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Answer given by Ms Lahbib
on behalf of the European Commission
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The EU non-discrimination framework is based on the Treaties and the Charter of Fundamental Rights of the EU (the Charter). Article 21 of the Charter prohibits discrimination on an open-ended list of grounds, but it applies to Member States only when they are implementing EU law, in accordance with Article 51(1).

Article 19 of the Treaty on the Functioning of the European Union allows the EU to adopt anti-discrimination legislation only on a limited list of grounds, which does not include education. Therefore, under the current Treaties, the Commission cannot take legislative action on education as an additional ground of discrimination at EU level. Member States may, however, provide broader protection under national law.

The Commission addresses educational inequalities through several tools, such as the European Child Guarantee, which supports equal and inclusive access to education for children in need, and through the European Education Area, which allows for cooperation between the Commission, Member States and stakeholders in this area¹. The 2021–2025 Working Group on Equality and Values in Education and Training² also examined structural reforms to promote equity, combat discrimination and strengthen citizenship education.

¹ <https://eur-lex.europa.eu/eli/C/2026/3720/oj>.

² <https://webgate.ec.europa.eu/fpfis/wikis/pages/viewpage.action?spaceKey=EAC&title=Equality+and+Values>.