



STATEMENT - 9 FEBRUARY 2022

Council conclusions on racism and antisemitism: EU Member States must commit to fighting structural racism

The European Network against Racism, Equinox Initiative for Racial Justice, the European Roma Grassroots Organisations Network (ERGO) and the Forum of European Muslim Youth and Student Organisations (FEMYSO) support the initiative proposed by the French Presidency to have Council Conclusions on Racism and Antisemitism adopted by the Council of the EU.

We believe Council Conclusions are an important step forward which will show the support and commitment of Member States to the EU Anti-Racism Action Plan (EU ARAP), adopted in September 2020. The EU Commission has constantly referenced the EU ARAP to affirm its commitment to addressing racial injustice in response to anti-racism protests in Europe and the Black Lives Matter movement.

The EU ARAP was a landmark document as for the first time the EU officially recognised institutional forms of discrimination. Civil society has raised concerns for many years about how deeply structural racism is embedded in European society and how it is having a significant impact on the lives of many people in Europe, especially during this unprecedented health crisis. Civil society organisations and human rights advocates have also warned that

denying the existence of systemic racism poses an increased threat to the rule of law and fundamental rights.

Therefore, it is important that the Council Conclusions also recognise structural and institutional racism and build on the important work done by the European Commission and civil society.

For the next meeting on Fundamental Rights of the Council of the EU (FREMP), we call on Member States to support and include the following recommendations in the Council Conclusions:

To Member States:

- Recognise structural and institutional forms of racism which stem from many European Member States' historical role in discriminating against racialised people.
- Ensure that all forms of racism (including antisemitism, antigypsyism, islamophobia, afrophobia/anti-black racism, anti-Asian racism, anti-migrant racism, discrimination against indigenous people, etc.) and their manifestations are mentioned and addressed through an intersectional approach with equal attention and refrain from creating hierarchy between groups affected by racism, which only further reinforce inequalities.

- Collect **equality data disaggregated by race and ethnicity** as a major tool to understand racial inequalities and assess progress of policies as per recently published in the European Commission's guidance note on the collection and use of equality data based on racial or ethnic origin.
- Carry out **equality impact assessments** of legislation and policies in Member States, with an intersectional approach.
- **Adopt or improve National Action Plans against Racism** following the Common Guiding Principles adopted by the European Commission's NAPAR subgroup.
- Address the **structural obstacles** that prevent hate crime and hate speech reporting and access to rights and remedy, such as tackling lack of accountability of law enforcement in case of re-victimisation, police violence, criminalisation and suspicion of migrants and racialised people based on racial prejudices and denial of basic rights
- Use existing budget allocations to explore and adopt **structural reforms** for law enforcement and the criminal justice system to address existing institutionalised racism and to encourage a move away from criminalisation of certain communities.

To the European Commission:

- Strengthen the work and position of the EU anti-racism Coordinator and for the implementation of the EU ARAP, including by ensuring coherence between equality issues and having Commissioners directly supervising anti-racism work.
- Provide more resources to mainstream racial equality across all policy areas and in the different Directorates-General, including by carrying out equality impact assessment of policies and legislation, with an intersectional approach.
- Monitor the situation of anti-racist human rights defenders and ensure support, including by strengthening the chapters on civic space and fundamental rights in the European Commission's Rule of Law report.
- Ensure that all forms of racism are treated equally and centered under the mandate of the anti-racism coordinator, ensuring that coordinators on antisemitism and anti-Muslim hatred are working in close collaboration.