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Answer given by Mr McGrath
on behalf of the European Commission
(5.6.2025)

The respect for the rights of persons belonging to minorities is enshrined in Article 2 of the Treaty on European Union[1]. Article 21 of the EU Charter of Fundamental Rights (the Charter) prohibits any discrimination including on grounds of ethnic or social origin, language or membership of a national minority. As the Charter applies to the Member States only when they are implementing EU law, the Commission ensures, within the remit of its competence, that fundamental rights and, in particular the right to non-discrimination, are respected.

The 2008 Framework Decision on combating racism and xenophobia[2] obliges Member States to provide for criminal offences regarding certain types of hate speech and hate crime. The Commission is not competent to intervene before the national authorities in alleged individual cases of discrimination, hate speech or hate crime.

It is not foreseen to extend the material scope of the Rule of Law Report to cover the protection of minorities. The Report is only one part of a broader effort at EU level to strengthen the founding EU values, including democracy, equality, and respect for human rights.

[1] https://eur-lex.europa.eu/resource.html?uri=cellar:2bf140bf-a3f8-4ab2-b506-fd71826e6da6.0023.02/DOC_1&format=PDF.
[2] https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32008F0913