

# European Union



*The headquarters of the European Union mission in Tunisia, May 9 2024.*

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There is a gap between the rhetoric of the European Union on human rights and the often inadequate and sometimes abusive laws and practices of member states. The gap is particularly stark when it comes to migration and asylum policies, tackling racism, and protecting the rule of law.

## Migrants, Refugees, and Asylum Seekers

EU migration and asylum policy increasingly focuses on deadly deterrence, illustrated in 2024 by new rules that seriously undermine the rights of migrants and asylum seekers arriving at EU borders and intensified efforts to offshore responsibilities to countries outside the EU.

The [EU Migration and Asylum Pact](#), adopted in May, includes provisions that, once implemented, will severely curtail rights. New rules will make it harder for people to apply for asylum and easier for governments to rush decisions on asylum applications and will increase detention at EU borders. EU countries will be able to deny people the right to apply for asylum in vaguely defined situations of “mass influx” or “instrumentalization” of migration by third countries. The changes encourage EU states to return people to transit countries outside the EU where they could face abuse or chain refoulement. The pact does little to improve responsibility-sharing among EU countries. In October, 17 EU member states signed a [non-paper](#) calling for a new legislative proposal to increase returns.

In 2024, the EU announced new migration partnerships with [Egypt](#) and [Mauritania](#) and increased border management funding to both countries as well as to [Lebanon](#), following a 2023 deal with [Tunisia](#) and ongoing migration control support to [Libyan](#) and [Moroccan](#) authorities, without genuine human rights guarantees. The EU pursued these partnerships despite widespread atrocities against migrants and refugees in [Libya](#), and abuses and [lack of protections](#) faced by migrants,

asylum seekers, and refugees in [Lebanon](#), [Tunisia](#), [Egypt](#), [Mauritania](#), and [Morocco](#). The EU largely failed to speak up against migrant rights violations in countries with which it has such partnerships.

Italy and Malta, with support from Frontex aircraft, continued to facilitate interceptions of boats carrying migrants and refugees by Libyan forces and their return to the risk of serious abuse. With [support from the European Commission](#), Tunisia [declared a Search and Rescue Region](#) in June [that risks increasing](#) interceptions and returns to abuse in Tunisia rather than improving protection of life and safety at sea.

The [EU Fundamental Rights Agency](#) (FRA) found that widespread rights violations at EU borders—failure to assist migrants in distress, mistreatment, and [abuse](#)—are not properly investigated. The agency called for robust monitoring at borders and stronger accountability mechanisms. The [European Ombudsman](#) said Frontex needed clear guidelines for assessing maritime emergencies and issuing mayday relays for boats in distress and called for an independent commission of inquiry into deaths in the Mediterranean Sea. In October, EU leaders [expressed support](#) for Poland after it announced it would suspend access to asylum at the Belarus border, a decision that could breach international and EU law.

Numerous EU countries expressed interest in or endorsed measures to offshore responsibility for asylum seekers. In October and November, Italy [transferred](#) the first two groups to Albania under a [deal](#) by which men from countries deemed “safe” and rescued or intercepted by Italy at sea are taken to Albania for processing of their asylum claims. The future of the deal was uncertain after an Italian court ordered both groups released because their home countries cannot categorically be deemed safe and referred the issue to the Court of Justice of the EU (CJEU). The CJEU had [ruled](#) in early October that a country cannot be considered safe if there are exceptions.

[Germany’s migration commissioner](#) suggested in September that Germany could send certain people to Rwanda, while the [Danish immigration minister](#) visited Australia and Nauru, also in September, to learn more about [Australia’s abusive offshore processing policy](#). In May, [15 EU member states asked](#) the European Commission to explore ways to shift asylum processing outside the EU including by making it easier to send people to “safe third countries.”

[Statistics revealed shifting migration routes](#), with significant increases in arrivals in Spain’s Canary Islands as well as along eastern EU land borders and a drop in crossings in the Mediterranean and through the Western Balkans. During the first nine months of 2024, the [International Organization for Migration](#) (IOM) recorded at least 1,452 people dead or missing in the Mediterranean and over 700 in the Atlantic route to the Canaries.

## Discrimination and Intolerance

In 2024, European governments [expressed concern](#) about the rise of far-right parties—even as mainstream parties emulated their policies and rhetoric—as well as rising levels of racial discrimination, xenophobia, and related intolerance. The political environment ahead of EU elections in June saw increased [mainstreaming](#) of racist, Islamophobic, anti-migrant, and far-right narratives.

This happened while the impacts of the Hamas-led attack in Israel on October 7, 2023, and the ensuing hostilities between Israel and Palestinian armed forces led to an “[alarming surge](#)” in Europe of hatred against [Jews](#) and [Muslims](#) and those perceived as such.

In July, the FRA published its third [survey](#) on discrimination and hate crimes against Jews in the EU, which pre-dated October 7. It illustrated Jews’ experiences and perceptions of “high levels of antisemitism” in Europe.

In October, the FRA [published](#) “Being Muslim in the EU,” a report based on a survey in 13 EU countries asking Muslims about their experience of discrimination, including hate crimes and

mistreatment by police. Nearly half of survey respondents said they had experienced racism.

During 2024, the [European Parliament](#), the [Council of Europe](#) and its [European Commission against Racism and Intolerance](#) added their voices to [international](#) concerns about increased antisemitic and anti-Muslim hatred. In October, the EU Council [adopted](#) a declaration on fostering Jewish life and combating antisemitism, stressing the importance of education and protection for victims of all forms of antisemitism, racism, and other forms of hatred.

FRA's 2024 annual report [found](#) overall intolerance “growing across Europe, affecting many groups, including Muslims, people of African descent, Roma, and migrants,” noting that “[d]isinformation and online platforms have exacerbated racist and polarised attitudes.” A FRA survey [found](#) one in three LGBT people reported experiencing discrimination, while ILGA-Europe [noted](#) an uptick in anti-LGBT rhetoric around elections across Europe.

The EU [continues to lack](#) a dedicated age equality strategy to tackle [age discrimination](#).

In March, the Council of Europe, which includes all EU states, [adopted](#) a Gender Equality Strategy for 2024-2029, including on violence against and equal access to justice for women and girls and their participation in political, public, social, and economic life.

In May, the EU [adopted](#) a directive on combating violence against women and domestic violence. [The directive includes](#) measures to prevent, protect, and increase access to justice for survivors of violence against women, but it does not adopt a consent-based definition for rape at EU level. Nor does it recognize forced sterilization as a crime. Forced sterilization disproportionately affects women and girls with disabilities and remains legal in [at least 12 EU member states](#), including Bulgaria, Denmark, and Portugal.

In May, the Council of the European Union adopted a [new directive](#) setting out minimum standards to improve member state implementation of national and EU anti-discrimination laws.

In September, the European Commission [presented](#) its report on the implementation of the EU Anti-Racism Action Plan 2020-2025. According to the Commission, 11 EU member states adopted dedicated national action plans against racism, but challenges remain even in those states due to insufficient funds for implementation and failure to disaggregate data by racial and ethnic origin to inform policies.

In July, reappointed European Commission President Ursula Von der Leyen announced that a new anti-racism strategy would be developed [for the Commission's 2024-2029](#) term. In September, Von der Leyen also announced that work on equality and non-discrimination would be folded into the mandate of the [Commissioner on preparedness and crisis management](#)—a downgrade given that equality previously had a dedicated Commissioner. In December, Von der Leyen [upgraded](#) the coordinators on antisemitism and anti-Muslim hatred, giving them direct access to Commission president's office, yet neglected to do the same for the anti-racism coordinator.

## Poverty and Inequality

EU [data](#) from June 2024 showed that 94.6 million people (21.4 percent of the population) were “[at risk of poverty or social exclusion](#)” during 2023, of whom 29.3 million [experienced severe material or social deprivation](#). Women remain [disproportionately affected](#).

Poverty and social exclusion rates in Romania, Bulgaria, the two worst affected EU states, exceeded 30 percent, and [remained above 25 percent](#) in Greece, Spain, and Latvia, the next three most affected.

By August, as energy prices [dropped](#) easing the cost of living crisis, the EU-wide inflation average fell to 2.2 percent.

European governments and intergovernmental authorities publicly reiterated commitment to greater implementation and realization of “social rights,” including rights protected under the Council of Europe’s European Social Charter in the [Vilnius declaration](#) in February, and issues falling under the EU’s European Pillar of Social Rights in the [La Hulpe declaration](#) in April.

Results of an EU-wide [survey published](#) in April showed that 88 percent of Europeans consider social rights, such as adequate standard of living, working conditions, and health care, to be important.

In January, the European Commission published its [monitoring framework](#) for the [European Child Guarantee](#). This 2021 EU-wide [policy instrument](#), focused on tackling child poverty, requires states to ensure by 2030 free access to early childhood education and care, one free healthy meal each school day, health care, and housing for all children facing social exclusion or other disadvantage. Children’s rights groups [drew attention](#) to the scale of the challenge, noted patchy implementation and monitoring of national plans by governments, and called for better data collection.

A 2024 UNICEF-commissioned [assessment](#) of two decades of European Roma inclusion and children’s rights strategies called on EU authorities and national governments to [tailor](#) the European Child Guarantee to include urgent focused measures to address Roma child poverty.

A 2024 [report](#) by the European Commission and the [Social Protection Committee](#), an EU advisory body, drew attention to the persistent gender pension gap (a 26 percent gap in pension income between men and women in 2022), arising from [unequal pay and employment](#), and women more likely to take career breaks or work part-time, including for caring responsibilities. Civil society groups [urged](#) more uniform pension credit systems to address disparities, drawing particular attention to high levels of poverty among women older than 75.

In July, [the EU Corporate Sustainability Due Diligence Directive entered into force](#), requiring large companies to prevent and remedy human rights abuses in their supply chains. In December, the EU [published](#) banning products made with forced labor from sale in the EU.

## Rule of Law

European Union institutions continued to focus on rule of law and democratic institutions in member states, including through the creation of a [new Commissioner post](#) for Democracy, Justice and Rule of Law, but concrete actions to address the most serious concerns fell short.

Scrutiny of Hungary continued under [article 7 of the Treaty on European Union \(TEU\)](#), the EU treaty instrument to address serious breaches to the rule of law with dialogue and possible sanctions. The EU Council held its [seventh hearing](#) on Hungary but despite “[persistent serious deficiencies](#)” in most areas raised in the [European Parliament’s 2018 action](#) that triggered the procedure, EU states failed to issue recommendations to the Hungarian government or to hold a vote on whether Hungary was at risk of a serious breach of EU values.

In March, the European Parliament [brought an action against the Commission](#) in the Court of Justice of the EU asking the court to review the legality of the Commission’s [December 2023 decision](#) that Hungary had met benchmarks linked to judicial independence and could access up to €10.2 billion in EU cohesion funds. The EUCJ had yet to rule at this writing.

The European Commission in February [opened an infringement procedure](#) and in October [referred Hungary](#) to the EUCJ over its Defense of National Sovereignty Act (see [Hungary chapter](#)) for violating EU law.

The European Commission and several member states in July [announced](#) a partial boycott of the Hungarian Presidency of the Council over Prime Minister Viktor Orbán’s travel to Moscow to meet with Russian President and [indicated ICC suspect Vladimir Putin](#).

In May, the European Commission decided to [terminate the Article 7 procedure](#) against Poland despite its newly elected government [not having implemented](#) all needed reforms. The hurried decision was [primarily based on “commitments”](#) by Poland’s government, which came to power in December 2023.

In a first of its kind [rule of law resolution on Greece](#), the European Parliament in February raised concern over media freedom, abusive lawsuits and surveillance of journalists, treatment of migrants, and attacks on human rights defenders. The resolution called on the Commission to assess Greece's fulfillment of its fundamental rights obligations for access to EU funds.

The [2024 EU Rule of Law](#) annual report highlighted the essential role of civil society organizations but [failed to](#) identify intimidation and interference with their work in France, Greece, Italy, Hungary, Germany, and elsewhere as a core challenge. Against the backdrop of [mounting evidence](#) of restrictions on civic space, authorities in some European countries appeared to also restrict freedom of expression and assembly disproportionately for [pro-Palestine protesters](#) and [climate protesters](#).

Risks of stigmatization of foreign-funded civil society groups grew with new initiatives for [foreign-influence style legislation](#) in some EU member states and as the EU continued to [discuss](#) a [proposed directive](#) on transparency of interest representation on behalf of third countries. A September [opinion](#) by UN experts stated that the EU directive could have a chilling effect on civil society and unduly restrict freedoms of expression, assembly and association protected under international human rights law.

The [EU AI Act](#) was approved in May 2024 and marks seminal progress in regulating AI and related technologies. It included a ban on social scoring, limitations on remote biometric surveillance technologies, and mandated human rights risk assessments for ‘high risk’ uses. However, it also included [significant loopholes](#) for national security, law enforcement and border policing, and prioritized company liability risks over human rights risks. Many European Parliament members [reported](#) being targeted with spyware in 2024. The EU has yet to take steps to reign in the development, sale, and use of this technology.