legal Entities Act (2000), Art. 38 Health Act (2004) Art. 222	Yes	Ley Federal de Fomento a las Actividades realizadas por Organizaciones de la Sociedad Civil (2004), Art. 5 Paras. I, V, XI	N/A		Yes	Not explicit but should be covered by Constitution of the Kingdom of The Netherlands (2008), Art. 8	N/A		Yes	Not explicit but should be covered by Decree No. 12/2012/ND-CP on registration and management of operation of nongovernmental organizations in Vietnam (2012), Art. 4
Water?	Yes	Bulgarian Non-Profit Legal Entities Act (2000), Art. 38	Yes	Ley Federal de Fomento a las Actividades realizadas por Organizaciones de la Sociedad Civil (2004), Art. 5 Paras. I, V, XI	N/A		Yes	Not explicit but should be covered by Constitution of the Kingdom of The Netherlands (2008), Art. 8	N/A		Yes	Not explicit but should be covered by Decree No. 12/2012/ND-CP on registration and management of operation of nongovernmental organizations in Vietnam (2012), Art. 4
Sanitation?	Yes	Bulgarian Non-Profit Legal Entities Act (2000), Art. 38	Yes	Ley Federal de Fomento a las Actividades realizadas por Organizaciones de la Sociedad Civil (2004), Art. 5 Paras. I, V, XI	N/A		Yes	Not explicit but should be covered by Constitution of the Kingdom of The Netherlands (2008), Art. 8	N/A		Yes	Not explicit but should be covered by Decree No. 12/2012/ND-CP on registration and management of operation of nongovernmental organizations in Vietnam (2012), Art. 4
Family planning?	Yes	Bulgarian Non-Profit Legal Entities Act (2000), Art. 38	Yes	Ley Federal de Fomento a las Actividades realizadas por Organizaciones de la Sociedad Civil (2004), Art. 5 Paras. I, V, XI	N/A		Yes	Not explicit but should be covered by Constitution of the Kingdom of The Netherlands (2008), Art. 8	N/A		Yes	Not explicit but should be covered by Decree No. 12/2012/ND-CP on registration and management of operation of nongovernmental organizations in Vietnam (2012), Art. 4

Health services (psychological)?	Yes	Bulgarian Non-Profit Legal Entities Act (2000), Art. 38	Yes	Ley Federal de Fomento a las Actividades realizadas por Organizaciones de la Sociedad Civil (2004), Art. 5 Paras. I, V, XI	N/A		Yes	Not explicit but should be covered by Constitution of the Kingdom of The Netherlands (2008), Art. 8	N/A		Yes	Not explicit but should be covered by Decree No. 12/2012/ND-CP on registration and management of operation of nongovernmental organizations in Vietnam (2012), Art. 4
Health services (physiological)?	Yes	Bulgarian Non-Profit Legal Entities Act (2000), Art. 38	Yes	Ley Federal de Fomento a las Actividades realizadas por Organizaciones de la Sociedad Civil (2004), Art. 5 Paras. I, V, XI	N/A		Yes	Not explicit but should be covered by Constitution of the Kingdom of The Netherlands (2008), Art. 8	N/A		Yes	Not explicit but should be covered by Decree No. 12/2012/ND-CP on registration and management of operation of nongovernmental organizations in Vietnam (2012), Art. 4
Sexual and reproductive health services?	Yes	Bulgarian Non-Profit Legal Entities Act (2000), Art. 38	Yes	Ley Federal de Fomento a las Actividades realizadas por Organizaciones de la Sociedad Civil (2004), Art. 5 Paras. I, V, XI	N/A		Yes	Not explicit but should be covered by Constitution of the Kingdom of The Netherlands (2008), Art. 8	N/A		Yes	Not explicit but should be covered by Decree No. 12/2012/ND-CP on registration and management of operation of nongovernmental organizations in Vietnam (2012), Art. 4
HIV preventative services (condoms/lubricants/pre-exposure prophylaxis, etc.) and information on HIV and vulnerable sexual practices?	Yes	Bulgarian Non-Profit Legal Entities Act (2000), Art. 38	Yes	Ley Federal de Fomento a las Actividades realizadas por Organizaciones de la Sociedad Civil (2004), Art. 5 Paras. I, V, XI	N/A		Yes	Not explicit but should be covered by Constitution of the Kingdom of The Netherlands (2008), Art. 8	N/A		Yes	Not explicit but should be covered by Decree No. 12/2012/ND-CP on registration and management of operation of nongovernmental organizations in Vietnam (2012), Art. 4
Antiretroviral?	Yes	Bulgarian Non-Profit Legal Entities Act (2000), Art. 38	Yes	Ley Federal de Fomento a las Actividades realizadas por Organizaciones de la Sociedad Civil (2004), Art. 5 Paras. I, V, XI	N/A		Yes	Not explicit but should be covered by Constitution of the Kingdom of The Netherlands (2008), Art. 8	N/A		Yes	Not explicit but should be covered by Decree No. 12/2012/ND-CP on registration and management of operation of nongovernmental organizations in Vietnam (2012), Art. 4
Medications for gender-reassignment surgery?	Yes	Bulgarian Non-Profit Legal Entities Act (2000), Art. 38	Yes	Ley Federal de Fomento a las Actividades realizadas por Organizaciones de la Sociedad Civil (2004), Art. 5 Paras. I, V, XI	N/A		Yes	Not explicit but should be covered by Constitution of the Kingdom of The Netherlands (2008), Art. 8	N/A		Yes	Decree 88/2008/ND-CP on Sex Reassignment, Arts. 4 Para. 1, 7-14
Does the law:												

Impose funding limitations on CSOs on the provision of such services?	No		No		N/A		No		N/A		No	
HATE CRIMES AND HATE SPEECH	Bulgaria		Mexico		Morocco		Netherlands		Tanzania		Vietnam	
Hate Crimes Legislation												
Does the law:												
Criminalize hate speech?	Yes	Criminal Code (1968), Arts. 162 Para. 1	No	Codigo Penal Federal (1931), Art. 149 Ter refers to the crime of "discrimination"	Yes	Code Pénal (1962), Art. 308-5 referring only to incitement of hate during sport events	Yes	Criminal Code (1881), Art. 137c	No		Yes	Criminal Code (1999), Art. 87 Para. 1(b)
Criminalize hate crimes?	Yes	Criminal Code (1968), Artt. 162–165; Art. 172	No		No		No		No		No	
If there is a law, does it define hate crime as a substantive offense?	Yes	Criminal Code (1968), Artt. 162–165; Art. 172	N/A		N/A		N/A		N/A		N/A	
If there is a law, does it define hate crime as an aggravating circumstance?	Yes	Criminal Code (1968), Art. 116 Para. 11	N/A		N/A		N/A		N/A		N/A	
If there is a law, does it define sexual orientation as a protected characteristic?	No		N/A		N/A		N/A		N/A		N/A	
If there is a law, does it define gender identity as a protected characteristic?	No		N/A		N/A		N/A		N/A		N/A	
If there is a law, does it protect property?	Yes	Criminal Code (1968), Art. 163	N/A		N/A		N/A		N/A		N/A	
If there is a law, does it extend to victims by association?	No		N/A		N/A		N/A		N/A		N/A	
Awareness Raising and Training on Hate Crimes												
Does the law:												

Require government agencies to collect data on hate crimes committed against LGBTI individuals or those perceived as such?	Yes	Judiciary System Act (2007), Art. 80 Para. 1, Art. 86 Para. 1, Art. 382 Para. 3	N/A									
Does the law mandate trainings of the following professionals on recognizing and identifying hate crimes?												
Paramedics?	No		N/A		N/A		N/A		N/A		N/A	
Police officers?	No		N/A		N/A		N/A		N/A		N/A	
Prosecutors?	No		N/A		N/A		N/A		N/A		N/A	
Judges?	No		N/A		N/A		N/A		N/A		N/A	
Social workers?	No		N/A		N/A		N/A		N/A		N/A	
Other?	No		N/A		N/A		N/A		N/A		N/A	
Services to Victims of Hate Crimes												
Does the law mandate the provision of any of the following services to victims of hate crimes?												
Legal assistance (including asylum applications)?	Yes	Legal Aid Act (2005), Arts 21, 22 Asylum and Refugees Act (2002), Art. 20	N/A									
Shelter/Housing?	No		N/A		N/A		N/A		N/A		N/A	
Forensic or medical examinations?	Yes	Law on Support and Financial Compensation to Crime Victims (2006), Art. 8	N/A									

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