

DS.20 NonDiscrimination

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The GDPR protects all rights and freedoms of the data subject. This means that the principle of equality also comes into consideration as a *Schutzgut* of the GDPR. According to Art. 20 CFR, everyone is equal before the law. Any discrimination based on any ground such as sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation shall be prohibited (Art. 21 CFR).

Rec. 71 (6), 75 and 85 (1) GDPR make it clear that discrimination is also considered a risk of processing personal data, so that non-discrimination becomes a *Schutzgut* of the GDPR. According to some (albeit controversial) opinions, the special protection of sensitive data according to Art. 9 GDPR primarily serves to prevent discrimination.