The Anti-racism protests following the death of George Floyd

The European Parliament,

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

- having regard to Articles 10 and 19 of the Treaty on the Functioning of the European Union (TFEU),

- having regard to the Charter of Fundamental Rights of the European Union, in particular articles 2, 3, 4, 5 and 21

- 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,

- 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,


- having regard to the European Union Fundamental Right’s Agency’ Fundamental Rights Report 2020, to the Second European Union Minorities and Discrimination Survey (EU-MIDIS II) published in December 2017 by the European Union Agency for Fundamental Rights (FRA), to the FRA surveys “Being black in the EU” published in November 2018 and November 2019 and to the FRA’s report on experiences of racial discrimination and racist violence among people of African descent in the EU,

- having regard to its resolution of 16 January 2019 on the situation of fundamental rights in the European Union in 2018

- having regard to its previous resolutions on racism and hatred against minorities in the world,

- having regard to its resolution of 26 March 2019 on fundamental rights of people of African descent in Europe (2018/2899 (RSP));

- having regard to its resolution of 14 February 2019 on the right to peaceful protest and the proportionate use of force,
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 general policy recommendations of the European Commission against Racism and Intolerance (ECRI),

− having regard to the EU High Representative / Vice-president video press conference of 2 June 2020 following Georges Floyd’s death,

− having regard to its exchange of views of 5 June 2020 on the case of George Floyd in its subcommittee on Human Rights

− having regard to the FRA guide on “Preventing unlawful profiling today and in the future

− 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 recommendation of the Council of Europe’s Committee of Ministers of 19 September 2001 on the European Code of Police Ethics,

− having regard to the Universal Declaration of Human Rights of 1948,

− having regard to the International Covenant on Civil and Political Rights of 1966

− having regard to the UN Convention on the Elimination of All Forms of Racial Discrimination and the UN Committee on the Elimination of Racial Discrimination (CERD) General Recommendations;

− having regard to the statement of the UN High Commissioner for Human Rights Michelle Bachelet of 28 May 2020 condemning the killing of George Floyd

− having regard to the statement on the protests against systemic racism in the United States by the independent experts of the Special Procedures of the UN Human rights Council on June 5th,

− having regard to the Durban Declaration and Programme of Action of 2002, its follow-up and the Report of UN Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance on “combating racism, racial discrimination, xenophobia and related intolerance”,

− having regard to the International Decade for People of African Descent
– having regard to the US Constitution,

– having regard to Rules 132(2) of its Rules of Procedure of its Rules of Procedure,
A. whereas on May 25, 2020, George Floyd, a 46-year-old unarmed African American man, was arrested for allegedly using a counterfeit bill and was killed in Minneapolis, Minnesota, after a white police officer kneeled on his neck for 8 minutes 46 seconds; whereas George Floyd repeatedly said he could not breathe;

B. whereas George Floyd’s death, added to the list of other examples of use of excessive force and killings by police officers, has sparked massive demonstrations and protests against racism and police brutality all over the US, as well as around the globe;

C. whereas following the massive protests, police officer Derek Chauvin’s initial charge of third degree murder without intention to kill was replaced with second degree murder and manslaughter – the charges carry a combined maximum of 35 year sentence; whereas three other police officers involved in the arrest of George Floyd were fired and face charges of aiding and abetting;

D. whereas the protests following the death of George Floyd are preceded by a long history of protests against police brutality and racism in the US; whereas, in the US, black people and people of colour amount to up to 40% of the incarcerated population while they represent 13% of the total population; whereas the rate of mortality in police custody in the US is six times higher for Black people than for white people and is three times higher for Hispanic people\(^1\), as is the use of excessive or lethal force, which has disproportionately affected people of colour;

E. whereas some individual violent incidents happened during the protests, including in Minneapolis;

F. whereas Trump deployed the National Guard;

G. whereas the reaction and the inflammatory rhetoric used by the US President, including his threats to deploy the US army if the on-going protests would not stop, only served to strengthen the protests;

H. whereas CNN reporter Omar Jimenez together with his colleagues was arrested while covering the Minneapolis protests and they were later released after being confirmed to be members of the media; whereas a large number of journalists was kept from freely reporting about the demonstrations despite clearly showing their membership of the press with dozen attacked by police forces and some of them;

I. whereas the EU is committed to respecting freedom of expression and information as well as freedom of assembly and association; whereas according to the case-law of the ECHR and the CJUE, all restrictions of fundamental rights must respect the principles of legality, necessity and proportionality;

\(^1\) https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5559881/
J. whereas following the death of George Floyd and the protests in the US, thousands of people marched in European cities and other cities around the world in support of the US protests and to protest against racism with the “Black Lives Matter” movement; whereas the “Black Lives Matter” movement is not new;

K. whereas in some EU Member States the protests strengthened a movement against racism targeting black people and people of colour as well as led recalling Europe’s colonial past, its role in transatlantic slave trade; whereas these injustices and crimes against humanity should be recognised at EU and national level and addressed at institutional level and within education;

L. whereas democratic international community firmly rejected the excessive use of force, condemned violence and racism of any kind and called for all such incidents to be addressed swiftly, effectively and in full respect of the rule of law and human rights;

M. Whereas democracy, rule of law and fundamental rights are key principles enshrined in EU law; whereas these shared principles and values should unite us in fighting injustice, racism and discrimination of all forms;

N. whereas the right to equal treatment and non-discrimination is a fundamental right enshrined in the Treaties and in the Charter of Fundamental Rights, and should be fully respected;

O. Whereas Article 21(1) of the Charter of Fundamental Rights states that any discrimination based on any ground such as sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation shall be prohibited;

P. Whereas the EU motto ‘United in Diversity’ covers nationality, but also all the above-mentioned grounds;

Q. Whereas racism is of concern around the globe and whereas racist and xenophobic attitudes persists everywhere in the world;

R. whereas according to FRA, racial discrimination and harassment remain commonplace throughout the European Union; whereas racial and ethnic minorities are subject to harassment, violence and hate speech, both online and offline; whereas racial and ethnic minorities face structural discrimination in the EU in all areas, including housing, healthcare, employment and education;

S. Whereas FRA survey reported that racialized groups that are most affected by racism and discrimination in Europe based on ethnics or immigrant background are Roma, individuals from North Africa and Sub-Saharan African;  

T. whereas racist and xenophobic attitudes are embraced by certain opinion leaders and politicians across the EU, fostering a social climate that provides fertile ground for racism, discrimination and hate crimes; whereas this climate is further fuelled by populistic and extremists movements who try to divide our societies; whereas these acts run counter to the common European values which all the Member States have undertaken to uphold;  

U. Whereas the work of police and law enforcement forces aims to defend the security of people in the EU and protect them against crime, terrorism and illegal activities or actions and apply the law, sometimes in difficult circumstances;  

V. Whereas racism, discrimination and the excessive and lethal use of force by the police also exists within the EU; whereas law enforcement authorities in several Member States have been criticised for using excessive force; whereas when a person is confronted by the police or other agent of the State, recourse of the physical force which has not been made strictly necessary by the person’s own conduct diminishes human dignity and is in principle an infringement of the right set forth in Article 3 of the ECHR; whereas disproportionate use of force should be strongly condemned;  

W. whereas the FRA reported that black people and people of colour in the EU experience racial and discriminatory profiling; whereas one quarter of all persons of African descent surveyed by the FRA were stopped by the police in the 5 years before the survey and among these, 41% characterised the most recent stop as racial profiling;  

X. Whereas a majority (63 %) of victims of racist physical attacks by police did not report the incident either because they felt reporting would not change anything (34 %) or because they do not trust or are afraid of the police (28 %); Whereas there is a need to ensure protection and access to justice for victims of police violence;  

Y. Whereas the OSCE/ODHIR Annual hate crimes report has found that black people and people of colour are often targets of racist violence, yet in many countries there is

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4 Judgment of the ECHR of 17 April 2012, Case Rizvanov v. Azerbaijan, parag. 49  
a lack of legal assistance and financial support for victims recovering from violent
attacks;

Z. Whereas the EU institutions need to take concrete steps to address structural racism,
discrimination and underrepresentation of racial and ethnic minority groups within its
structures;

AA. whereas the fight against racism and discrimination in our societies need to be
stepped up and is a shared responsibility; whereas the European Union need to
urgently reflect and commit to tackling the structural racism and discriminations faced
by many minority groups;
1. Affirms that Black Lives Matter;

2. Strongly condemns the appaling death of George Floyd in the US as well as similar killings elsewhere in the world; expresses its condolences to his relatives and friends and those of other victims; urges the authorities to investigate this and similar cases thoroughly and bring those responsible to justice;

3. Strongly condemn all forms of racism, hate and violence, as well as any physical or verbal attacks targeting people of particular racial or ethnic origin, religion or belief, and nationality, in both public and private spheres; recalls that there is no place for racism and discrimination in our societies; Asks for the Commission, the European Council and the Council to take a strong and decisive stand against racism, violence and injustice in Europe;

4. Calls on the United States’s Government and authorities to take decisive steps to address the structural racism and inequalities in the country, as reflected in police violences, condemns the police crackdowns on peaceful US protesters and journalists and strongly regrets the US President’s threat to deploy the US Army;

5. Supports the recent massive protests in European capitals and cities against racism and discrimination following the death of George Floyd; highlights the protesters’ call to take a stand against oppression and structural racism in Europe; Expresses solidarity, respect and support for the peaceful protests and believes that our societies need an end to structural racism and inequalities; recalls the right of peaceful protests of each individual as enshrined in international treaties ; regrets individual violent incidents that occurred;

6. Calls upon all leaders and citizens to refrain from a backsliding in values and reinforce the promotion of human rights, democracy, equality before the law and a free and independent media; Condemns statements and actions by leaders that risk to undermine these values and enlarge divisions within our societies; Notes that these values are common to the foundations of both the EU and the US and to our transatlantic cooperation; Underlines the importance of closer interparliamentary cooperation through the Transatlantic Legislators’ Dialogue, in order to exchange views, best practices during their upcoming meeting and identify legal means of combating structural racism and protecting human rights;

7. Calls for a closer multilateral cooperation to combat racism and discrimination; calls on the Commission to closely liaise with international actors such as OSCE, the UN, the African Union and the Council of Europe as well as other international partners, in order to combat racism at international level; Welcomes the request of 54 African countries, to hold an urgent debate at the UN human rights council to be held on 17th June 2020 on the “current racially inspired human rights violations, systemic racism, police brutality and the violence against peaceful protests”;
8. Calls on the EU institutions, bodies agencies and the Member States to strongly and publicly denounce the disproportionate use of force and racist tendencies in law enforcement whenever it occurs, in the EU, in the US and around the world;

9. Considers that the fight against racism is a horizontal issue and that it should be taken into account in all areas of Union policy; Recalls that all citizens should be entitled to protection from these inequities both as individuals and as a group, including positive measures for the promotion and the full and equal enjoyment of their rights;

10. Recalls that the European Parliament adopted on 26 March 2019 a resolution on the fundamental rights of people with African Descent and calls urgently on the EU and MS to implement it,

11. Is deeply concerned about the reported cases of right-wing extremism in security forces that have been brought to light in recent years in the EU;

12. Call on EU institutions and Member States to officially acknowledge past injustices and crimes against humanity committed against Black people and people of color; Declares the slave trade a crime against humanity and calls to make December 2nd the European day commemorating the abolition of slave trade; Encourages the Member States to make the history of people of Black people and people of color, part of the school curricula;

13. Reiterates the crucial role of education in deconstructing prejudices and stereotypes, promoting tolerance, understanding and diversity and highlights that education is a key tool to end structural discrimination and racism in our societies;

14. Invites the EU leaders to organise a European Anti-Racism Summit on combatting structural discrimination in Europe soon; Urges the Commission to come forward with an comprehensive strategy against racism and discrimination and a EU framework for national action plans against racism with a dedicated part on fighting these phenomena among law enforcement services, while taking an intersectional approach; Invites the Council to envisage the creation of a dedicated Council formation for Equality; Calls on the EU institutions to establish an inter-institutional task force to fight racism and discrimination at the EU level;

15. Calls on the Member States to promote anti-discriminations policies in all areas and to develop national action plans against racism, that address areas such as education, housing, health, employment, policing, social services, the justice system and political participation and representation, in close cooperation with civil society and concerned communities;

16. Urgently calls to combat discrimination on all grounds in the EU and therefore calls for the Council to immediately unblock and conclude the negotiations on the

17. Condemns all types of incidents of hate crime and hate speech, both offline and online, that occur in the EU on a daily basis and reminds that racism and xenophobia are crimes, not opinions;

18. Insists that Member States implement and properly enforce the Council Framework Decision 2008/913/JHA of 28 November 2008 on combating certain forms and expressions of racism and xenophobia, notably by investigating bias motivation for crimes based on race, national or ethnic origin and ensuring that racism hate crimes are recorded, investigated, prosecuted and sanctioned; also calls on the Commission to review and revise, where appropriate, this Framework Decision and its implementation and take action against Member States that do not fully implement it;

19. Calls on the Commission and Member States to take steps towards the collection of further data disaggregated by race and ethnic origin (as defined by the EU racial equality directive) that is voluntary and anonymous; Considers that if data on ethnic discrimination and hate crime were to be collected, it should be for the sole purpose of identifying the roots and combat racism and discriminatory discourse and acts, in accordance with relevant national legal frameworks and EU data protection legislation;

20. Notes that the Commission will come forward with the first edition of its annual Rule of Law reports, with a limited scope; reiterates the European Parliament’s calls for a comprehensive mechanism on democracy, the rule of law and fundamental rights, which should include monitoring the state of affairs regarding racism and discrimination in all EU Member State;

21. Condemns racial and ethnic profiling used by police and law enforcement authorities and considers that police and law enforcement forces shall have an exemplary duty on anti-racism and anti-discrimination; Calls on the EU and Member States to develop policies and measures to tackle discrimination and to end racial or ethnic profiling in all forms in criminal law enforcement, counter-terrorism measures and immigration controls; stresses in particular to the extent that new technologies to be used by law enforcement authorities are designed and used in such a way that they do not create risks for racial and ethnic minorities of discrimination; proposes to strengthen the training of members of police and law enforcement forces, on strategies to fight against racism and discrimination and to prevent, identify and respond to racial profiling; Calls on Member States not to leave the cases of police violence and abuses unpunished and to properly investigate, prosecute and sanction them.

22. Condemns the use of violent and disproportionate interventions by state authorities; encourages the relevant authorities to ensure a transparent, impartial, independent and effective investigation when the use of disproportionate force is suspected or has been alleged; recalls that law enforcement agencies must always be held accountable for
the fulfilment of their duties and their compliance with the relevant legal and operational frameworks, in particular the UN principles on the use of Force and Firearms by law enforcement officials;

23. Calls on the Member States to ensure that the use of force by law enforcement authorities is always lawful, proportionate, necessary and the last resort, and that it preserves human life and physical integrity; notes that the excessive use of force against crowds contravenes the principle of proportionality;

24. Asks the Commission to create an independent expert group tasked with developing an EU Code of Police Ethics that provide a set of principles and guidelines, which could also help police actors in their daily work to properly enforce the prohibition of racism, discrimination and ethnic profiling.

25. emphasises that a free press is a fundamental pillar of any democracy; notes the important role of journalists and photojournalists in reporting cases of disproportionate violence and condemns all instances in which they have been deliberately targeted,

26. Calls on EU relevant agencies, including the Fundamental Rights Agency, CEPOL and EUROPOL within their respective mandates, to step up their efforts in combatting racism and discrimination;

27. recalls the importance of ensuring adequate EU funding to support activities of civil society actors, including those working on anti-racism and discrimination; Deplores that the proposed amount for the heading “Justice, Rights and Values” was further decreased in the revised MFF proposals;

28. Instructs its President to forward this resolution to the Council, the Commission, the Vice-President of the Commission/ High Representative for the Union for Foreign Affairs and Security Policy, the EU Special Representative of the Foreign Affairs and Security Policy, the EU Special Representative for Human Rights, the governments and parliaments of the Member States, the Council of Europe, the Organisation for Security and Cooperation in Europe and the United Nations, US President Donald Trump and his administration, the US Congress