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REPORT

on racial justice, non-discrimination and anti-racism in the EU
(2022/2005(INI))

Committee on Civil Liberties, Justice and Home Affairs

Rapporteur: Evin Incir

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MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION

on racial justice, non-discrimination and anti-racism in the EU

(2022/2005(INI))

The European Parliament,

- having regard to the Treaty on European Union (TEU), the Treaty on the Functioning of the European Union (TFEU) and the Charter of Fundamental Rights of the European Union (the Charter),
- having regard to Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin¹ (Racial Equality Directive),
- having regard to Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation² (Employment Equality Directive),
- having regard to Council Framework Decision 2008/913/JHA of 28 November 2008 on combating certain forms and expressions of racism and xenophobia by means of criminal law³,
- having regard to Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA⁴ (Victims' Rights Directive),
- having regard to Regulation (EU) 2021/692 of the European Parliament and of the Council of 28 April 2021 establishing the Citizens, Equality, Rights and Values Programme⁵,
- having regard to the establishment in June 2016 of the EU High Level Group on combatting hate speech and hate crime,
- having regard to guidelines on improving the collection and use of equality data drawn up by the Subgroup on Equality Data of the Commission High Level Group on Non-discrimination, Equality and Diversity 2018 and published in 2021,
- having regard to the Commission communication of 18 September 2020 entitled 'A Union of Equality: EU anti-racism action plan 2020-2025' (the EU anti-racism action plan) (COM(2020)0565),

¹ OJ L 180, 19.7.2000, p. 22.

² OJ L 303, 2.12.2000, p. 16.

³ OJ L 328, 6.12.2008, p. 55.

⁴ OJ L 315, 14.11.2012, p. 57.

⁵ OJ L 156, 5.5.2021, p. 1.

- having regard to the Commission communication of 7 October 2020 entitled ‘A Union of Equality: EU Roma strategic framework for equality, inclusion and participation’ (COM(2020)0620),
- having regard to the Commission communication of 12 November 2020 entitled ‘Union of Equality: LGBTIQ Equality Strategy 2020-2025’ (COM(2020)0698),
- having regard to the Commission communication of 3 March 2021 entitled ‘Union of Equality: Strategy for the Rights of Persons with Disabilities 2021-2030’ (COM(2021)0101), and to the United Nations Convention on the Rights of Persons with Disabilities, ratified by the EU and all its Member States,
- having regard to the European Pillar of Social Rights, including its third principle on equal opportunities, and to the Commission communication of 4 March 2021 entitled ‘the European Pillars of social rights Action Plan’ (COM(2021)0102),
- having regard to the Commission communication of 5 March 2020 entitled ‘A Union of Equality: Gender Equality Strategy 2020-2025’ (COM(2020)0152),
- having regard to the Council Recommendation of 12 March 2021 on Roma equality, inclusion and participation⁶,
- having regard to the Commission report of 19 March 2021 on the application of Council Directive 2000/43/EC implementing the principle of equal treatment between persons irrespective of racial or ethnic origin (‘the Racial Equality Directive’) and of Council Directive 2000/78/EC establishing a general framework for equal treatment in employment and occupation (‘the Employment Equality Directive’) (COM(2021)0139),
- having regard to the Commission staff working document of 19 March 2021 entitled ‘Equality bodies and the implementation of the Commission Recommendation on standards for equality bodies’ (SWD(2021)0063),
- having regard to the Commission communication of 5 October 2021 entitled ‘EU Strategy on Combating Antisemitism and Fostering Jewish Life (2021-2030)’ (COM(2021)0615),
- having regard to the Council conclusions of 4 March 2022 on combating racism and antisemitism,
- having regard to Commission’s common guiding principles for national action plans against racism and racial discrimination of March 2022,
- having regard to the European Convention on Human Rights, in particular Protocol No 12 thereto, prohibiting discrimination,
- having regard to the general policy recommendations of the European Commission against Racism and Intolerance (ECRI), notably General Policy Recommendation No. 5 (revised) on preventing and combating anti-Muslim racism and discrimination and

⁶ OJ C 93, 19.3.2021, p. 1.

General Policy Recommendation No. 9 (revised) on preventing and combating Antisemitism, its opinion on the concept of ‘racialisation’ adopted in December 2021, and its roadmap to effective equality of 27 September 2019,

- having regard to the report from the Council of Europe Steering Committee on Anti-Discrimination, Diversity and Inclusion (CDADI) entitled ‘COVID-19: an analysis of the anti-discrimination, diversity and inclusion dimensions in Council of Europe member states’⁷,
- having regard to Resolution 2389 of the Parliamentary Assembly of the Council of Europe of 24 June 2021 on combating Afrophobia, or anti-Black racism, in Europe,
- having regard to Resolution 2413 of the Parliamentary Assembly of the Council of Europe of 26 November 2021 on discrimination against Roma and Travellers in the field of housing,
- having regard to the UN 2030 Agenda for Sustainable Development,
- having regard to the International Convention on the Elimination of All Forms of Racial Discrimination and to the general recommendations of the UN Committee on the Elimination of Racial Discrimination,
- having regard to the reports and surveys of the EU Agency for Fundamental Rights (FRA),
- having regard to the report entitled ‘Diversity in the European Parliament’s Secretariat – State of play and Roadmap 2022-2024’ adopted by Parliament’s High Level Group on Gender Equality and Diversity on 22 November 2021,
- having regard its resolution of 26 March 2019 on fundamental rights of people of African descent in Europe⁸,
- having regard to its resolution of 17 September 2020 on the implementation of National Roma Integration Strategies: combating negative attitudes towards people with Romani background in Europe⁹,
- having regard to its resolution of 19 June 2020 on the anti-racism protests following the death of George Floyd¹⁰,
- having regard to its resolution of 17 December 2020 on the need for a dedicated Council configuration on gender equality¹¹,
- having regard to its resolution of 8 March 2022 on the shrinking space for civil society

⁷ <https://rm.coe.int/prems-126920-gbr-2530-cdadi-covid-19-web-a5-final-2774-9087-5906-1/1680a124aa>

⁸ OJ C 108, 26.3.2021, p. 2.

⁹ OJ C 385, 22.9.2021, p. 104.

¹⁰ OJ C 362, 8.9.2021, p. 63.

¹¹ OJ C 445, 29.10.2021, p. 150.

in Europe¹²,

- having regard to its resolution of 8 March 2022 on the role of culture, education, media and sport in the fight against racism¹³,
 - having regard to Rules 54 of its Rules of Procedure,
 - having regard to the report of the Committee on Civil Liberties, Justice and Home Affairs (A9-0254/2022),
- A. whereas the Union is founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities, as set out in Article 2 of the TEU; whereas the right to equal treatment and non-discrimination is a fundamental right enshrined in the Charter and must be fully respected; whereas EU law forbids discrimination and harassment on grounds of racial or ethnic origin;
- B. whereas the concept of ‘race’ is a social construction; whereas according to the ECRI, the use of the concept of ‘racialisation’ has the potential to aid understanding of the processes underpinning racism and racial discrimination¹⁴; whereas racialised groups are ascribed certain characteristics and attributes that are presented as being innate to all members of each group concerned, based on characteristics, such as skin colour, ethnic or national origin or religion, or perceived membership of a specific group;
- C. whereas the EU anti-racism action plan 2020-2025 is the first EU policy instrument to recognise the structural dimension of racism, which has historical roots dating back to colonialism, slavery, past persecution and genocide; whereas these roots have a firmer hold and a greater impact in some Member States than others; whereas structural racism can also be influenced by other factors; whereas the action plan is a first, important step towards tackling racism and racial discrimination in the EU but lacks follow-up mechanisms, ambitious benchmarks and clear targets;
- D. whereas the EU anti-racism action plan refers to structural racism as discriminatory behaviours which can be embedded in social, financial and political institutions, thereby having an impact on different layers of power and policymaking; whereas structural discrimination can be seen as obstacles to groups or individuals achieving the same rights and opportunities that are available to the majority of the population;
- E. whereas cases of criminalisation and institutional violence towards racialised groups and civil society have been reported; whereas this problem should be addressed in the fight against structural racism, in any anti-racism action plan and in security and migration policies¹⁵;
- F. whereas according to the FRA, racial discrimination and harassment remain

¹² OJ C 347, 9.9.2022, p. 2.

¹³ OJ C 347, 9.9.2022, p. 15.

¹⁴ ECRI, *Opinion on the concept of ‘racialisation’*, 8 December 2021.

¹⁵ European Parliament, study for the LIBE Committee, *Protection against racism, xenophobia and racial discrimination, and the EU Anti-racism Action Plan*, May 2022.

commonplace in the EU¹⁶; whereas the FRA also reports high levels of discrimination and racism against racialised groups, based on their ethnic or immigrant background, such as Romani people¹⁷ and people with a North African or sub-Saharan African background¹⁸, as well as against Muslims¹⁹ and Jewish people²⁰; whereas racist, xenophobic and homo/transphobic movements and extremist ideologies, in particular extreme right-wing sentiments, are on the rise and continue to pose serious threats to democratic societies in the EU and to the safety of racialised groups;

- G. whereas the adoption of the anti-discrimination directive has been blocked in the Council since 2008;
- H. whereas structural and institutionalised racism is also mirrored in socioeconomic inequality and poverty, and whereas these factors interact and reinforce each other; whereas discrimination and racism undermine human dignity, life opportunities, prosperity, well-being and often safety; whereas racial and ethnic minorities in the EU face segregation in certain areas of daily life, including housing, healthcare, employment, education and judicial systems; whereas many members of racial and ethnic minorities in the EU experience insufficient access to basic necessities such as drinkable water, sanitation and electricity, which can be further exacerbated by climate change, and whereas this is reflected in the labour market, where racialised people are over-represented in unemployment and precarious and low quality jobs such as those in the gig economy; whereas racial inequalities cannot be tackled without strong investment to overcome poverty;
- I. whereas a horizontal intersectional approach to EU policies and measures, as outlined in the gender and LGBTQI strategies, is instrumental to addressing racial discrimination; whereas minority groups including but not limited to Romani people, Muslims, Jewish people, people of African and Asian descent and Sami people are impacted by multiple forms of discrimination;
- J. whereas several cases of double standards and discrimination at the EU's borders based on skin colour, including recently against some people fleeing the war in Ukraine, highlight the need to ensure equal treatment at the EU borders;
- K. whereas women in precarious situations, in particular racialised women, are significantly overrepresented among persons in prostitution, which is both a consequence of, and perpetuates, sexism and racism;
- L. whereas there are barriers to access to justice for victims of racial discrimination; whereas equality bodies in many Member States lack the human and financial resources and/or the necessary independence to bridge this gap, including because of insufficient political will; whereas the EU's anti-discrimination framework is unevenly transposed

¹⁶ FRA, [Fundamental Rights Report 2022](#), 8 June 2022, p. 84.

¹⁷ The term 'Romani people' encompasses diverse groups, including Roma, Kalè, Manouches, Ashkali, Travellers, Lovara, Rissende, Boyash, Domare, Kalderash, Romanichild and Sinti.

¹⁸ FRA, [Second European Union Minorities and Discrimination Survey – Main results](#), 6 December 2017.

¹⁹ FRA, [Second European Union Minorities and Discrimination Survey Muslims – Selected findings](#), 21 September 2017.

²⁰ FRA, [Experiences and perceptions of antisemitism - Second survey on discrimination and hate crime against Jews in the EU](#), 10 December 2018.

into Member States' legislation, limiting the efficacy of equality bodies;

- M. whereas several cases of racism, structural discrimination, harassment, violence and racial and ethnic profiling by police, law enforcement agents, judges and lawyers in criminal justice systems²¹ have been reported across the EU; whereas structural biases against racialised groups can be found in the justice systems of most Member States²²; whereas police violence and disproportionate use of force by law enforcement should never be tolerated; whereas accountability and independent oversight is essential to address institutional racism in law enforcement; whereas rule of law deficiencies in criminal justice systems exacerbate this situation;
- N. whereas Romani women, racialised women and migrant women, including those with disabilities, face intersecting inequalities and discrimination in the EU; whereas many have also faced structural violence and violations of their integrity and bodily autonomy, and been victims of forced sterilisation, contraception and abortion, which are harmful practices and forms of gender-based violence rooted in eugenic beliefs;
- O. whereas artificial intelligence (AI) systems are already being used to create predictions, profiles and risk assessments that affect people's lives; whereas new technologies and the digital transition can bring new challenges to racial equality and non-discrimination by reproducing social biases and structural inequalities, but can also become an effective tool in fighting against racism and structural discrimination;
- P. whereas the way in which people are portrayed in the media, regardless of their racial, religious or ethnic background, can reinforce negative stereotypes with racial connotations;
- Q. whereas civil society organisations (CSOs) play a critical role in preserving and implementing EU values and fundamental rights, and in the implementation of EU policies and strategies; whereas civic space is suffering from an ongoing degradation throughout the EU and many CSOs are struggling to survive and have problems with funding;
- R. whereas the Racial Equality Directive has been insufficiently applied by most Member States; whereas the Directive does not cover all forms and grounds of discrimination such as intersectional and structural discrimination and it should therefore be updated to take into account new developments such as AI and algorithmic decision-making, notably the potential risk of reproducing racial biases; whereas the Council Framework Decision on Racism and Xenophobia has not been fully or correctly transposed by some Member States; whereas the Commission should monitor this and ensure that Member States comply with EU anti-discrimination legislation;
- S. whereas the EU institutions need to take concrete steps to ensure sustainable changes towards a fully inclusive and respectful workplace; whereas discrimination is often multidimensional and only an intersectional approach can pave the way to sustainable changes, which are able to overcome deeply rooted racist practices and policies

²¹ European Roma Rights Centre, [Justice Denied: Roma in the criminal justice system](#), 2 March 2022.

²² European Network Against Racism, [2014–2018 ENAR Shadow Report on racist crime and institutional racism in Europe](#), 11 September 2019.

embodied in our society; whereas individuals from racialised groups and groups in vulnerable situations who are subjected to intersectional forms of discrimination are underrepresented in decision-making positions;

- T. whereas racial discrimination can bring an added layer of vulnerability for racialised survivors of gender-based violence and can hinder their access to the support, resources and healthcare they need;
 - U. whereas organisations financed with EU funds should not promote xenophobic or racist views;
 - V. whereas hate speech and hate crimes are among the most severe manifestations of racism and xenophobia; whereas there has been a steady increase in hate speech and hate crime in Europe; whereas the COVID-19 pandemic has been one of the factors contributing to this increase²³; whereas hate speech can lead to hate crime; whereas according to the FRA, up to nine in ten hate crimes and hate-motivated attacks in the EU are not reported and are therefore not sanctioned²⁴;
1. Emphasises the urgent need for the Union to develop and employ a robust, inclusive, comprehensive and multifaceted approach for effectively combating all forms of racism and discrimination, including structural and institutional racism, on all grounds and in all areas in the EU; insists that the Union and its institutions must lead by example in this fight;
 2. Calls for more and continued political leadership at the highest level in this fight, including through firm and speedy reactions against hate speech and hate crimes, and for in-person attendance at anti-racism summits;
 3. Calls on the Commission to continue assessing the implementation of the current EU legal framework for combating discrimination, racism, xenophobia, hate speech and hate crime, and other types of intolerance, in order to determine how to improve it where needed, and to take part in a regular dialogue and exchange of best practices with Member States, local and regional authorities, racialised groups and other relevant stakeholders including CSOs; calls on the Commission to take concrete steps, including infringement procedures, in case of breaches of EU law by Member States;
 4. Calls on the Commission and all levels of governance in the EU to mainstream equality and racial justice in all their policy work, including by funding projects at Member State, regional and local level; calls on the Commission, in this regard, to implement a policy of zero tolerance for EU support for projects, inside or outside the EU, that directly or indirectly promote xenophobic or racist views; recalls that the EU Financial Regulation²⁵ and the Regulation on common provisions for EU-funded programmes²⁶

²³ FRA, [Fundamental Rights Report 2022](#), 8 June 2022, p. 84.

²⁴ FRA, [Encouraging hate crime reporting – The role of enforcement and other authorities](#), 2021.

²⁵ Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union. OJ L 193, 30.7.2018, p. 1.

²⁶ Regulation (EU) 2021/1060 of the European Parliament and of the Council of 24 June 2021 laying down common provisions on the European Regional Development Fund, the European Social Fund Plus, the Cohesion Fund, the Just Transition Fund and the European Maritime, Fisheries and Aquaculture Fund and financial rules for

under the current multiannual financial framework contain several anti-discrimination provisions, in particular related to racial or ethnic origin, religion or belief; calls on the Commission and Member States therefore to ensure the proper application of these provisions;

5. Recalls its long-standing call for the adoption of the horizontal anti-discrimination directive, which has been blocked in the Council since 2008; calls on the Council to establish a Council configuration on gender equality and equality to facilitate high-level discussions on these issues, including structural and intersectional discrimination, in a regular and permanent forum and to ensure anti-racism and gender mainstreaming in all policies; calls on the Commission to update the proposal for an EU equal treatment directive building on Parliament's position by also addressing intersectional discrimination and explicitly prohibiting discrimination on any combination of grounds as listed in the Charter;
6. Calls on the Member States to ensure the full implementation and effective monitoring of the Racial Equality Directive and the Employment Equality Directive; strongly condemns the fact that racial, ethnic, religious and linguistic minorities and migrants, including LGBTIQI persons, face structural racism, discrimination, hate crime and hate speech, sustained socioeconomic inequalities in areas such as but not limited to housing, healthcare, employment, education, and other essential services such as mental health and sexual and reproductive healthcare, as well as experiencing greater difficulties in access to the justice system, which need to be acknowledged as major barriers to full enjoyment of fundamental rights and key barriers to inclusion and equality, leading to poverty and social exclusion;
7. Regrets that 14 years after the adoption of the Framework Decision on Racism and Xenophobia, several Member States have not yet fully and correctly transposed its provisions into national law; calls on the Member States to criminalise racist hate crime and hate speech and to take the necessary measures to ensure that a racist or xenophobic motive is considered an aggravating circumstance or, alternatively, that the courts may take such a motive into consideration in determining penalties; calls on the Member States, moreover, to put in place relevant standards and measures relating to the protection of witnesses and victims of hate crimes before, during and after criminal investigations and proceedings, in line with the Victims' Rights Directive, and exchange best practices on measures that have proven to be effective to encourage reporting, such as hotlines and safe spaces; deplores the fact that today in the EU there are still cases of law enforcement officials not taking reports of racially motivated crimes seriously and calls for all cases to be properly investigated²⁷; underlines the importance of specialised anti-racism, non-discrimination and hate crime trainings for law enforcement and justice authorities, in particular to correctly identify and record incidents;
8. Is deeply concerned about cases of police violence against racialised people in several Member States; calls on the Member States to ensure that people have access to independent and well-functioning police complaints mechanisms capable of launching investigations into cases of police violence, misconduct and abuse and to safeguard the

those and for the Asylum, Migration and Integration Fund, the Internal Security Fund and the Instrument for Financial Support for Border Management and Visa Policy. OJ L 231, 30.6.2021, p. 159.

²⁷ ENAR, [Justice Gap: Racism pervasive in criminal justice systems across Europe](#), 12 September 2019.

rights of people to document these cases;

9. Welcomes the Commission communication of 9 December 2021 on a more inclusive and protective Europe: extending the list of EU crimes to hate speech and hate crimes (COM(2021)0777); calls on the Council to swiftly agree on the adoption of this decision; welcomes the provisions of the Digital Services Act (COM(2020)0825) ensuring that what is illegal offline is also illegal online, which should contribute in the fight against illegal hate speech on the internet; calls on Member States to apply the key guiding principles on encouraging reporting of hate crimes, developed in March 2021 by the EU Working Group on hate crime recording, data collection and encouraging reporting; encourages exchanges of best practices among relevant authorities, including on alternative punishments such as community service or compulsory education;
10. Acknowledges that AI could help to identify and reduce the impact of human biases and that AI software could be applied to data sets to map groups that suffer discrimination; is concerned, however, by the risk that AI might reinforce existing discrimination and exacerbate existing inequalities and social exclusion; stresses the importance of using high-quality data in the development of algorithms, as the standard of AI systems relies on the data used to train them; underlines the importance of addressing potential risks and ensuring that necessary safeguards for the fundamental rights and freedoms of data subjects are in place for the use of AI tools, particularly when used by law enforcement, and to ensure that AI systems are guided by the principles of transparency, explainability, fairness and accountability, as well as that independent audits are carried out to prevent these systems from exacerbating discrimination, racism, exclusion and poverty;
11. Demands that the Member States end racial or ethnic profiling in all forms; calls on Member States and the EU Agency for Law Enforcement training to provide more training on how to avoid unlawful profiling in a law enforcement context and to assist with understanding and eliminating bias; recalls that in accordance with Union law, profiling that results in discrimination against natural persons on the basis of personal data which are by their nature particularly sensitive in relation to fundamental rights and freedoms, is prohibited as stipulated in Directive (EU) 2016/680²⁸ and Regulation (EU) 2016/679²⁹;
12. Acknowledges that racialised groups are disproportionally represented among the lower income strata of the European population and calls on the Member States and the Commission to address the specific needs of racialised groups in areas such as education, housing, health, employment, policing, social services, the justice system and political participation and representation; encourages Member States to make full use of the child guarantee also to tackle the structural racism against racialised children and work out specific national programmes aimed at breaking the cycle of poverty which

²⁸ Directive (EU) 2016/680 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data by competent authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, and on the free movement of such data, and repealing Council Framework Decision 2008/977/JHA. OJ L 119, 4.5.2016, p. 89.

²⁹ Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation). OJ L 119, 4.5.2016, p. 1.

overwhelmingly affects racialised children;

13. Welcomes the EU response to the people fleeing Ukraine and the activation of the Temporary Protection Directive³⁰; is concerned about reports of discriminatory and racist incidents at the borders against people of colour and minorities, such as Romani people, and reminds Member States of each individual's right to seek asylum and to be treated with respect under international law³¹; reiterates that migration controls and border controls cannot be put before the safety, rights and lives of people, and calls on the Commission to mainstream the racial equality dimension throughout the EU's legal and policy framework on migration;
14. Regrets that Romani communities remain one of the most discriminated and vulnerable groups in the EU; calls on the Member States to implement the Council Recommendation on Roma equality, inclusion and participation adopted on 12 March 2021 as well as the EU Roma strategic framework for equality, inclusion and participation and to make full use of the available funding; calls on the Member States to officially recognise antigypsyism as a specific form of racism against Romani people;
15. Calls on the Commission and the Member States take action against the worrying increase of antisemitism in the EU; notes that the Jewish population in the EU has decreased in recent years and that 38 % of Jews have considered leaving the EU in the last five years owing to concerns for their safety and security³²;
16. Condemns practises such as female genital mutilation, marital captivity and 'honour crimes' which particularly affect women and calls for the perpetrators to be held accountable for such practices; calls for increased awareness and advocacy to put an end to such harmful practices in the EU, both at national and EU level;
17. Highlights that many women of African descent and other racialised women face intergenerational poverty and exclusion and consistently appear among the groups with least access to health services, facing discrimination in obstetric, maternity and child services³³;
18. Calls on the Member States to ensure that healthcare services are prepared to address specific health issues that could predominantly affect people of African, Middle Eastern, Latin American and Asian descent, including by providing the necessary training and updating of their medical education curriculums accordingly;
19. Calls on the Commission and the Member States to take specific actions to fight gender stereotypes and eliminate discrimination and inequalities, as well as to combat gender-based violence against racialised women, including through the adoption of the proposed directive on combating violence against women and domestic violence

³⁰ Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof. OJ L 212, 7.8.2001, p. 12.

³¹ FRA, [The war in Ukraine – Fundamental rights implications within the EU](#), 19 May 2022, and FRA, [EU-Ukrainian border checkpoints: First field observations](#), 23 March 2022.

³² [FRA opinions - Experiences and perceptions of antisemitism](#).

³³ Equinox, [Towards Gender Justice – Rethinking EU Gender Equality Policy from an Intersectional Perspective](#), May 2021.

(CMO(2022)0105), by adding gender-based violence to the list of EU crimes and by criminalising forced sterilisation and forced abortion and providing remedies, support and reparations to victims;

20. Underlines the role of education, culture and sport in countering racial and ethnic stereotypes and promoting equality and social inclusion; takes the view that Member States should tackle racism and discrimination from an early stage and mainstream inclusive education in all official curriculums; insists on the importance of acknowledging and teaching the historical roots of racism and antisemitism, including with a view to fostering a better understanding of migration in the present; is concerned about the impact of racism and discrimination on the physical and mental health of children and adolescents of immigrant background and other racialised people, hindering their inclusion in societies; insists that these biases have a long-term impact in their adulthood; strongly condemns any racial or ethnic segregation in schools, which is still happening in the EU and which has a disproportionate effect on children from racial and ethnic minority communities; warns that such practices lead to marginalisation, perpetuate structural discrimination and hamper equal access to quality of life; calls on the Commission and the Member States to introduce or strengthen inclusive policies to prevent social exclusion, as well as to take concrete steps to support children from racial and ethnic minorities;
21. Urges the EU institutions to address intersectional discrimination in EU anti-discrimination legislation and policies and to promote an EU framework on the subject, in close cooperation with the Member States and the groups concerned;
22. Emphasises the need to ensure meaningful participation of all groups affected by intersectional discrimination in policymaking at EU, national and local levels, especially minority groups;
23. Calls on all EU Member States to collect comparable and robust disaggregated equality data, in order to fully understand and to document discrimination, analyse social problems, and tackle inequality holistically, based on voluntary participation, self-identification and informed consent, while protecting anonymity and confidentiality, ensuring community participation in the definition of categories, analysis and evaluation, respecting the key principles of EU data protection legislation and fundamental rights and complying with national legislation; calls on the Commission to continue developing a common methodology on this with Member States in order to ensure the comparability, accuracy and reliability of the data collected; supports the FRA's work on analysing this data and welcomes further developments in this field, in line with its new mandate and through structured and close cooperation with justice and home affairs agencies and affected groups;
24. Urges all Member States to adopt national action plans against racism and discrimination by the end of 2022, which take into account the historical roots of racism and create a culture of remembrance, as provided for in the EU anti-racism action plan; calls on the Commission to increase transparency and the participation of racialised groups in the work of the subgroup on national action plans against racism, including by providing information on national contact points; highlights the need to continue the EU anti-racism action plan beyond 2025 and developing it towards a fully-fledged EU

strategy, and encourages the Commission to ensure the continuity of this work before the end of its current mandate;

25. Underlines the need for a monitoring and accountability mechanism to ensure the effective application and enforcement of EU anti-racism and anti-discrimination legislation and policy and recalls the importance of the participation of CSOs in this process; calls for the adoption of a Council recommendation on national action plans against racism and discrimination in order to strengthen commitment to and the monitoring mechanism of the common guiding principles and subsequent indicators of progress;
26. Recalls its support for CSOs, in particular in the field of anti-racism, anti-discrimination and tolerance; insists that anti-racist human rights defenders have to be protected and supported in their work; recalls the need for dedicated and sufficient EU funding for CSOs; underlines furthermore the importance of regular and structured dialogue with CSOs working on racial justice and equality at European, national and local levels; urges the Commission and the Member States, with the involvement of CSOs and affected groups, to develop and implement public awareness-raising campaigns to counter the stereotypes and biases prevalent among general population; calls for more relevant funding opportunities under the Citizens, Equality, Rights and Values programme in the area of the fight against discrimination; calls on the Commission to ensure that the Permanent Anti-racism Civil Society Organisations Forum is formally included in the creation of relevant policies and legislation; deplores attacks in different forms (including hate speech, punitive tax regimes, strategic lawsuits against public participation, and attacks on offices or the people working in them) against CSOs providing support to citizens and expertise to policy makers in this field;
27. Underlines the importance of representation and diversity as a tool for the development of inclusive societies; recalls that the media have a responsibility to reflect societies in all their diversity, and regrets the current lack of diversity at all levels; condemns the racist rhetoric of certain media outlets that stigmatise racialised communities; stresses, furthermore, the importance of gender-balanced participation as well as participation of racialised people in the media in order to ensure adequate representation and provide positive role models for children of racialised groups;
28. Underlines the crucial effects that media literacy campaigns and initiatives may have in mitigating racial discrimination narratives propagated through disinformation; calls on the Commission and the Member States to put greater emphasis on the development of critical thinking, media literacy and digital skills to combat racism and discrimination; calls on the Member States to detect and analyse the activities and funding sources of extremist groups in the EU spreading hate, including those with close links to Russia that are being used to destabilise the EU and undermine its unity, and to undertake further steps in order to combat the activities of those organisations in the EU;
29. Welcomes the Commission's initiative on minimum standards for equality bodies, which has the aim of ensuring equal protection against discrimination across the EU, and urges the Commission to present an ambitious proposal in this regard; calls on the Commission to adopt concrete legislative measures to strengthen the role and independence of equality bodies in Member States and to ensure that they have

sufficient funding to perform their tasks, especially when it comes to the better collection of data with a view to mapping discrimination and inequalities across the EU; urges Member States to ensure that the mandate of all equality bodies covers all forms of discrimination, including victimisation and hate speech;

30. Deplores the fact that structural racism persists in EU society; calls on the EU institutions to address it within its structures and address the underrepresentation of racialised groups and other groups subject to discrimination, particularly in decision-making positions, and to urgently adopt a workforce diversity and inclusion strategy; stresses that a person should be hired based on merit, qualifications and skills; recalls that under Rule 10 of Parliament's Rules of Procedure, hate speech is prohibited alongside defamatory language and incitement to discrimination, and calls on its president and committee chairs to properly implement these rules and ensure proper investigations into and follow-up on cases where this rule is found to have been breached;
31. Welcomes in this regard the adoption of Parliament's diversity strategy and its roadmap for 2022-2024; highlights that it is also the responsibility of the respective political groups to enforce this strategy in their respective human resources strategies;
32. Welcomes the Commission's appointment of the first anti-racism coordinator in 2021 and the continuous re-appointment since 2015 of the coordinator on combating antisemitism and fostering Jewish life; calls on the Commission to swiftly appoint the coordinator on combating anti-Muslim hatred; regrets that the post has been vacant since July 2021; recalls that these positions should be permanent and therefore that coordinators should be sustained and supported financially; underlines the central role of the anti-racism coordinator and EU High-Level Group on combating racism, xenophobia and other forms of intolerance in mainstreaming racial equality across all EU policies;
33. Is concerned about the continued spread of racist and xenophobic conspiracy theories, which incite hate and violence, including hate crimes around the world; is alarmed by how these theories, such as the so-called 'great replacement theory', are mainstreamed into the political speech of a number of political figures from the extreme right in the Member States and underlines that this is a threat to the Union's fundamental and shared values;
34. Recalls its position on the Commission's annual rule of law report, and in particular its call to integrate a dedicated section on CSOs and cover fundamental rights, including non-discrimination on racial, colour or ethnic grounds; calls in addition for a summary of the implementation of the EU anti-racism action plan in the report's country chapters;
35. Instructs its President to forward this resolution to the Council and the Commission.

EXPLANATORY STATEMENT

The European Union is founded on and guided by the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities, as set out in Article 2 of the TEU. These principles and values form the basis of the Union's fight against injustice, racism and discrimination in all its forms. This is also expressed in the motto of the EU - *United in diversity*. The right to equal treatment and non-discrimination is a fundamental right within the EU and must be fully respected throughout the whole Union.

All people living in the EU should be able to live in safety and be able to realise their full potential. However, reports of the European Union Agency for Fundamental Rights (FRA) highlight that discrimination and harassment is a daily reality all over the European Union. Minorities face structural forms of racism in the EU - every day. For instance, in the five years preceding the respective survey, 41 % of Roma, 45 % of persons with a North African background, 39 % of sub-Saharan Africans, 60 % of Roma and Travellers and 25 % of Jews felt discriminated against because of their ethnic or immigrant background¹. Harassment due to ethnic or immigrant background was common for one in four Muslim respondents; of these individuals, nearly half suffered six or more incidents during the year prior to the study². We must end this now and ensure discrimination, structural and institutionalised racism rooted in history and still very much alive today, to be seriously addressed in our Union.

It is important that racism and discrimination is addressed through an intersectional approach as only such an approach can pave the way to true changes in society. In addition, gender mainstreaming is a key element to take into consideration in all aspects and at all levels when combating racism; it must be applied when drafting legislations as well as adopting budgets, recommendations or implementing laws.

Public awareness on the issues of discrimination and racism spiked during the massive public outrage after the murder of George Floyd on May 25th 2020. In response, many positive steps have been taken. The EU adopted several policy documents in the aftermath, including *A Union of Equality : EU anti-racism action plan 2020-2025* (the "EU Action Plan") and created a new position of the EU Coordinator on Anti-Racism. However, the statistics from the FRA and civil society show that more needs to be done. The prevalence of racism and discrimination remains consistently high, both over time and across different population groups in different Member States. For example, almost one out of four (24 %) of respondents with different ethnic minority and immigrant backgrounds across the EU felt discriminated against during the last 12 months³. It is important that the EU makes real progress against racism and discrimination and it should do that through approaching the issue of injustice in a holistic and proactive way.

Tragic events cannot lead the actions of the EU and the European Parliament. Our actions

¹ FRA (2021), Equality in the EU 20 years on from the initial implementation of the equality directives, p. 6 https://fra.europa.eu/sites/default/files/2022-01/fra-2021-opinion-equality-directives-01-2021-summary_en.pdf

² https://fra.europa.eu/sites/default/files/fra_uploads/fra-2017-eu-minorities-survey-muslims-selected-findings_en.pdf

³ FRA (2017), EU-MIDIS II –Second European Union Minorities and Discrimination Survey – Main results, Luxembourg, Publications Office, p. 13; FRA (2010), https://fra.europa.eu/sites/default/files/fra_uploads/fra-2017-eu-midis-ii-main-results_en.pdf

need to be coherent, coordinated, well-planned and prioritised over a long period of time. The EU must demand real change from the Member States and apply binding targets rather than general conclusions without proper actions in it. Only then can the EU really make a difference, and move from words to real action to combat racism and discrimination as well as deliver justice for *all* people in our Union.

The EU Action Plan can be seen as a clear political signal showing support for the fight against racism within the EU. The rapporteur notes in particular that it is the first EU policy instrument to go beyond interpersonal racism by focusing on structural, institutionalised and historical dimensions of racism and discrimination, which permeates all levels of power and policymaking and prevents people living in the EU from having the same opportunities. However, it is worrying that the EU Action Plan lacks proper follow up mechanisms and measurable targets. As we keep seeing both positive and negative developments in the Member States, it is essential that we are able to measure the progress that is being made through sharing and learning from best practices whilst at the same time filling the gaps in legislation and policies. It is also of highest importance that failures to act are raised, addressed and followed up on. The EU Action Plan should therefore be followed up on a regular basis and there should be proper mechanisms to ensure oversight of the implementation.

It is also important that the Commission continues to develop common methodology of equality data with Member States for the purpose of describing and analysing the state of equality and to tackle inequalities holistically. The data must be disaggregated, comparable, accurate and reliable, at the same time as it is based on voluntary participation, self-identification and informed consent, while protecting anonymity and confidentiality and respecting the key principles of the EU data protection legislation and fundamental rights and respecting national legislation. A close cooperation with FRA is essential.

Moreover it is important to highlight that the EU Action Plan encourages all Member States to develop and adopt national action plans against racism and discrimination before the end of 2022. Action plans have proven to be a key way for Member States to prioritise anti-racism with the potential to offer an effective response to racism and discrimination. It is therefore of concern that only 12 Member States have come up with such action plans until today. The rapporteur calls on all Member States to immediately initiate this work, if it has not yet been initiated, to ensure that the deadline is respected and all action plans are in place before the end of this year.

The rapporteur also calls on the EU institutions to lead by example, take concrete action and address structural and institutionalised racism, discrimination and the underrepresentation within its own structures. All EU institutions should adopt their own workforce diversity and inclusion strategies and the rapporteur welcomes in this regard the lead of the S&D Group in adopting such a strategy in April 2022.

In order to live up to the promises made after the Black Lives Matter Movement, it is important to ensure that the EU actions against racism aims at providing justice and equality for racialised people and address the increased criminalisation and institutional violence against them and their civil society. The widespread prejudices in Europe are feeding discrimination and violence at the highest levels of power. We need to promote a model of inclusion and dialogue between all citizens, rather than opposing citizens to each other.

It is also imperative to express the highest concern for the steep increase of the internet being used as a megaphone for hate today. Online hatred that has become an everyday reality for many groups across the EU, in the form of hate speech, harassment, or incitement to violence or hatred or conspiracy theories. The Internet has become an arena where perpetrators feel free to vent and share their hate with impunity. It is time to put an end to the Wild West online. What is criminal offline must be prevented and criminalized online.

The rapporteur is also deeply concerned about the recent scandals showing how algorithms are being used in a discriminatory way. AI-driven systems have broad social and economic impacts and can lead to violations of human rights and exacerbate structural discrimination and inequalities. With new technological and legislative developments the algorithmic analysis of big data, and its use for the purposes of migration control and law enforcement, causes high risk of predictive policing, disproportionately affecting people of colour as it reproduces the biases which already exist in our society.

INFORMATION ON ADOPTION IN COMMITTEE RESPONSIBLE

Date adopted	10.10.2022
Result of final vote	+: 48 -: 6 0: 3
Members present for the final vote	Abir Al-Sahlani, Konstantinos Arvanitis, Malik Azmani, Pietro Bartolo, Malin Björk, Patrick Breyer, Saskia Bricmont, Patricia Chagnon, Clare Daly, Andrzej Halicki, Evin Incir, Assita Kanko, Alice Kuhnke, Jeroen Lenaers, Lukas Mandl, Nuno Melo, Nadine Morano, Javier Moreno Sánchez, Maite Pagazaurtundúa, Emil Radev, Paulo Rangel, Terry Reintke, Karlo Ressler, Diana Riba i Giner, Isabel Santos, Birgit Sippel, Sara Skyttedal, Vincenzo Sofo, Ramona Strugariu, Tomas Tobé, Yana Toom, Milan Uhrík, Elissavet Vozemberg-Vrionidi, Elena Yoncheva, Javier Zarzalejos
Substitutes present for the final vote	Romeo Franz, Erik Marquardt, Fulvio Martusciello, Peter Pollák, Michal Šimečka, Paul Tang, Róza Thun und Hohenstein, Miguel Urbán Crespo
Substitutes under Rule 209(7) present for the final vote	Marek Paweł Balt, Gilles Boyer, Jonás Fernández, Vlad Gheorghe, Hannes Heide, Eero Heinäluoma, Othmar Karas, Georgios Kyrtsos, Karsten Lucke, Evelyn Regner, Antonio Maria Rinaldi, Simone Schmiedtbauer, Ralf Seekatz, Ivan Štefanec

FINAL VOTE BY ROLL CALL IN COMMITTEE RESPONSIBLE

48	+
PPE	Andrzej Halicki, Othmar Karas, Jeroen Lenaers, Lukas Mandl, Fulvio Martusciello, Peter Pollák, Emil Radev, Paulo Rangel, Karlo Ressler, Simone Schmiedtbauer, Ralf Seekatz, Ivan Štefanec, Elissavet Vozemberg-Vrionidi, Javier Zarzalejos
S&D	Marek Paweł Balt, Pietro Bartolo, Jonás Fernández, Hannes Heide, Eero Heinäluoma, Evin Incir, Karsten Lucke, Javier Moreno Sánchez, Evelyn Regner, Isabel Santos, Birgit Sippel, Paul Tang, Elena Yoncheva
RENEW	Abir Al-Sahlani, Malik Azmani, Gilles Boyer, Vlad Gheorghe, Georgios Kyrtos, Maite Pagazaurtundúa, Michal Šimečka, Ramona Strugariu, Róza Thun und Hohenstein, Yana Toom
VERTS/ALE	Patrick Breyer, Saskia Bricmont, Romeo Franz, Alice Kuhnke, Erik Marquardt, Terry Reintke, Diana Riba i Giner
THE LEFT	Konstantinos Arvanitis, Malin Björk, Clare Daly, Miguel Urbán Crespo

6	-
PPE	Nuno Melo, Nadine Morano
ID	Patricia Chagnon, Antonio Maria Rinaldi
ECR	Vincenzo Sofo
NI	Milan Uhrík

3	0
PPE	Sara Skyttedal, Tomas Tobé
ECR	Assita Kanko

Key to symbols:

+ : in favour

- : against

0 : abstention