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AN EVALUATION OF THE EU ANTI-RACISM ACTION PLAN FOR 2020-2025

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I.   INTRODUCTION

Although the European Union's (EU) foundational treaties and its Charter of Fundamental Rights enshrine the prohibition of discrimination, over half of Europeans continue to perceive racial discrimination as being widespread in their countries. The European Union's Anti-Racism Plan for 2020 to 2025 emerged as a response to the persistent reality of racial and ethnic discrimination across member states, despite the existence of robust legal frameworks. The Action Plan is grounded in the recognition that discrimination on the basis of racial or ethnic origin is not only a breach of fundamental rights, but equally important, a threat to the EU's core values of unity, diversity and equality. In this report, ASSEDEL (L'Association européenne pour la défense des droits et des libertés) subjects the Action Plan to critical scrutiny, examining its content, implementation mechanisms and limitations which may hinder its effectiveness.

II.   BACKGROUND AND CONTEXT

The EU has a long-standing commitment to equality and non-discrimination, enshrined in its treaties and the Charter of Fundamental Rights. However, evidence from the EU Agency for Fundamental Rights (FRA) and Eurobarometer surveys shows that racial discrimination remains widespread. Over half of Europeans believe that discrimination based on racial or ethnic origin is common in their country. Minority groups such as Roma, people of African descent, Jews, Muslims, and Asians continue to face significant barriers in employment, education, housing, healthcare, and access to services. The COVID-19 pandemic and global movements like Black Lives Matter have further highlighted the urgency of addressing both overt and systemic forms of racism.

Racism in the EU is complex and multifaceted. It includes overt acts of individual prejudice and more insidious forms such as unconscious bias and institutional discrimination. These forms of racism are embedded in social, financial, and political institutions, perpetuating barriers to equal participation in society. The Action Plan recognizes that racism can intersect with other forms of discrimination, including those based on gender, religion, age, disability, or migration status. The Action Plan recognizes the need for an intersectional approach that addresses the unique experiences of individuals who face multiple and compounding forms of discrimination.

The Action Plan 2020–2025 sets out a comprehensive strategy to combat racism, with the overarching goal of ensuring that all individuals in the EU can enjoy their fundamental rights and freedoms, irrespective of racial or ethnic origin. The Plan is structured around several pillars:

- Strengthening the legal framework and ensuring effective enforcement;
- Promoting fair policing and justice;
- Addressing discrimination in employment, education, health, and housing;
- Tackling hate speech and hate crime, including online;
- Improving data collection and research;
- Mobilizing EU institutions, Member States, regional and local authorities, civil society, and the private sector; and
- Promoting diversity and inclusion within EU institutions.

The Action Plan emphasizes both preventive and remedial measures, combining legislative action with policy initiatives, funding, awareness-raising, and capacity-building

III. STRENGTHS

(i) Robust legal foundation and commitment to legislative amendments

The Action Plan is anchored in the Racial Equality Directive (2000/43/EC), which provides a strong legal basis by prohibiting both direct and indirect discrimination on the grounds of racial or ethnic origin in key areas such as employment, education, social protection, and access to goods and services. This legal framework has been instrumental in shaping anti-discrimination law across the EU for over two decades. While this instrument has provided a strong foundation, the Action Plan identifies significant gaps in implementation and enforcement. Disparities exist among Member States in terms of legal transposition, the powers and independence of equality bodies, and the effectiveness of remedies available to victims. The Action Plan calls for a comprehensive review of existing legislation and the introduction of new measures to strengthen protection against discrimination.

(ii) Holistic and Intersectional Approach

Beyond legislation, the Action Plan adopts a holistic approach by addressing racism in all spheres of public life, including law enforcement, employment, education, health, and housing. It recognizes that discrimination is not only an individual act but often systemic, embedded in institutions and social structures. The Plan calls for fair policing, anti-discrimination training, and increased diversity within police forces, which are crucial for building trust and preventing discriminatory profiling. In the labor market, it acknowledges the persistent barriers faced by minorities and calls for targeted policy and funding support, especially for marginalized groups such as Roma, people of African descent, and migrants. The Plan also addresses discrimination in housing, where factors like names, skin color, or citizenship can trigger unequal treatment, and it seeks to ensure that anti-discrimination measures are mainstreamed across all relevant policy areas. Such an approach is praiseworthy.

IV. LIMITATIONS AND CHALLENGES

(i) Implementation Gaps and Uneven Political Will

Notwithstanding its strengths, the Action Plan faces significant challenges. Notably, one of the most persistent limitations of the Action Plan is the uneven implementation across Member States. Although EU directives set minimum standards, the actual application and enforcement of anti-discrimination laws vary widely. Some Member States have robust systems and active equality bodies, while others lag behind in both legal transposition and practical enforcement. This disparity is compounded by differences in political will; not all governments prioritize anti-racism initiatives equally, and some may even resist EU oversight or recommendations due to domestic political considerations. As of 2020, only about half of EU Member States had adopted national action plans against racism, despite encouragement from the Commission. This reflects a lack of political commitment in several countries, further contributing to the uneven impact of the Action Plan. As a result, the impact of the Action Plan has been inconsistent, as implementation depends on the political will of Member States, which varies considerably. This means that vulnerable populations in certain countries benefiting less than those in others.

As an example, persistent segregation of Roma children in schools remains a challenge in several countries, such as Hungary, Slovakia, and the Czech Republic, despite EU legal standards. National authorities in these countries have not demonstrated sufficient political will to address this issue, often failing to enforce anti-discrimination laws or implement effective desegregation policies. This ongoing problem reflects a broader reluctance to confront deeply rooted social inequalities and discrimination This example illustrates how vulnerable populations may benefit

less from EU anti-racism measures due to weak national implementation and enforcement.

(ii)   *Weaknesses in Equality Bodies and Enforcement Mechanisms*

Equality bodies are central to the enforcement of anti-discrimination law, yet their powers, independence, and resources differ greatly across the EU. In some countries, equality bodies lack the authority or funding to conduct investigations, support victims, or bring cases to court. For example, Poland's equality body, the Commissioner for Human Rights (RPO), is a broad ombuds institution with a mandate that covers many areas beyond equality and anti-discrimination. While the RPO has been active in defending rights, it has faced significant resource constraints and political pressure, especially in recent years. The government has not prioritized strengthening the RPO's anti-discrimination capacity, and the body's recommendations are often ignored by authorities. This limits its practical impact and ability to support victims of racial or ethnic discrimination.

In the same vein, the Greek Ombudsman is the designated equality body for anti-discrimination matters. While it has a broad mandate, it does not have binding decision-making powers and cannot impose sanctions. Its role is largely advisory, and its recommendations are not always followed by public authorities or employers. This limits its effectiveness in enforcing anti-discrimination law and supporting victims.

In light of this, the Action Plan calls for strengthening these bodies, but without binding legislation or dedicated funding, progress may be slow or superficial. Moreover, strategic litigation—an important tool for advancing rights—remains underutilized, partly due to differences in national legal systems and the reluctance of individuals to pursue lengthy or costly legal proceedings.

(iii)   *Data Collection and Monitoring Difficulties*

Accurate, disaggregated data is essential for identifying inequalities, monitoring progress, and designing effective policies. However, data collection is hindered by national sensitivities and legal barriers, rendering it difficult to obtain comprehensive and comparable information. Several Member States are reluctant to collect data on racial or ethnic origin due to legal, historical, or cultural sensitivities, including concerns about privacy and data protection. This reluctance is rooted in Europe's history of misuse of ethnic data, particularly during the 20th century. As a result, there is a lack of comparable and comprehensive data across the EU, making it difficult to assess the true scale of racism and to measure the impact of interventions. The Action Plan encourages improved data collection, but the lack of harmonized methodologies and the voluntary nature of such efforts are significant obstacles.

France is a prominent example of a country that prohibits the collection of data on race or ethnicity in official statistics. The French Constitution and the Data Protection Act (Loi Informatique et Libertés) enshrine the principle of "color-blindness," rooted in the republican ideal that all citizens are equal and that the state should not recognize ethnic or racial differences. As a result, the National Institute of Statistics and Economic Studies (INSEE) is barred from collecting data on race or ethnicity in censuses or surveys. While this approach is intended to prevent discrimination, it also makes it difficult to quantify racial inequalities or track the effectiveness of anti-racism policies. Civil society organizations in France have repeatedly called for the collection of anonymized, voluntary data to better address persistent disparities, but political resistance remains.

(iv)   *Resource Constraints*

The successful implementation of the Action Plan requires adequate financial and human resources at both the EU and national levels. However, competing policy priorities and budgetary

constraints—especially in the context of economic recovery from the COVID-19 pandemic—may limit the availability of funds for anti-racism initiatives. Without dedicated and sustained investment, many of the Plan's ambitious measures, such as training, awareness campaigns, and support for victims, risk remaining underfunded or symbolic. For example, the Commission for Protection against Discrimination (CPD) in Bulgaria has repeatedly reported insufficient funding and staffing. As a result, it struggles to conduct proactive investigations, outreach, and support for victims. The CPD's limited budget means it cannot fully implement training or awareness campaigns, and its ability to monitor discrimination cases is severely constrained. This under-resourcing has been highlighted in European Commission and FRA reports as a barrier to effective enforcement of anti-discrimination law.

Moreover, Italy's National Office Against Racial Discrimination (UNAR) has faced periods of underfunding and political neglect, particularly during times of government change or economic downturn. As a result, some of its planned outreach and victim support activities have been delayed or scaled back. In 2020–2022, UNAR's budget was not increased in line with the growing need for anti-racism work, limiting its ability to implement the Action Plan's recommendations. The above examples underscore that monitoring mechanisms require further detail and enforcement power to ensure accountability and sustained progress

(v)   Intersectionality and Victim Support

The EU Anti-Racism Action Plan 2020–2025 rightly acknowledges that individuals often experience discrimination on multiple, overlapping grounds—such as race, ethnicity, religion, gender, sexual orientation, disability, or migration status. This concept, known as intersectionality, is crucial for understanding the unique and compounded disadvantages faced by certain groups. However, while the Action Plan recognizes intersectionality in principle, practical measures to address these overlapping forms of discrimination remain limited in scope and effectiveness.

This is due in part to the fact that the EU anti-discrimination law is fragmented. That ism different directives cover different grounds (e.g., race, gender, disability), and there is no single, horizontal legal instrument that addresses all forms of discrimination together. For example, a Black Muslim woman who faces discrimination at work might experience bias based on both her race and religion, but legal remedies may require her to prove each type of discrimination separately. This siloed approach can leave victims without adequate protection or recourse, as their lived experiences do not fit neatly into legal categories. For example, a Roma woman in Hungary may face discrimination in healthcare both because of her ethnicity and her gender. However, if she brings a complaint, she may be forced to choose whether to pursue it as an ethnic or gender discrimination case, with no clear legal avenue to address the combined effect.

Moreover, support services for victims of discrimination are often not equipped to address intersectional needs. Shelters, counseling, and legal aid may be tailored to specific groups (e.g., women, migrants, or ethnic minorities) but not to those who fall into multiple categories. This can leave victims feeling isolated and unsupported. For example, Roma LGBTQ+ individuals in Eastern Europe report facing exclusion both from mainstream Roma support organizations (due to homophobia) and from LGBTQ+ organizations (due to racism), leaving them with few safe spaces or tailored support options.

Although the EU Anti-Racism Action Plan marks progress by recognizing intersectionality, practical measures to address the real-world complexity of overlapping discrimination are still lacking. Victims who face multiple forms of discrimination often encounter additional barriers to protection, support, and justice. To move beyond symbolism, the EU and its Member States must develop comprehensive, intersectional approaches in law, policy, data collection, and victim support services. Only then can the Action Plan's vision of equality for all

become a reality.

(vi)   Problems with Artificial Intelligence Regulation

While the Action Plan acknowledges the risk of algorithmic bias and discrimination in AI systems, it does not provide concrete, enforceable standards or regulatory mechanisms specific to AI. The language used is largely aspirational, calling for "safeguards" and "attention to risks," but without detailing what legal or technical requirements should be imposed on AI developers and deployers. This leaves a gap between recognition of the problem and actionable regulation. Moreover, the Action Plan relies on Member States and existing EU frameworks to address AI-related discrimination. However, Member States have varying levels of expertise, resources, and political will to tackle algorithmic bias. Without a harmonized, EU-wide approach, there is a risk of inconsistent protection and enforcement, with some countries lagging behind in regulating AI's impact on racial and ethnic minorities.

Further, the Action Plan references AI risks but does not fully integrate with the EU's broader regulatory efforts, such as the Artificial Intelligence Act (AI Act). While the AI Act (proposed in 2021 and still under negotiation as of 2025) includes provisions on non-discrimination and transparency, there is a lack of explicit cross-referencing and coordination between the Action Plan and AI-specific legislation. This can result in regulatory silos and missed opportunities for comprehensive protection.

Equally as important, effective regulation of AI bias requires strong transparency and accountability measures, such as mandatory impact assessments, audit trails, and explainability requirements for high-risk AI systems. The Action Plan, however, does not mandate these tools or provide clear guidance on how to ensure AI systems are fair, auditable, and accountable for discriminatory outcomes.

V.   RECOMENDATIONS

In order to address these limitations and enhance the effectiveness of the Action Plan, ASSEDEL proposes the following recommendations:

- Strengthen EU enforcement mechanisms to ensure Member State compliance and address non-implementation;
- Develop EU-wide guidelines for data collection on racial and ethnic origin, ensuring comparability, privacy, and ethical use;
- Increase and ring-fence funding for anti-racism initiatives at both EU and national levels.
- Enhance the powers, independence, and resources of equality bodies across all Member States;
- Develop and enforce EU-wide guidelines for the collection of anonymized, disaggregated data on racial and ethnic origin, in compliance with data protection standards;
- Foster deeper engagement with civil society organizations and affected communities to ensure policies are responsive and inclusive;
- Promote intersectional approaches in both law and practice to protect individuals facing multiple forms of discrimination;
- Invest in public education and awareness campaigns to challenge stereotypes and promote cultural change;
- Proactively regulate and monitor the use of digital technologies and artificial intelligence to prevent algorithmic bias and digital exclusion;
- Strengthen the alignment between the Action Plan and the EU's AI Act by introducing mandatory impact assessments, transparency requirements, and external audits for high-

risk AI systems.

- Develop clear redress mechanisms for victims of algorithmic discrimination and ensure that equality bodies are equipped to monitor and address digital bias.

VI. Conclusion

The EU Anti-Racism Action Plan 2020–2025 represents a significant and necessary step forward in the ongoing effort to realize the Union's foundational promise of equality and non-discrimination. As this report has demonstrated, the Plan is commendable for its robust legal foundation, holistic and intersectional approach, and its recognition of the complex, structural nature of racism in contemporary Europe. By setting out a comprehensive strategy that spans legislation, policy, institutional reform, and awareness-raising, the Action Plan aspires to address both the symptoms and root causes of racial and ethnic discrimination.

However, the effectiveness of the Action Plan is constrained by a series of persistent and interrelated challenges. Chief among these are the uneven implementation and enforcement of anti-discrimination measures across Member States, the variable strength and independence of equality bodies, and the lack of harmonized, disaggregated data necessary for evidence-based policymaking. Resource constraints, both financial and human, further limit the reach and impact of anti-racism initiatives, while the lack of binding standards and dedicated funding for key actors—such as equality bodies and victim support services—risks rendering some measures symbolic rather than transformative. The Plan's recognition of intersectionality is a crucial advancement, yet practical mechanisms to address the compounded effects of multiple forms of discrimination remain insufficient. Additionally, the rapid evolution of digital technologies and artificial intelligence presents new risks of algorithmic bias and discrimination, which the Action Plan acknowledges but does not yet address with sufficient regulatory clarity or enforcement power.

Notwithstanding these limitations, the Action Plan provides a valuable framework for coordinated action at the EU, national, and local levels. Its success will ultimately depend on the political will of Member States, the allocation of adequate resources, and the establishment of effective monitoring, accountability, and enforcement mechanisms. To move from aspiration to achievement, the EU and its Member States must commit to strengthening legal protections, harmonizing data collection, empowering equality bodies, and ensuring that anti-racism efforts are adequately funded and inclusive of all affected communities.

In the final analysis, although the EU Anti-Racism Action Plan lays the groundwork for a more just and equitable Union, its transformative potential will only be realized through sustained commitment, concrete action, and the willingness to confront both new and longstanding forms of discrimination. Only then can the EU truly fulfill its motto of being "united in diversity" and guarantee equal rights and opportunities for all its residents.