



Proposal for questions to the Vice-President designate in charge of Fundamental Rights and the Commissioner-designate for Justice

1. EU action against hate crime

Background: The European Commission report on the implementation of the Framework Decision on combating racism and xenophobia by means of criminal law (FD) highlights gaps in Member States' legislation and practice against hate crime, including data collection.

Question: What will you do to require Member States to improve their collection of data on hate crime, including through victimisation surveys?

Background: The FD does not provide a definition of hate crime and does not require that States ensure proper police investigation on the racist motive of alleged crimes, therefore hindering proper treatment by the courts. There are many existing discrepancies in the legislation of the different Member States on the protection against bias violence on different grounds.

Question: Do you plan to ensure that legislative proposals are issued to extend protection against all forms of bias-motivated crimes in the EU?

2. EU's equal treatment legal and policy framework

Background: Since July 2008, discussions on the proposed equal treatment Directive have been blocked at EU Council level.

Question: What do you intend to do to bring Member States back to the negotiation table and to raise national governments' awareness of the need and rationale for this proposed piece of legislation?

Background: We believe that the Commissioner should speak out on cases of discrimination that are prohibited by the existing legal framework, such as the exclusion of Muslim women wearing headscarves from some areas of employment, including public employment, or the denial of access of Roma people to mainstream education and housing.

Question: What are your concrete plans to initiate bilateral dialogue and/or infringement proceedings in cases of non-respect of EU legislation?

Background: Without equality data – the data needed to reveal inequalities among groups at risk of discrimination and to measure equality in outcome – it is impossible to assess whether EU equality standards have been effectively implemented.

Question: What steps will you take to prioritise the adoption of EU guidelines for secured and inclusive data collection as part of Member States' obligation to ensure equality?

3. EU Strategies on equality

Background: While keeping a universal and general approach to anti-racism, it is important to recognise that every group faces specific discrimination, rooted in European history of repeated persecution against minorities.

Question: Would you consider the adoption of specific frameworks to promote the inclusion of People of African Descent/Black Europeans, Jews and Muslims?

4. Strategy to enforce human rights within the EU

Background: Many human rights violations remain unchallenged today within the European Union today, for instance, the continuous segregation of Roma children in education. At the moment, the EU does not have a mechanism to either monitor human rights violations or systematically address them.

Question: What will you do to take the lead in proposing an overarching internal human rights strategy and an effective watchdog mechanism to enable the EU to respond to human rights violations within its own borders?