



## **Review of EU High Level Group Against Racism: an opportunity to deepen the approach to equality in the EU**

**Brussels, 16<sup>th</sup> October 2018.** Today and tomorrow, representatives of the European Commission, of national Ministries of Justice and Interior, of international organisations and of civil society organisations will meet in Vienna for the 6th Meeting of the [EU High Level Group on combating racism, xenophobia and other forms of intolerance](#). The European Network Against Racism (ENAR) welcomes this High Level Group meeting which aims to both take stock of the group's collective progress and explore next steps in the group's future. Ahead of the European elections in 2019, it is more important than ever to find the right processes and structures to address rising levels of hate motivated discourses, violence and discrimination.

This high level meeting on racism in Vienna co-organised by the Austrian presidency is a case in point of how the EU's lack of strong political stance against racism can lead to disconnection with the reality on the ground. This situation is fundamentally different from 2000 when the arrival of the Freedom party (FPÖ) to power [led to EU sanctions and strong political reactions](#). EU Commissioners' and other Heads of States' current silence over political discourse emboldening racist policies and practices is both a cause and a consequence of the normalization of racism in mainstream European politics.

An overarching concern is the European Commission's **lack of recognition of the impact of structural racism and racist political discourse on individual acts of hate crime and discrimination**. The High-level Group on combating racism must be a space to reflect upon the role of State officials and institutions to embolden and protect racist acts – beyond the individual dimension of racism.

In Austria, ENAR has been particularly concerned over:

- the FPÖ – a party created by former Nazis after the Second World War – entering the ruling coalition over shared anti-migrant and anti-Muslim positions with the centre-right party;
- Ministry of the Interior officials' [instructions to ethnically profile](#) individuals in suspect descriptions to the media;
- restrictive migration policies where returns of migrants are prioritized over respect for human rights, prompting the [UN to dispatch a team to monitor developments in this area](#);
- Islamophobic and Antisemitic discourses and policies including a proposal to register halal and kosher meat eaters

### ***Future of the High Level Group***

ENAR welcomes the High-level Group as a unique space that has allowed **meaningful civil society participation on both processes and content**, leading to important topics addressed for the first time at this level. In the future, ENAR recommends consolidating these dimensions by:

- Further committing to recognizing intersectionality and combating all forms of hate-motivated violence and discrimination,
- Deepening practical exchanges and common work to move beyond meetings where participants are not accountable for their declarations and actions,

- Continuing to involve civil society organisations in agenda setting, expert meetings, presentations and discussions, including grassroots organisations, to provide a fuller picture of the situation and a more complete expertise,
- Improving representation of people of colour and people affected by discrimination in the High-level Group meetings,
- Bringing more attention to structural dimensions of racism,
- Setting objectives and reporting obligations to Member State representatives and other participants to reinforce accountability.

All Member States must come together under annual broader and high level political discussions. In addition, **technical and thematic sub-groups of the High-level Group** are a good tool to:

- Give more prominence to exchanges of good practices;
- Allow for Member States, international organisations or civil society to lead a conversation or piece of work rather than waiting for the European Commission to take the lead;
- Ensure the European Commission can financially support the sub-group without bearing all the organizational burden;
- Allow those Member States that want to move further in technical discussions and outputs to do so.

In order to break silos and improve efficiency and communication, ENAR recommends the **nomination of a lead body/institution/unit at both national and European Commission levels** with sufficient resources and leverage to coordinate work on anti-racism and related discrimination. Clearer institutional arrangements support the development of a more holistic vision of equality, and acknowledge the continuum between discrimination and violence.

The European Commission should make NGO participation effective by supporting civil society through **accessible funding** that supports operations and takes into account the intersectional dimension of discrimination.

### ***National Action Plans Against Racism***

As a frame for the High-level Group to work with Member States, ENAR calls the **European Commission to adopt EU standards for National Action Plans Against Racism (NAPAR)**. For such action plans to deliver their promise to improve people's lives, there is a need for commonly agreed and accountable standards:

- Content based indicators for a good NAPAR
  - A sophisticated understanding of racism in NAPARs with attention to structural discrimination and intersectionality.
  - Specific forms of racism including Antisemitism, Afrophobia, Islamophobia, Antigypsyism and anti-migrant racism must receive attention in policies.
  - Data collection to allow for strong indicators of progress.
  - Scope of NAPAR to cover areas such as education, housing, health, employment, policing, security and the criminal justice system.
- Process indicators for a good NAPAR
  - Strong leadership that transcends party politics and ensures mainstreaming of NAPAR measures.
  - Ensuring implementation at all levels (national, regional, local).
  - Consultation with civil society and targeted groups.
  - Ensuring the NAPAR's implementation and monitoring with human and financial resources.

### ***Enforcement of the Framework Decision on combatting racism***

ENAR welcomes the announcement of the European Commission to issue a guidance on the EU Framework Decision Against Racism and Xenophobia. ENAR welcomes the fact that the guidance reflects Member States' legislation on hate crime beyond racism. **Racism does not operate in a vacuum from other forms of violence and oppression, which must receive the same level of legal protection.**

The guidance should not replace sanctions for systematic violations of the Framework Decision, such as the failure to investigate racist crime. The European Commission still must ensure **that Member States adequately investigate, prosecute and sanction hate crime.**

ENAR calls for a [proportionate, comprehensive and accountable approach to illegal hate speech online](#) which would favour prevention and sanctions by law enforcement when applicable and actual redress over hasty and arbitrary removal. Timely, proportionate and accountable removal can be a part, among others, of the broad means of redress for victims. All actors, not only companies, have a role to play. These strategies must ensure comprehensive, efficient and adequate answers to victims and groups in need of protection, and be grounded in fundamental rights.

ENAR recalls that **all forms of racism need to receive equal attention from the European Commission and its High-level Group.** ENAR calls for the European Commission to adopt a roadmap against Antisemitism in the EU and provide its Coordinator on anti-Muslim hatred with a [clear human rights-based mandate and meaningful resources](#). ENAR looks forward to concrete proposals from the European Commission to tackle Afrophobia We call the European Commission and Council to continue after 2020 a renewed EU Framework for National Roma Integration Strategies which should address antigypsyism as a central priority.