



NEWS REPORT

Date:	24 March 2011
Expert:	Rikki Holtmaat
Title:	Discrimination of men of Turkish origin by men of Turkish origin at a cafeteria
Country:	The Netherlands
Context	
Issue at stake:	
Ground of discrimination:	Multiple discrimination: Race/ethnicity and nationality
Source:	ETC 24 February 2011
Field:	Goods and services
Legislative provisions:	General Equal Treatment Act, article 7 (1) sub a and b.

Content

Three men of Turkish origin entered a cafeteria and had a conversation with the two men behind the counter, i.e. the personnel of the cafeteria. After having asked whether the clients were of Turkish origin, the conversation was held in this language. One of the clients ordered a product made of minced meat and onions, called 'berenhap'. One of the men behind the counter warned the client that this product contained pork meat. But the client said that he did not care and that he nevertheless wanted to eat a 'berenhap'. The man behind the counter then refused to sell this product to his client, stating that Turkish people do not and should not eat pork meat. The client filed a complaint with the Equal Treatment Commission, stating that this refusal amounted to discrimination on the ground of his Turkish origin.

According to the Dutch General Equal Treatment Act (GETA) discrimination on the grounds of race/ethnicity and nationality is prohibited, also when offering goods and services (art. 7(1) GETA). The ETC first concluded that being of Turkish origin falls under these provisions. Next it stated that the claimant had made it clear that he did not want to complain about religious discrimination because the reasons given for not wanting to sell him a 'berenhap' were solely related to his Turkish nationality/origin. The ETC concluded that this was a case of direct discrimination on the ground of national origin and that no legally acceptable justifications for this were given by the cafeteria. The fact that the discriminatory behaviour came from someone who himself has the Turkish nationality / is of Turkish origin, does not change this conclusion. Also persons with the same origin can discriminate each other according to the ETC.

Internet link source and additional information:

ETC: <http://www.cgb.nl/oordelen/oordeel/221678/> (last accessed 24 March 2011)