



# **TOWARDS AN EU FRAMEWORK FOR NATIONAL STRATEGIES TO COMBAT AFROPHOBIA AND PROMOTE THE INCLUSION OF PEOPLE OF AFRICAN DESCENT AND BLACK EUROPEANS**



european network against racism

**ENAR calls for an EU framework for national strategies to combat Afrophobia and to promote the inclusion of people of African descent and Black Europeans** to complement the EU 2020 Strategy and in recognition of the United Nations (UN) International Decade for People of African Descent. This framework would ensure efficiency of the equality legislation (EU Race Equality Directive), coherence between social inclusion outcomes (EU 2020 strategy) and the adequacy of the legal and policy frameworks in place to reach these outcomes.

## **AFROPHOBIA: A WIDESPREAD FORM OF RACISM IN EUROPE**

**Afrophobia is a specific form of racism that refers to any act of violence or discrimination including racist speech, fuelled by historical abuses and negative stereotyping, and leading to the exclusion and dehumanisation of people of African descent.** It can take many forms: dislike, bias, oppression, racism and structural and institutional discrimination, among others. Afrophobia is the result of the social construction of race to which genetic and/or cultural specificities and stereotypes are attributed (racialisation). This constructed relationship is deeply embedded in the collective European imagination and continues to impact the lives of people of African descent and Black Europeans.

People of African descent and Black Europeans constitute a diverse group: while part of the Black population are migrants, others have been present in Europe for several generations with a long history of citizenship, forming large and established Black communities. Legal status may affect their access to certain rights as well as remedies in certain contexts. Discrimination and stigmatising perceptions due to their physical traits or visibility, regardless of their nationality or immigrant status, are often common experiences.<sup>1</sup>

1 Philomena Essed, "A Brief ABC on Black Europe", in European Network Against Racism, *Visible Invisible Minority, Confronting Afrophobia and Advancing Equality for People of African Descent and Black Europeans in Europe, Anti-Racism in Focus 2*, 2014, available at: [http://www.enar-eu.org/IMG/pdf/book\\_-\\_people\\_of\\_african\\_descent\\_-\\_final-2.pdf](http://www.enar-eu.org/IMG/pdf/book_-_people_of_african_descent_-_final-2.pdf).

## **THE SITUATION OF PEOPLE OF AFRICAN DESCENT AND BLACK EUROPEANS IN THE EU**

The prevailing lack of equality data collection – any type of disaggregated data collected to assess the comparative situation of groups at risk of discrimination – makes it difficult to know how many people of African descent and Black Europeans live in Europe. However, it is estimated that **with approximately 15 million people, Europe's African descent or Black population forms one of Europe's largest marginalised communities.**<sup>2</sup> Within these broader groups, and depending on the national contexts, specific sub-groups are particularly vulnerable to hate crime and discrimination. According to the EU Agency for Fundamental Rights (FRA), these include Sub-Saharan Africans in Malta, Black Caribbeans in the UK and Somalis in Sweden.<sup>3</sup> ENAR's latest Shadow Report on Afrophobia in Europe, based on 20 national questionnaire responses<sup>4</sup> from EU Member States, shows that there is no EU or national policy developed specifically to combat racism and discrimination against people of African descent and Black Europeans. Decreasing resources available to combat racism could disproportionately impact Black people as they are often over-represented in all the indicators for racial inequalities.

Despite EU and national legislation providing legal remedies for discrimination, evidence from the FRA, the UN's working group on people of African descent and ENAR demonstrate that anti-Black racism in the EU is still a severe reality. Strong and specific policies are needed to address Afrophobia, including its structural dimensions and impact on economic and social outcomes for people of African descent and Black Europeans, including in employment, housing, education, health, political participation, criminal justice and other sectors.

ENAR's Shadow Report on Afrophobia in the EU shows major disparities between Black and majority populations, which can be partially explained by racism and racial discrimination, in particular in the sectors outlined below.

2 See European Network Against Racism, *Afrophobia in Europe - ENAR Shadow Report 2014-15*, 2015, available at: <http://www.enar-eu.org/Shadow-Reports-on-racism-in-Europe-203>.

3 See European Union Agency for Fundamental Rights, *EU-MIDIS survey*, 2009, available at: <http://fra.europa.eu/en/project/2011/eu-midis-european-union-minorities-and-discrimination-survey>.

4 Austria, Belgium, Bulgaria, Cyprus, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Malta, the Netherlands, Portugal, Spain, Sweden and the United Kingdom. ENAR Shadow Report 2014-2015, available at: <http://www.enar-eu.org/Shadow-Reports-on-racism-in-Europe-203>.

## Criminal justice

Discriminatory policing and **ethnic profiling** are long standing issues undermining a sense of belonging and social cohesion for people of African descent.<sup>5</sup> This has been recently reported in **Bulgaria, Cyprus, Estonia, Finland, France, Greece, Germany, the Netherlands, Portugal, Sweden and the United Kingdom**. Pervasive use of ethnic and religious stereotypes by law enforcement across Europe is harming efforts to combat crime and terrorism, according to a report released by the Open Society Justice Initiative.<sup>6</sup>

❖ In Paris, **France**, research by the Open Society Justice Initiative showed that people perceived as 'Black' (of Sub-Saharan African or Caribbean origin) were overall six times more likely to be stopped by police than White people.<sup>7</sup>

❖ In the **United Kingdom**, Black people are stopped at six times the rate of White people.<sup>8</sup>



Black people are particularly exposed to **police violence** as reported in **Belgium, Germany, the Netherlands, Portugal, Sweden and the United Kingdom**. Perhaps as a result, **Black people have low levels of trust in the police**, which has an impact on low- or non-reporting of hate (or other) crimes by this group. The first EU-MIDIS survey by the FRA revealed that 33% of Sub-Saharan

Africans in Europe have been victims of at least one racially motivated crime or act of crime in the 12 months preceding the interviews. According to ENAR's Shadow Report on Afrophobia, **racist crimes** that target Black people have been linked to far-right groups in Bulgaria, Greece, Italy and Sweden. Other countries report that visible minorities are at higher risk of experiencing violence (Finland, Ireland). In **Sweden**, 17% of hate crime targeted people of African descent in 2014 (1,075 in total). In **Greece** in 2014, there were 49 cases of racist violence against people of African descent reported by the Racist Violence Recording Network and 36 cases of hate speech reported by the Greek Forum of Migrants. Many discrimination and hate crime cases are not properly investigated and the racist bias is often not considered as an aggravating factor. A majority of cases are not reported to public authorities in part due to fear of discrimination or reprisal by investigating authorities, while in other cases poor response by police and prosecutors has resulted in impunity and re-victimisation. In other instances, legal redress has proven complicated, time consuming and expensive.

## Education

Students of African descent face discrimination and exclusion from teachers, counsellors, administrators and other students based on their skin colour, ranging from negative stereotyping to unduly placing Black children in segregated, special and/or vocational education schooling. **Black children also face discrimination, victimisation and harassment in schools by teachers and other pupils**. The ENAR Shadow Report refers to recent examples. In **Lithuania**, there are several examples of Black teenagers being bullied. In **Italy**, a 14 year old student of Nigerian origin was attacked outside his school by two pupils in the same school and racially insulted. In **Ireland**, a young teenage boy was racially abused by a nun, calling him a monkey and suggesting that he could climb trees. The use of biased educational curricula such as stereotypical images of Black people, the use of derogatory terms to describe and refer to people of African descent/Black Europeans, and the notable absence of their societal contributions in the curriculum, combined with discrimination and prejudice, can lead to negative self-perceptions amongst children of African descent and adversely impact their school performance. **There is a generalised attainment gap between Black pupils and their White counterparts**. In the **United Kingdom**, a study shows that being Black and male has a greater impact on numeracy levels than having a learning disability.

5 *Visible Invisible Minority*, op. cit.: p. 243.

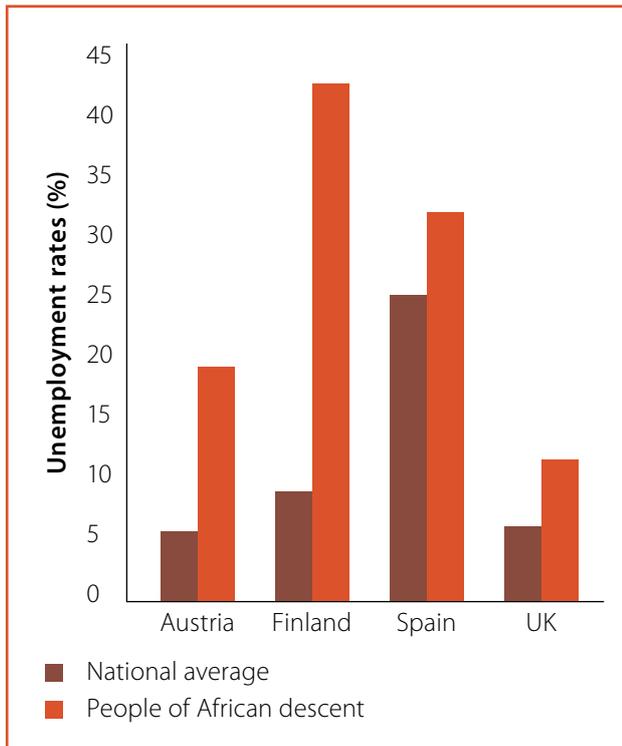
6 Open Society Justice Initiative, *Ethnic Profiling in the European Union, Pervasive, Ineffective and Discriminatory*, 2009, available at: <https://www.opensocietyfoundations.org/reports/ethnic-profiling-european-union-pervasive-ineffective-and-discriminatory>.

7 Open Society Justice Initiative, *Profiling minorities, A Study of Stop-and-Search Practices in Paris*, 2009, available at: [https://www.opensocietyfoundations.org/sites/default/files/search\\_20090630.Web.pdf](https://www.opensocietyfoundations.org/sites/default/files/search_20090630.Web.pdf).

8 Home Office, 2016. See <https://www.gov.uk/government/statistics/police-powers-and-procedures-england-and-wales-year-ending-31-march-2016>.

## Employment

Data trends demonstrate that people of African descent and Black Europeans systematically have higher unemployment rates than the national average in all countries. The chart below collates information on this consistent disparity from EU Member States with available data.



Additionally, discrimination in hiring processes and in the workplace withholds Black labour potential and their economic contribution.

- ❖ In **Austria**, a study showed that while 37% of people with Austrian names are invited to job interviews this is true for only 18.7% of people of Nigerian origin, despite the same levels of qualification.
- ❖ In the **United Kingdom**, applicants with an African or Asian sounding surname need to send approximately twice as many job applications as those with a traditionally British sounding name to get an interview.
- ❖ In **Lithuania**, a poll found that 1 in 5 respondents said they would not want to work with Black people.

❖ In **Sweden**, 1 in 4 people of African descent with a university degree are in low-skilled jobs, as they were unable to get a job which matched their qualifications.

Black women and Black Muslims are particularly vulnerable to discrimination in employment. In **France**, a CV testing experiment showed that women with a Senegalese sounding name had 8,4% chances of being called for an interview when applying for a job, compared with 13,9% for men with a Senegalese sounding name and 22,6% for women with a French sounding name.

Black people are often under-employed - in positions that are not commensurate with their skills and qualifications, under-represented at higher levels within the workplace because of unequal access to promotion and career development opportunities, and face racially motivated harassment in the workplace. In the **United Kingdom**, a survey on the diversity of staff working in the top 5,000 leadership roles within the public and voluntary sectors reveals that there are virtually no Black employees at the level of Deputy Director, Director, Director General and Permanent Secretary. Migrants face unacceptable exploitation and working conditions through contracts and working agreements. In **Lithuania**, it was reported that people are afraid to lose their job or create worse conditions if they file a complaint and in **Finland**, a lack of awareness of rights is attributed to exploited workers. Migration laws and policies may impact people of African descent's employment opportunities and experiences across Europe. Notably, some European countries report increased difficulty in this area since the so-called 'migration crisis' and the heated political debates within those countries.

## Public and political life

The under-representation of people of African descent in leading positions in political, public, private and non-profit sectors of society continues to be a barrier to combating racism and exclusion, especially with anti-immigrant, far-right and xenophobic political parties and their messages gaining momentum in the EU and becoming more acceptable within the mainstream political sphere. Although Somalis are the largest Black (and Muslim) group in **Finland**, there has never been a single representative from this group elected to parliament. In **Ireland's** 2014 local election

only one Black candidate was elected. For the few people of African descent in public office, racism and discrimination remains an issue fought on a daily basis, as the 2013 racist onslaught of Italy's Black former Minister of Integration Cécile Kyenge shows. In **France**, former Minister of Justice Christiane Taubira, a Black woman, was the target of frequent afrophobic attacks by media during her 2012-2016 mandate.

## Media

Media disproportionately presents people of African descent in a stereotypical and negative manner (e.g. as criminals, drug dealers and users, hypersexual beings, athletes, musicians), while failing to give accurate, positive and balanced portrayals of people of African descent, and to include historical periods and practices such as enslavement and colonialism. Bias and a lack of diversity amongst media professionals contribute to inaccurate and stereotypical depictions of people of African descent and Black Europeans in the news and programmes of both public and private media. In **Cyprus, Greece and Malta**, the term 'migrant' is used to describe all people of African descent, even if they are European citizens. In **France**, only 3.2% of the executive staff at France Télévisions is non-White. Together, these issues reinforce prejudices towards people of African descent/Black Europeans.

A report published in June 2015 by Ofcom, the **United Kingdom** communications regulator, revealed that **55% of Black ethnic audiences feel under-represented on British TV. Furthermore the proportion of Black audiences who report being portrayed negatively by broadcasters stood at 51%.**

## Health

Racism has been reported to impact on the health of people of African descent/Black Europeans, particularly mental health (as reported in Germany, the Netherlands and the United Kingdom). **Black people experience poor treatment and difficulties in accessing health care.** In **Cyprus**, several women of African descent gave birth at the public hospital in Nicosia where it was noted that hospital staff, predominantly nurses, were discriminatory with the health care they provided to the women. In **Estonia and Greece**, Black people have experienced difficulties registering on general practitioner lists.

**In Austria, a survey found that 19% of people of African descent felt they had been treated disrespectfully by health sector employees, and 6% report health service employees making openly racist comments to them.**

## Housing

People of African descent and Black Europeans are reported to live in the older parts of urban areas; in poor quality and cramped housing; and face significant **discrimination in the private rental market.** Estate agents are often the gate keepers, screening potential tenants and claiming that property owners and neighbours wish to exclude Black people from their properties or from the area. **Austria, Cyprus, Ireland and Lithuania** report landlords openly refusing people of African descent. In **France**, an important case against one of the largest social housing landlords in France, Logirep, found that the landlords were guilty of racial profiling and discrimination in May 2014.

**In Lithuania, 1 in 4 respondents to a public opinion poll in 2014 admitted they would not rent an apartment to people of African descent.**

## Impact of migration and asylum policies and practices

Changes in migration and asylum policies and practices impact both people of African descent who are recent migrants as well as Black Europeans with a migration background. Political discourse, that is often racist and islamophobic, is predominantly framed in the context of anti-immigration and targets migrants that are both Black and Muslim. Black migrants, refugees, asylum seekers and Black Europeans are reportedly suffering an increase in violent hatred and discrimination across all areas of life. Concerns over differences in treatment of asylum seekers or migrants based on nationality and/or race are rising. Public and political discourse that attempts to differentiate between 'legitimate asylum claims' and 'economic migrants' tends to demonise entire groups, in particular African migrants. Disturbing reports of Sub-Saharanans dying at sea trying to reach Europe have been frequent. There is also evidence of coastal guard violence against African migrants. On 6 February 2014 for instance, in Spain, at least 14 immigrants died at sea trying to reach the city of Ceuta. Their deaths have been attributed to the actions of the officers who shot rubber bullets at them.

## HOW WILL AN EU FRAMEWORK FOR NATIONAL STRATEGIES IMPROVE THE SITUATION OF PEOPLE OF AFRICAN DESCENT AND BLACK EUROPEANS?

Afrophobia is a pressing issue across Europe and therefore needs to be addressed and countered on a European level in a coherent way, with a targeted approach, to ensure an equal level of protection for people of African descent and Black Europeans. An EU Framework for national strategies would ensure a common ground to implement existing EU and international law, while ensuring that national situations and specificities are addressed.

EU Member States have the obligation, under EU and international law, to ensure people of African descent and Black Europeans have equal access to education, employment, vocational training, healthcare, social protection and housing as guaranteed by **Directive 2000/43/EC**. The prohibition of discrimination is enshrined in Article 14 of the European Convention on Human Rights and Article 21 of the EU Charter for Fundamental Rights and the **International Convention for the Elimination of Racial Discrimination**. CERD's General Recommendation No 34 on People of African Descent and the findings of the UN Commission for Human Rights Working Group for People of African Descent (E/CN.4/2003/WG.20/WP.3) should also serve as a standard for Member States.

A Framework would complement existing EU strategies such as the **EU 2020 strategy**. The Europe 2020 strategy is about delivering growth that is smart, sustainable and inclusive. As such, the strategy should leave no room for the persistent economic and social marginalisation of people of African descent and Black Europeans. To measure progress in meeting the Europe 2020 goals, five headline targets have been agreed on, including employing 75% of the 20-64 year-olds, reducing the rates of early school leaving below 10%, employing at least 40% of 30-34 year-olds, increasing to at least 40% of 30-34 year-olds completing third level education and reducing of at least 20 million people in or at risk of poverty and social exclusion. No specific targets have been set for ethnic minorities despite the extent of discrimination in the EU. However, the EU Framework for National Roma Integration Strategies (NRIS) has specified Roma integration goals to achieve the broad EU 2020 goals. The FRA and Member States have since worked on indicators

for the implementation of NRIS that help to monitor progress towards these goals.

Member States should develop specific national objectives and targets in national strategies to combat Afrophobia, taking into account the UN International Decade for People of African Descent and its Programme of Activities.<sup>9</sup> The FRA could then work with Member States to develop indicators to monitor and evaluate efforts to reach targets and to address the needs of people of African descent/Black Europeans with measures to prevent and compensate for disadvantages they face in a clear and specific way.

Importantly, a Framework would assist in garnering solidarity between people of African descent, Roma, and others facing discrimination by increasing mutual acknowledgement and support across vulnerable and disenfranchised communities to implement and strengthen existing EU equality, anti-discrimination and inclusion legislation and initiatives, including the **EU Framework for National Roma Integration Strategies**. Adopting new initiatives for an increasingly diverse Europe would benefit both minority and majority communities, including possible economic benefits.<sup>10</sup>

Finally, the EU's role in encouraging Member States to develop these strategies will also ensure that international human rights standards are respected in a consistent way and that EU citizens of African descent travelling or working in another Member State remain equally protected against discrimination. UN standards and case law on racial discrimination would be useful on issues of key concern for the inclusion of people of African descent and Black Europeans.

Moreover and in line with a holistic approach, work needs to be done in the interlinked areas of EU migration policy as well as economic and diplomatic relations between the European Union, the Americas and Caribbean, and Africa taking into account Europe's history of colonialism and enslavement. Pressing issues in these areas continue to impact the lives of people of African descent inside and outside the territory of the European Union in a negative way.

9 See <http://www.un.org/en/events/africandescentdecade/plan-action.shtml>.

10 European Network Against Racism, *Hidden talents, wasted talents - The real cost of neglecting the positive contribution of migrants and ethnic minorities*, 2013, available at: [http://cms.horus.be/files/99935/MediaArchive/publications/20068\\_Publication\\_HiddenTalents\\_web.pdf](http://cms.horus.be/files/99935/MediaArchive/publications/20068_Publication_HiddenTalents_web.pdf).

## GOALS AND ACTIONS FOR EU INSTITUTIONS AND MEMBER STATES

**1. Raise awareness of a) the history of Afrophobia in Europe and its roots in colonialism, the transatlantic slave trade, nationalism, the construction of a European identity and notions of race and ethnicity and b) the long-standing presence of people of African descent and Black Europeans in Europe and its former colonies, including their contributions to European history, culture and daily life.**

### **Actions:**

- 1.1. The European Commission's research funding programmes, including Horizon 2020, should include a focus on people of African descent and support research and public programming on history, discrimination, legal and societal concerns for the Black European population and people of African descent. The Europe for Citizens European Remembrance funding programme should be enlarged to include remembrance of other crimes against humanity including, but not limited to, victims of colonialism and enslavement. The European Commission should support trans-European research on past abuses and their consequences on contemporary forms of racism. Such research schemes should be implemented not only from a European perspective but also within the frame of every EU Member State.
- 1.2. In light of the 2011 International Year for People of African Descent and of the UN International Decade for People of African Descent (2015-2025), a European Year for People of African Descent should be organised to promote awareness of the history of Afrophobia and the positive contributions of people of African descent to European economic, public and cultural life. The European Year for People of African Descent should encourage European, national and local events, days of actions (e.g. Black History Month), documentaries, exhibitions at museums and cultural institutions, reflections on Black history in Europe and the removal of racist and inaccurate depictions in textbooks.
- 1.3. The European Parliament should adopt a resolution on the recognition of Afrophobia and its roots in historical abuses recommending, among others, the

symbolic recognition of a European day for victims of colonialism and the transatlantic slave trade, to be marked by Member States and EU institutions, and the restitution of stolen artefacts to Africa.<sup>11</sup>

- 1.4. Member States should promote knowledge and recognition of the cultures, histories and heritages of people of African descent, including through research, education and funding for exhibitions and programmes at museums and cultural centres. States should provide training for teachers and educators on (unconscious) biases about people of African descent and develop and distribute tools such as factsheets on people of African descent in Europe, and the role of Europe in colonialism and the slave trade. Education curricula should include Black history and the positive contributions of Black people in Europe.
- 1.5. Member States should take steps towards official recognition of histories of enslavement and colonialism and their profound and continuing effect on people of African descent. Such recognition could come in the form of e.g. memorial sites, museums, official apologies to actively contribute to restoring dignity of victims and their descendants. Memorial sites at departure, arrival and relocation points, and the protection of related cultural sites, are particularly important. Support to NGOs working on such goals should be made available.

**2. Combat racism and discrimination towards people of African descent and Black Europeans rooted, among others, in European colonialism, the transatlantic slave trade, nationalism and notions of race, ethnicity and culture.**

### **Actions:**

- 2.1. The European Parliament's Civil Liberties Committee should hold a public hearing with experts and people of African descent to contribute to the development and elaboration of an EU Framework to combat Afrophobia. The European Parliament should adopt a Resolution addressing the situation of people of African descent and Black Europeans

<sup>11</sup> Current MEPs who signed the 2013 written declaration on recognition of European days for victims of colonialisation and colonial slavery: Eva Joly (Greens, FR), João FERREIRA (GUE, PT), Marc Tarabella (S&D, BE), Ivo Vajgl (ALDE, SI). See <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-%2F%2FEP%2F%2FNONSGML%2BWDECL%2BP7-DCL-2013-0002%2B0%2BDOC%2BPDF%2BV0%2F%2FEN>.

and calling on the European Commission to develop an EU Framework for national strategies to combat Afrophobia. The European Parliament should include people of African descent in its annual fundamental rights report and host parliamentary debates as well as other events on people of African descent and Black Europeans.

- 2.2. The European Commission, working in partnership with the EU Agency for Fundamental Rights, Black communities and civil society organisations, should identify and set clear targets and measurable indicators, which should be the basis for a European Commission Communication on an EU Framework for national strategies to combat Afrophobia. EU policy makers should take structural discrimination into account in the development of the framework; for example, policies that perpetuate current racial injustices must be identified such as those encouraging the police to use ethnic profiling to achieve their arrest rate targets.
- 2.3. The EU Agency for Fundamental Rights should work with Member States and civil society organisations representing people of African descent/Black Europeans to establish process and outcome indicators of policies combating racial discrimination and set achievable targets for greater social inclusion of Black people in EU Member States.
- 2.4. The EU should partner with other multilateral organisations such as the United Nations, Council of Europe, Organisation for Security and Cooperation in Europe (OSCE) and special initiatives focused on people of African descent and Black Europeans to advance anti-racism, anti-discrimination and inclusion efforts, for example during the UN Decade for People of African Descent.
- 2.5. Member States should develop national anti-racism strategies that address the specific challenge of Afrophobia. The specific and comparative situation of people of African descent/Black Europeans in areas such as education, housing, health, employment, policing, security and justice systems should be assessed, in line with international and European standards.
- 2.6. National plans and policies should involve communities at all stages of their development, from early stages until full implementation and assessment through the setting up of steering groups, sounding boards, expert groups or similar relevant bodies.

- 2.7. National plans and policies should allocate specific actions and objectives in a certain timeframe to relevant institutions. Implementing bodies should have sufficient leverage, human and financial resources for the entire implementation period.

- 2.8. Strategies must take into account the intersectionality of discrimination to ensure effective policies and strategies target groups at risk of multiple discrimination, including discrimination on the grounds of gender, religion, sexual orientation, gender identity, age and disability.

### **3. Collect and publish equality data and racist crime data to empirically document racist crime, discrimination, racism and exclusion impacting people of African descent and Black Europeans and to inform and monitor policies and measures aimed at reducing racism and discrimination.**

#### **Actions:**

- 3.1. The European Commission should develop, in partnership with the EU Agency for Fundamental Rights and other experts, a recommendation to guide Member States on equality data collection to standardise and create comparable data sets across Europe. The data must be systematically and regularly collected based on self-identification, analysed and made publicly available, in accordance with data protection standards. Special attention should be paid to the political participation, social and economic inclusion of Black people, their access to goods and services, education and health care as well as their treatment by law enforcement and security agencies. Such targeted data collection and analysis must be carried out regularly across Member States, with the mandatory inclusion of representatives of targeted communities in the design, implementation and analysis of such studies.
- 3.2. The EU Agency for Fundamental Rights must – with the support of national statistical and research agencies – widen the research scope of its surveys and projects, such as EU MIDIS, to ensure second, third and subsequent generations of Black Europeans are included in research samples. This entails increased financial support from European Union funds for FRA research.

- 3.3. The EU Agency for Fundamental Rights should publish a Data-in-focus report on people of African descent and Black Europeans following the EU MIDIS II survey.
- 3.4. The EU Agency for Fundamental Rights must adopt guidance on hate crime data collection methodology to support States to establish a common interface for law enforcement, prosecution and the judiciary, in accordance with data protection standards and allowing for the victims' perception of an alleged crime to be recorded.
- 3.5. Member States should create an observatory, based in the national equality body, the national human rights institution, the national statistics office or a university, primarily engaged with research on people of African descent and Black Europeans. It must be composed of groups at risk of discrimination by at least 50%.
- 3.6. States should commission periodic surveys and research projects from independent research bodies, institutions and universities where there are gaps in knowledge regarding Afrophobia to inform decision making processes and evaluate policies. Such research should be based on victimisation surveys that allow for respondents' self-identification of their race or ethnic background and that include specific questions on their experience of racial or multiple discrimination.
- 3.7. In partnership with civil society organisations, and according to data protection principles, States should collect equality data to annually monitor people of African descent/Black Europeans' outcomes in key social indicators in employment (including employment rate, unemployment rate, sectors of employment), health, education and housing, and develop policies in response to persistent racial inequalities. Such administrative data should be cross-referenced with data from the census, which should allow for self-identification in ethnic and racial categories developed in consultation with civil society organisations and other stakeholders, including statisticians.
- 3.8. States should ensure that data on complaints to equality bodies are disaggregated based on ethnic/racial categories, and developed in consultation with civil society organisations. Such data should

be made publicly available. The victim's or witness's perception of any racial elements of a crime should be allowed to trigger the recording of the complaint as racially motivated. Likewise, police should monitor and publish information on the ethnicity of the victims of racially motivated crimes.

#### 4. Promote equal justice for and end discriminatory policing of people of African descent and Black Europeans to end racial disparities in police profiling, sentencing, incarceration, and other inequities in the justice system.

##### **Actions:**

- 4.1. The European Commission should propose, in consultation with the European Union Agency for Law Enforcement Training (CEPOL) and the FRA, guidelines on good practices to promote fair and efficient policing and support statistical research on ethnicity and law enforcement practices. CEPOL and the FRA should promote training for law enforcement authorities (e.g. police, prosecutors, judges) on bias and discrimination.
- 4.2. States should improve relations between the police and Black communities through regular and respectful contact between police and communities, notably through community policing approaches. Member States should provide mandatory anti-racism training, including on the experiences of people of African descent and Black Europeans, in the training programme for law enforcement authorities in the legal and prison systems (e.g. police officers, prosecutors, judges, prison wardens and other relevant actors) to increase awareness of and sensitivity towards racial inequities in the criminal justice system and how race can impact sentencing, parole assessments and fair legal redress. People of African descent and Black Europeans must be included in these efforts.
- 4.3. States should ensure that national legislation and police guidelines prohibit ethnic profiling and establish a requirement for reasonable suspicion for all police stops. Stop and search forms should be filled in by agents after every stop. They should ensure that performance appraisal systems for law enforcement sanction the use of ethnic profiling, as well as regular training of law enforcement agents on unconscious bias. States should change official

and unofficial policing policies and strategies that directly or indirectly currently encourage police to profile certain groups based on their ethnicity and/or their race and religion (such as fixed targets in numbers of stops and search, controls of drivers). States should establish clear and truly independent oversight mechanisms to monitor all actions that impact on rights and freedoms such as counter-terrorism measures, raids, surveillance and arrests.

- 4.4. Member States should provide quality legal aid and victim support (e.g. individual victim's assessment, free interpreter and translation services, mental and physical health related services and financial support in case of incapacity to work) to people of African descent and Black Europeans that have been the victims of hate crimes and/or victims of discriminatory law enforcement.
- 4.5. Member States should create focal points or specialised units within law enforcement agencies and public prosecution services and ensure independent and timely investigation and prosecution of the racial bias motivation. Victims' or witness's perception of racist elements of a crime should trigger further investigation and the investigation and prosecution process should be transparent and allow for meaningful consultation and information of Black communities.
- 4.6. Member States should adopt special measures to facilitate increased representation of people of African descent in judiciary, policing and other areas of law enforcement to assist in the development of an inclusive and equitable workforce for the justice sector.

## **5. Ensure people of African descent and Black Europeans have equal access to quality education free of discrimination and segregation, and that racism and discrimination towards Black students and biased and historically inaccurate school curricula are addressed.**

### **Actions:**

- 5.1. The European Commission should, as part of the Education and Training 2020 policies, provide Member States with support and resources for schools and educational institutions (administrators, teachers, counsellors and parents) to: 1) combat

racism and discrimination, including providing guidelines for addressing bullying; and 2) support the study of diverse cultures (e.g. diversity toolkits, ethnic studies curricula).<sup>12</sup>

- 5.2. The European Commission should ensure that Erasmus + funding for individuals includes some positive action to ensure representation of people of African descent among beneficiaries of scholarships, exchange programmes, etc.
- 5.3. Member States should: 1) provide vocational training on non-discrimination and diversity to school administrators and teachers already in place, and improve the mandatory curriculum of all teachers to ensure that they receive adequate training in the field of intercultural competences, unconscious biases and non-discrimination; 2) adopt procedures that allow an independent review of the grades and records of Black students being sent to 'special education,' other 'special' classes, and vocational schools in lieu of university; 3) provide counselling, student mediation and psychological services to Black student victims of racist violence and their parents; 4) provide empowerment training to Black and other minority students to equip them with tools to combat or at least protect themselves from (structural) racism in constructive ways; 5) ensure proper representation of teachers and professors of African descent in educational institutions.
- 5.4. Member States should ensure that textbooks reflect historical facts accurately regarding the transatlantic slave trade, slavery, colonialism, as lack or falsification of information leads to racism and related discrimination.
- 5.5. Member States should support diversity and anti-racism movements in universities, support Black academics, encourage the creation of Black studies departments and support academic research on people of African descent.

12 See U.S. Department for Education 'Stop Bullying' initiative and educators' toolkit.

## 6. Adopt an employment, entrepreneurship and economic empowerment initiative for people of African descent and Black Europeans to address above average unemployment rates among people of African descent.



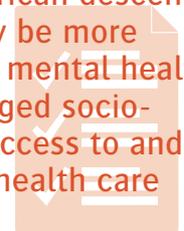
### Actions:

- 6.1. The European Commission should set up a special initiative to raise the employment rates of African descent and Black youth to ensure equality of outcomes. The initiative should include access and treatment within employment, entrepreneurial and vocational traineeships, volunteer opportunities and further education such as summer school programmes.
- 6.2. The European Commission should create a special initiative for African descent and Black Business Development focusing on support for African descent entrepreneurs and communities through: technical assistance and access to capital (e.g. seed funding, loans), government and other contract opportunities, and mentorship and employment opportunities in small businesses.<sup>13</sup>
- 6.3. The European Commission should create a special initiative for people of African descent and Black Europeans in implementing its European Employment, Social Protection and Social Inclusion Strategies, including an analysis in its Annual Employment Report of people of African descent and other minorities' earnings, pay gaps, union participation, access to professional training opportunities, career progression opportunities and work force participation, discrimination, and other information to complement similar analyses in reports on gender.<sup>14</sup>
- 6.4. The European Commission should ensure that employment and social inclusion benchmarks - such as the European semester country analysis - specifically aim for equal access and outcomes for people of African descent in Europe.
- 6.5. Member States should 1) establish public duties to promote equality and increase diversity within all public bodies; 2) develop special measures

and traineeships for people of African descent/ Black Europeans within all public institutions and, in particular, public broadcasting agencies so that ethnic minorities are able to gain entry and access into the roles that currently lack diversity; 3) create subsidised government schemes and guidelines that encourage diversity in private companies at all levels; 4) ease and ensure the process of recognition of foreign qualifications and encourage the validation of practical skills and experiences; 5) strengthen rules and practices of labour inspections to combat exploitation of migrants and reinforce complaint mechanisms for fair and unbiased access to legal redress for regular and undocumented migrants.

- 6.6. Employers should mainstream the fight against Afrophobia and related discrimination in corporate social responsibility and diversity strategies. Initiatives such as systematic anonymous job recruitment help level the playing field at the application stage.

## 7. Ensure the same health outcomes between the African descent and Black community and the majority population to address the fact that African descent and Black populations may be more vulnerable to physical and mental health issues due to a disadvantaged socio-economic status, limited access to and unequal treatment within health care services.



### Actions:

- 7.1. The European Commission should create a minority health initiative as part of its initiative 'Reducing Health Inequalities in the EU' together with the 'Equi-Health' project that introduces a series of measures to address health disparities between African descent/minority populations and majority populations that includes: 1) the collection of equality data that allows for the monitoring of health and quality of health care services by race and ethnicity; 2) mandating 'cultural competency' training for all health professionals (e.g. practitioners, faculty, researchers, clinicians, public health students) that includes health care interpretation for those needing translation, understanding the impacts of racism and prejudice on physical and mental health, and mental health tools for

<sup>13</sup> See the U.S. Minority Business Development Agency.

<sup>14</sup> See U.S. Department of Labor, African American Labor Force in Recovery Annual reports.

addressing racism; 3) increasing the diversity of the health care and public health workforce by funding educational opportunities for African descent and other minority students in public health and sciences careers; 4) developing community-based health care models to facilitate better health care for minority communities, including a focus on African descent EU citizens as well as migrants.<sup>15</sup>

- 7.2. Member States should conduct health outreach activities with African descent populations to better inform communities of how they can better utilise health systems. Where possible, qualified people of African descent and Black Europeans should be involved in health care programmes targeting their communities.

## 8. Promote positive and accurate media portrayals of people of African descent to assist in combating prejudice and discrimination.



### Actions:

- 8.1. The EU Agency for Fundamental Rights, in cooperation with the European Broadcasting Union, should support media literacy through training and updated guidance such as the 2008 'Diversity toolkit for factual programmes in public service television'. The Agency should also develop an implementation plan with media professionals in Member States to raise awareness on diversity and ethical journalism.
- 8.2. Member States should reach out to public and private media outlets to increase diversity and reduce biased reporting by supporting efforts to: 1) ensure balanced and accurate media coverage on stories in Black and minority communities showcasing people of African descent/Black Europeans as active agents; 2) hire and promote people of African descent and Black Europeans and members of other minorities in all aspects of media work; 3) promote 'cultural competency' training for all media workers and university students; 4) fund Black and minority led media outlets; 5) reward diverse media practices; 6) train youth to understand and analyse media biases and public discourses around race and ethnicity.

<sup>15</sup> See Equi-Health project to address Roma, migrant health issues in Europe and FRA Report: Inequalities and multiple discrimination in access to and quality of healthcare, March 2013.

## 9. Promote active citizenship and equality, inclusion, participation and empowerment in public life to fight the under-representation of people of African descent, Black Europeans and other minority populations in decision making positions, roles and processes.



### Actions:

- 9.1. The European Commission should adopt a diversity and inclusion initiative for public life that establishes a strategic plan for ethnic and racial minorities' participation in the EU workforce that complements existing efforts with regard to gender and disability by: 1) requiring each EU institution to have a diversity and inclusion strategic plan focused on the recruitment, hiring, promotion, retention and professional development of members of racial and ethnic minorities; 2) establishing a regular monitoring system for reporting on the implementation of minority groups' political participation and inclusion; 3) developing training, internships, and other entry-level opportunities in the EU workforce for Black and other minorities to complement existing efforts to include women, people with disabilities and Roma; 4) ensuring all EU institutions are equipped with both anti-discrimination and diversity offices that can address complaints by minority workers and implement diversity training for existing employees and recruitment goals.<sup>16</sup>
- 9.2. The European Commission should commission research on good practices to extend EU citizenship and encompassing rights to long-term third country national residents in Europe and their children born and raised in the EU.
- 9.3. The European Parliament should adopt a Resolution that: 1) promotes minority participation and equal treatment in public life at all levels of national, regional and local government through education on civil and political rights, including the legislative process and advocacy of legislative issues, targeted professional development and hiring strategies, increased youth and community outreach and self-organisation and other empowerment initiatives for

<sup>16</sup> See U.S. Executive Order 13583 - Establishing a Coordinated Government-wide Initiative to Promote Diversity and Inclusion in the Federal Workforce.

Black and minority communities; 2) creates a special EP internship programme for minority groups.

- 9.4. The EU Agency for Fundamental Rights, together with the European Parliament and Member States, should conduct an annual EU-wide survey of minority political participation that includes statistical data on minority elected officials and staff at national, regional and local levels with a focus on the European and national Parliaments, diversity in political parties and voting behaviour of minority populations, with the view to provide practical recommendations to redress imbalances where relevant.
- 9.5. Political parties should develop wider outreach programmes to encourage people of African descent/Black Europeans to be engaged and participate in elections and in decision making processes. Electoral systems should facilitate representation and influence of people of African descent, through proportional representation systems or lower thresholds for instance. Central and local authorities should address political and voting rights to ensure that third country nationals residing in EU countries can participate in public life through voting and standing for political posts. Member States should ensure opportunities for people of African descent to have an effective voice in decision making, according to international standards on minorities' participation in public life. States should consider in particular the creation of special arrangements for seats or measures for appropriate representation in civil service, cabinets, parliaments and representative bodies at central and local levels and establish advisory bodies such as a cross-government working group to tackle Afrophobia.

## 10. Pay specific attention to African migrants, refugees and asylum seekers and migrants of African descent.



### **Actions:**

- 10.1. The European Commission and EU Member States should ensure safe and legal entry channels for migrants, refugees and asylum seekers coming from Africa and other continents/countries with African descent communities.
- 10.2. The European Commission should dedicate specific parts of EU funds on migration and asylum to the integration of Black and African migrants.
- 10.3. The European Commission's legal migration policies and employment schemes should specifically include targets for Black or African descent migrant workers.
- 10.4. Member States should effectively ensure that there is no violence against migrants in cross-border areas and should provide support and access to justice for victims of hate crimes and police abuse during the migration path. They should ensure sufficient training, monitoring and efficient human rights safeguards for law enforcement and borders guards to prevent ethnic profiling.

The European Network Against Racism (ENAR) stands against racism and discrimination and advocates equality, solidarity and well-being for all in Europe. We connect local and national anti-racism NGOs throughout Europe and voice the concerns of ethnic and religious minorities in European and national policy debates.

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