

Resolution 2364 (2021)¹

Ethnic profiling in Europe: a matter of great concern

Parliamentary Assembly

1. Mass protests across the world following the killing of George Floyd on 25 May 2020 in Minneapolis have again increased public awareness of the urgent need to strengthen the fight against racism. For years, institutional racism, racist violence and abuse have been reported throughout Europe. The Parliamentary Assembly is concerned about the persistence of racist behaviour in European societies and stresses that there can be no impunity for manifestations of racism.

2. Police forces play an important role for the cohesion of society, by protecting the population from security threats and contributing to peaceful coexistence. In addition to other important functions, they play a key role in guiding victims of domestic violence who need protection and justice. Since the beginning of the Covid-19 pandemic, police forces have also ensured the respect of lockdowns and other restrictive measures taken to counter the spread of the virus. The attitude of police officers towards the population, and the methods they use to carry out their tasks, are of utmost importance in ensuring the public's trust and overall support. Police officers should be exemplary and held accountable for their actions.

3. Activities concerning surveillance, investigation, verification and identity checks are routinely performed by police forces, border guards and other law-enforcement officers throughout Europe on a daily basis. However, some of the methods employed are in contradiction with international human rights standards. Ethnic or racial profiling occurs when people are stopped, checked or investigated without any reasonable or objective grounds, because of their colour, appearance or perceived nationality, ethnicity, origin or religion. Artificial intelligence also demonstrates and amplifies this type of partiality and bias. Ethnic profiling is discriminatory by nature and is therefore illegal, but despite this it is a widespread and documented phenomenon across Europe.

4. Ethnic profiling can have a negative impact on both the people being stopped and on society at large. It promotes a distorted view of, and stigmatises, parts of the population. It can also reflect deeply rooted racism. Ethnic profiling is counterproductive as it reduces the efficiency of investigations, making the work of the police more predictable and subject to prejudice.

5. The Assembly recalls its [Resolution 1968 \(2014\)](#) on tackling racism in the police, in which it already stressed that racist behaviour and practices within the police force against visible minorities have a negative impact on public opinion and can increase prejudice. It also recalls its [Resolution 2275 \(2019\)](#) on the role and responsibilities of political leaders in combating hate speech and intolerance, in which it stressed that politicians have both a political obligation and a moral responsibility to refrain from using hate speech and stigmatising language, and to condemn promptly and unequivocally its use by others, as silence may be interpreted as approval or support.

6. The Assembly commends the work of the Council of Europe's European Commission against Racism and Intolerance (ECRI), which has consistently condemned the use of ethnic profiling and called on member States to prohibit its use. The Assembly, which participates in ECRI's work through its representatives, reiterates its full support for the commission in this context.

1. *Assembly debate* on 28 January 2021 (7th Sitting) (see [Doc. 15199](#), report of the Committee on Equality and Non-Discrimination, rapporteur: Mr Boriss Cilevičs). *Text adopted by the Assembly* on 28 January 2021 (7th Sitting).



7. In the light of these considerations, the Assembly calls on the Council of Europe member States to take determined action to tackle ethnic profiling and to:

- 7.1. clearly condemn and prohibit ethnic profiling in national legislation, if this is not yet the case;
- 7.2. strengthen the fight against racial discrimination, particularly during crises such as the Covid-19 pandemic;
- 7.3. ensure the follow-up of relevant ECRI recommendations and take measures to ensure their full implementation, notably General Policy Recommendation No. 11 on combating racism and racial discrimination in policing;
- 7.4. promote awareness-raising activities on preventing and combating ethnic profiling, encourage dialogue between law-enforcement bodies and minority communities at all levels, as well as pertinent non-governmental organisations (NGOs), and create frameworks for this dialogue if needed;
- 7.5. call for the adoption of codes of conduct by police forces with content aiming at preventing racist behaviours and ethnic profiling, if this is not yet the case, and ensure their implementation;
- 7.6. provide adequate resources to police forces to carry out their tasks, including with regard to the recruitment of staff, and ensure diversity in the recruitment of police officers so as to reflect the diversity of the population;
- 7.7. organise regular training on preventing and combating racism for all police officers, including specific training on preventing and combating ethnic profiling, using an intersectional approach;
- 7.8. set up independent police complaints mechanisms, if they have not already done so, and ensure that they are sufficiently staffed and have the means to follow up on imposed sanctions;
- 7.9. support victims of racial discrimination and victims of police abuse and misconduct, including in their efforts to seek justice;
- 7.10. systematise, where this is not yet the case, the delivery of receipts following stop-and-search operations and ensure that police officers can be clearly identified when performing this type of task;
- 7.11. launch studies on policing practices at national level to gain an overview of the use of ethnic profiling, collect disaggregated data, publish the results of these studies and take relevant follow-up measures;
- 7.12. support national human rights institutions and equality bodies which play an essential role in the fight against racism and discrimination, including ethnic profiling, on any grounds.

8. The Assembly invites national parliaments to:

- 8.1. hold debates on the need to prevent and combat ethnic profiling and racism in law-enforcement agencies;
- 8.2. hold debates on ECRI's general policy recommendations and country-specific recommendations and their implementation, and launch parliamentary initiatives to implement them.

9. The Assembly calls on political leaders, as well as leaders of law-enforcement and police forces, to firmly condemn the use of ethnic profiling and call for an end to this practice.

10. The Assembly welcomes the adoption of General Recommendation No. 36 (2020) on preventing and combating racial profiling by law-enforcement officials by the United Nations Committee on the Elimination of Racial Discrimination and reaffirms its support for the work of this committee and for that of the Office of the United Nations High Commissioner for Human Rights.