|  |  |
| --- | --- |
| European Parliament2014-2019 | EP logo RGB_Mute |

XXX

PE605.486

European Parliament resolution XXX on the fundamental rights of People of African Descent and Black Europeans in Europe

*The European Parliament*,

– having regard to the Treaty on European Union (TEU), and in particular the preamble, second indent, fourth to seventh indents, and Article 2, the second subparagraph of Article 3(3) and Article 6 thereof,

– having regard to Article 10 and Article 19 of the Treaty on the Functioning of the European Union,

– having regard to the Charter of Fundamental Rights of the European Union of 7 December 2000,

* 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 origin[[1]](#footnote-1),
* having regard to Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation[[2]](#footnote-2),

– 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 law[[3]](#footnote-3),

* 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/JHA[[4]](#footnote-4),
* having regard to the establishment in June 2016 of the EU High Level Group on combating racism, xenophobia and other forms of intolerance,

– having regard to the Code of Conduct on countering illegal hate speech online agreed on 31 May 2016 between the Commission and leading IT companies as well as with other platforms and social media companies,

– having regard to its resolution of 13 December 2016 on the situation of fundamental rights in the European Union in 2015[[5]](#footnote-5),

– having regard to the prime responsibility of governments for the rule of law and fundamental rights of their citizens, and therefore their primary responsibility for monitoring and preventing violence, including Afrophobic violence, and prosecuting the perpetrators,

– having regard to Protocol No. 12 to the Convention for the Protection of Human Rights and Fundamental Freedoms on non-discrimination,

– having regard to the Durban Declaration and Programme of Action from the World Conference on Racism in 2001, recognising centuries-long racism, discrimination and enslavement faced by People of African Descent,

– having regard to UN Committee on the Elimination of Racial Discrimination General Recommendation No. 34 of 3 October 2011 on Racial Discrimination against People of African Descent,

– having regard to UN General Assembly Resolution 68/237 of 7 February 2014 proclaiming 2015-2024 the International Decade for People of African Descent,

– having regard to UN General Assembly Resolution 69/16 of 18 November 2014 containing the programme of activities for the implementation of the Decade for People of African Descent,

– having regard to Rule 123(2) of its Rules of Procedure,

1. Whereas there are estimated 15 million People of African descent living in Europe, although equality data collection in EU Member States is not systematic, not based on self-identification and often omits descendants of migrants or “third generation migrants” and beyond;
2. Whereas the EU Agency for Fundamental Rights (FRA) has documented that minorities in Europe with a “Sub-Saharan African” backgrounds are particularly susceptible to racism and discrimination in all areas of life;
3. Whereas the term “People of African Descent” may also be used with ‘‘Afro-European’’, ‘‘African European’’, or ‘‘Black European’’, and refers to people of African ancestry or descent born in, citizens of, or living in Europe;
4. Whereas the terms “Afrophobia” and “anti-black racism” refer to racist violence, discrimination, and structural inequalities aligned to race and rooted in histories of colonialism, enslavement and systematic oppression experienced by People of African Descent;
5. Whereas histories of injustices against People of African Descent, including European colonialism, enslavement during the transatlantic slave trade and forced labour remain largely unrecognised and unaccounted for at an institutional level in EU Member States;
6. Whereas the Organization for Security and Cooperation in Europe (OSCE) Office for Democratic Institutions and Human Rights Annual Hate Crimes report has found that People of African Descent are often targets of racist violence, yet in many countries legal assistance and financial support for victims while recovering from violent attacks is lacking;
7. Whereas People of African Descent are increasingly vulnerable in police custody, with increasing incidents of violence and deaths in custody, and with the routine use of racial profiling, discriminatory stop and search, and surveillance, in the context of abuse of power in law enforcement, crime prevention, counter-terrorism measures, or immigration control;
8. Whereas legal remedies for discrimination exist, strong and specific policies are needed to address structural racism experienced by People of African Descent in Europe, including in employment, housing, education, health, criminal justice, political participation and in the impact of migration and asylum policies and practices;
9. Whereas, although People of African Descent have made significant achievements in and contributions to European society, large numbers have and continue to be more likely than the general population to experience discrimination in the labour market, severely impacting productivity of the European economy;
10. Whereas People of African Descent are overwhelmingly underrepresented in political and law-making institutions, at both European, national and municipal levels in the European Union;
11. Whereas racism and discrimination experienced by People of African descent is structural and often intersects with other forms of discrimination and oppression;
12. Calls on the Member States and the Union institutions and agencies to mark the UN International Decade of People of African Descent by recognising the situation of People of African Descent within the European Union, in particular Afrophobia or anti-black racism as a specific form of racism and discrimination;
13. Calls on EU institutions and Member States to officially recognise the legacy and ongoing relevance of histories of injustices including European colonialism and enslavement of People of African Descent, and other affected peoples, through the official recognition of the International Day of Remembrance of the Victims of Slavery and the Transatlantic Slave Trade, or a European day for victims of colonialism and the transatlantic slave trade;
14. Insists that EU institutions and Member States take steps toward meaningful and effective redress for past injustices against People of African Descent, and other affected peoples, including but not limited to financial or symbolic reparations and the restitution of stolen artefacts to countries of origin;
15. Calls on the European Commission to develop an EU framework for national strategies for the inclusion of People of African Descent;
16. Calls for the EU and its Member States to step up efforts to ensure that a comprehensive and efficient system is put in place for the systematic collection of reliable, relevant and comparable equality data, disaggregated by race, ethnicity and religion, based on self-identification, and consistent with EU Data Protection standards;
17. Calls on the Member States to develop national anti-racism strategies that address the comparative situation of People of African Descent in areas such as education, housing, health, employment, policing and the justice system, and political participation;
18. Welcomes the steps taken by the EU Agency for Fundamental Rights to recognise and record the widespread racism, violence and discrimination experienced by People of African Descent in Europe;
19. Stresses the important role of civil society organisations in combating racism and discrimination, and calls for increasing financial support at the European, national and local level for grassroots and People of African Descent-led organisations;
20. Calls for the European Commission to include a focus on people of African descent in its funding programmes, including Horizon 2020, Erasmus+ and Europe for Citizens, to support research, education, scholarship and public programming for the Black European population and People of African Descent;
21. Calls on the European Commission to appoint a Commission Coordinator on Combating Afrophobia and urges the Commission to provide all the necessary resources and support to effectively engage communities in the response to hate crime against People of African Descent;
22. Insists that Member States implement and properly enforce the Council Framework Decision on combating certain forms and expressions of racism and xenophobia by means of criminal law, in particular the inclusion of bias motivations for crimes based on race, national or ethnic origin as an aggravating factor to ensure that hate crimes against People of African Descent are properly recorded, investigated, prosecuted and sanctioned;
23. Calls for Council Conclusions to Member States on effective responses to hate crime, including the investigation of bias motivation for crimes based on race and ethnicity, and specifically against People of African Descent;
24. Calls on Member States to categorically end racial or ethnic profiling in all forms in criminal law enforcement, counter-terror measures and immigration control and to officially recognise and combat practices of unlawful discrimination in policing including an analysis of stop and search practices, oversight of law enforcement, and anti-racism and bias training for authorities;
25. Calls for the European Commission, EU Fundamental Rights Agency and CEPOL to produce operational guidelines and training for law enforcement and border officials to promote fair and efficient policing;
26. Calls on Member States to conduct official reviews into racial bias in their criminal justice systems and take proactive steps to ensure equal justice and improve relations between law enforcement authorities and minority communities, in particular Black communities and People of African Descent;
27. Calls on Member States to 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;
28. Calls on European institutions and Member States to adopt employment, entrepreneurship and economic empowerment initiatives for People of African Descent to address above average unemployment rates and labour market discrimination against People of African Descent;
29. Calls on the European Commission and EU Member States to ensure safe and legal entry channels for migrants, refugees and asylum seekers coming from Africa and other continents/countries with African descent communities;
30. Insists that Member States 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, enslavement and trafficking, and police abuse during the migration path;
31. Calls on the European Commission should dedicate specific parts of EU funds on migration and asylum to the integration of Black and African migrants;
32. Calls on the European Commission to adopt a diversity and inclusion strategy 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;
33. Calls on the Union institutions and national parliaments to form a European Minority Caucus for elected representatives of African Descent, amongst other groups, to encourage and further political representation of minority groups.
1. OJ L 180, 19.07.2000 p.0022-0026 [↑](#footnote-ref-1)
2. OJ L 303 02/1/2200 p.0016-0022 [↑](#footnote-ref-2)
3. OJ L 328, 6.12.2008, p. 55. [↑](#footnote-ref-3)
4. OJ L 315, 14.11.2012, p. 57. [↑](#footnote-ref-4)
5. Texts adopted, P8\_TA(2016)0485. [↑](#footnote-ref-5)