

Suggested terms of reference for EPRS study on the EU Anti-Racism Action Plan (ARAP)

This study is an opportunity to assess the conditions for a successful implementation of the EU anti-racism plan so that it can address meaningfully structural and institutional racism in Europe.

An increasing number of analyses and researches from international organisations, academics and civil society organisations show the extent to which racism has not been tackled properly in Europe. There are many examples of actions that have had a limited impact such as the first generation of National Roma Integration Strategies, National Action Plans against Racism (NAPAR), EU legislative framework including the Race Equality Directive and the Framework Decision against Racism and Xenophobia. Many stakeholders point out the emphasis of these policies on individual manifestations of racism that are based on single identities, rather than focusing on historical, structural, institutional and intersectional dimensions.

The ARAP has a lot of potential to past failure and deliver real equality for all. However, it was developed in a few weeks and doesn't have an in-depth analysis of the problem. This is the reason why the measures presented do not sufficiently address systemic aspects of racial inequalities even though the ARAP includes for the first time an understanding and recognition of structural and institutional racism.

Overall Goal: EPRS study could provide in-depth analysis on the gaps and in EU legislation/policies and identify recommendations to ensure the EU's approach is always grounded in the objective of combating institutional and structural racism.

We suggest to address the following elements in the study:

1. An introductory part defining the four dimensions of systemic racism: Historical, structural, individual and institutional. It could be illustrated through evidence gathering with a diversity of stakeholders.

Guiding questions: Why is individual racism more addressed at the expense of other dimensions? What is the impact of that on delivering real equality and equity? To what extent can the ARAP address this?

2. Map and assess the targeted/mainstreaming approaches in EU legislation and policies when addressing structural and institutional racism

Guiding questions: What is the state of play? What are the obstacles for mainstreaming racial equality at structural/institutional level? What are the targeted policies and are they sufficient?

3. Map and assess the flagship proposals of the ARAP including the EU summit, the EU anti-racism coordinator, the new Directive on discrimination in law enforcement, extension of the Framework Decision, Antisemitism strategy, etc.

Guiding questions: How will they tackle structural and institutional racism in an intersectional way?

4. Analyse key policy areas of the ARAP according to focal areas identified by Equinox/ENAR and assess how the EU is working towards tackling structural racism in these areas.

Guiding questions: Are there any policy areas missing (e.g. counter-terrorism, protection of human rights defenders)? How to mainstream racial justice in these policies?

5. Assess the organisational structure in EU institutions so that it can coherently tackle structural and institutional racism.

Guiding questions: How does the current structure undermine the aim of tackling structural and institutional racism? What is the impact of the lack of racial diversity? How is civil society involved? Is there any permanent mechanism allowing racialised groups and their representative organisations to meaningfully participate in policy design and implementation?

6. Assess how the ARAP is a meaningful policy tool for Member States to tackle structural and institutional racism at national level.

Guiding questions: How to make NAPARs binding? How to ensure NAPARs meaningfully addresses structural and institutional racism? How to link NAPAR with other national plans? What is needed with the reporting mechanism? How can we learn from the National Roma Strategies?

7. Identify concrete recommendations and indicators for a successful implementation of the ARAP (e.g. civil society participation model, specific audit and evaluation mechanism, specific funding priorities, equality data collection, etc.)

Key resources:

- *European Network against Racism's policy documents on the EU ARAP:*

- Key recommendations for ARAP
<https://www.enar-eu.org/Key-recommendations-for-the-EU-Action-Plan-Against-Racism>
- Roadmap for EU institutions to tackle structural racism
https://www.enar-eu.org/IMG/pdf/roadmap_structural_racism_-_eu_-_long_final.pdf
- Press release on the ARAP
<https://www.enar-eu.org/EU-Action-Plan-Against-Racism-strong-push-on-Member-States-to-act-better>
- Equinox paper: Towards racial justice in EU institutions
<https://www.equinox-eu.com/wp-content/uploads/2021/03/WEB-EQUINOX-Towards-racial-justice-EU-institutions.pdf>
- Center for Intersectional Justice (CIJ) factsheet on intersectionality in Europe
<https://www.intersectionaljustice.org/publication/2020-04-07-center-for-intersectional-justice-factsheet-intersectionality-at-a-glance-in-europe>
- ENAR/CIJ factsheet report on intersectional discrimination in Europe
<https://www.enar-eu.org/intersectionalityreport>