

Anti-Discrimination Compass for European Campaigning in 2026

The context of anti-discrimination work has changed: the need for a new strategy

2025 has seen important anniversaries of the human, fundamental and anti-discrimination rights frameworks of Europe: the 75th year anniversary of the European Convention on the Human Rights and the 25th anniversary of the Charter of Fundamental Rights. The momentum created by the declaration of the Charter at the turn of the millennium also marked the beginning of a series of European Commission directives against discrimination that continued until stalling over the horizontal anti-discrimination directive that would have secured more comprehensive protection beyond the workplace and into areas of social protection, healthcare, education, housing and access to goods and services.

This heritage of rights protections continues to act as a bulwark against the abuse of power over people, whether by states, corporations and companies or individuals, continues to evolve and expand as cases are brought before the courts in which core principles such as human dignity and the right to privacy are challenged in new ways by technological and social developments, and continue to serve as the motor for extending rights across borders, most recently with the ECJ judgment that same-sex marriage must be recognized in all EU member states.

Whilst the process of expansion and consolidation of rights has never been unidirectional, and Europe has historically exported and externalized rights violations to its colonies and borders, the recent period marks an inflection point in which there are attempts to hijack principles of non-discrimination and equality and turn them against themselves, threatening the underlying universal principles themselves.

Frequently, this is being done by proclaiming that in order to protect the rights of one group (for example, women or children) it is necessary to limit the rights of another (for example, non-nationals, or transgender people). The policy areas of migration, health and reproduction, and security are being strategically used by state actors to attack the human rights framework itself. In parallel, conservative social movements, medias and corporate actors strategically divide public opinion to exacerbate a sense of a zero-sum conflict between the rights of different groups and provoke moral panic and confusion.

Instead of a society of substantive equality, and universally guaranteed freedom of expression and of assembly, as envisaged in the Convention, Charter, European Treaties and Directives, the society that is being created by the hijacking of these norms is a stratified society in which some are more equal than others, majorities trump minorities, and everyone is fearful of relegation in the hierarchy.

In this context, the strategy of those who want to defend and advance universal rights and put an end to discrimination of every kind needs to adjust. Specifically, progressive actors need to combine **critical defence** of the heritage of human rights, **ambitious advance** of the horizon of universal rights, and the **political interconnection** of different strategies at multiple scales across issues.

➔ **Reararticulate the meaning of rights and values** **Prevent hijacking of the causes**

It is an abusive exaggeration to say that any rights have been taken for granted: those most at risk have always been acutely aware of the importance of rights they need. What may be true is that the political class has failed to reararticulate and constantly regenerate rights in public discourse. The effective and universal reality of rights is a constant struggle against the dehumanizing tendencies of bureaucracy, against tendencies over the powerful towards domination, against profiteering, exploitation and scapegoating.

Without an insistence on the universal, comprehensive and transformation vocation and aspiration of rights and anti-discrimination, the rights framework of Europe is liable to be hijacked by actors who seek to turn people against each other.

A good example is repeated and successful attempts by nationalist feminist groups to join marches of the feminist movement in France against gender-based violence on the 23th November 2025: by obliging the main feminist movement to admit nationalist and xenophobic groups to marches in France in the name of freedom of expression, the French police is instrumentalized by enemies of universal rights who seek to divide and confuse the public. Movements need to develop effective defences against this hijacking, and public authorities and media should be more aware of the ways the language of human rights is instrumentalized by its enemies.

➔ **Prioritise the defence of the right to asylum and reproductive rights**

Demographic panic has been one of the most successful tactics of the enemies of an equal Europe, as a way of excusing, disguising or justifying racist and patriarchal attitudes. What is presented to majorities as restrictions on the rights of minorities such as people seeking asylum or people seeking an abortion are in fact trojan horses to undermine the model of democratic and equal societies. The rights architecture risks being perverted to become a stratification of privileges whereby some are more deserving of rights than others and everyone is in a competition for basic security, fearful of being the next scapegoat.

➔ **Defend freedom of movement and organize across borders**

The right of freedom of movement inside the European Union, and across the territory in the Council of Europe countries, is a crucial means by which pressure is maintained to upgrade rights protections across countries – the ‘portability’ of rights between countries and access to rights in another country gives individuals and European authorities a lever by which to bring change inside societies. To ensure this change is positive and does not create a competitive ‘race to the bottom’ instead of a virtuous spiral to the top, political organization across borders is required. Freedom of movement needs to be upheld as a right for all across Europe: the introduction this year of spot checks at internal Schengen borders is not only increasing racial profiling, but making the effective right of circulation inside of Europe for everyone conditional on the attitudes of individual police officers.

➔ **Defend the European Convention on Human Rights**

2026 will see progress in the European Union becoming a signatory of the European Convention on Human Rights, as is its treaty obligation since the Lisbon Treaty. This will further complete the constitutional architecture of rights across Europe, and provide additional protections to prevent the European Union itself acting as a tool to undermine universal rights and protection, notably in the area of migration policy. The accession of the EU to the ECHR must not coincide with the weakening of the ECHR itself, which risks turning a positive dynamic of increase of rights and protection into precisely its opposite in the hierarchization of populations and people.

Ambitious Advance

Rights which are not being extended are at risk of becoming dead letters, existing on paper but not evolving with a changing society. 2026 should provide opportunities to advance on health rights, on protection against gender-based violence, in enlarging the scope of anti-discrimination policies



The accession of the European Union to the European Convention on Human Rights is an opportunity to extend rights and anti-discrimination

The European Convention on Human Rights has a wider and more open ended definition of the grounds for discrimination than the Charter of Fundamental Rights. The convention prohibits discrimination ‘on any ground’ and gives as examples ‘sex, race, colour, language, religion, political or other opinion, national or social origin, association with national minority, property, birth or other status’. In a context where discrimination is often multiple and intersectional, an open ended definition of discrimination is potentially a crucial legal tool.

The Convention has a broader protection of freedom of movements, covering all the territory and concerning all people on the territory, not only people with citizenship or residency status.

The Court in Strasbourg has a jurisprudence on the topic of conscientious objection, which may become crucial in 2026 given the prospects of a return of conscription across Europe.

The Convention also has a more comprehensive approach to elections, covering all elections and not

only local and European elections like the Charter, and the European Union joining the Convention provides an opportunity to reopen discussions about the political participation of third country nationals.

➔ **Application of anti-discrimination to migration policy**

Migration policy and policing is becoming one of the major areas of European Union policy making, with further Commission initiatives reinforcing Frontex and the returns policy planned in 2026. Migration policy currently falls outside of the scope of anti-discrimination provisions in the EU, but it is increasingly affecting long term residents and people with European citizenship, as anyone who can be suspected to be a migrant can face greater discrimination and racism. Showing that discrimination can potentially affect everyone, and that migration policy is not isolated from the rest of policy-making provides an opportunity to reshape the discussion about migration, and seek to extend anti-discrimination provisions in this area.

➔ **The time to Constitutionalise abortion rights is now**

March 2026 will see the European Commission respond to the My Voice My Choice European Citizens Initiative calling for access to abortion for everyone in Europe. Following the constitutionalisation of abortion in the French constitution in 2024, this is a crucial moment for continuing the dynamic of securing the right to abortion across Europe, extending this right to people who currently do not benefit from it either by law (in countries such as Malta and Poland) or because of conservative attitudes, and helping secure it from future political attacks.

Political Activation and Interconnection

➔ **Nothing about us without us**

It is an old slogan, but never more relevant or radical in its meaning. In a context where anti-discrimination and human rights is being politicised by its enemies and where social media shapes social attitudes and political trends, this means the public political action of people directly affected, taking up public space, amplifying voices, expanding possibilities and rights of participation. Consultation is no longer sufficient: migrants resident for years in Europe demand the right of political participation, LGBTQI+ people, disabled people, women and non-binary, racialized people and Roma must be working together to shape the political dynamics around them shaping the political dynamics around them.

The Budapest Pride of 2025 showed how, despite lack of institutional support from the European Commission for the rights of assembly, expression and LGBTQI+ rights, local activists were able to build strong enough coalitions in Budapest, in Hungary, and across Europe to defeat their opponents. This required political strategy, working with the Budapest Mayor and seeking support from other governments in Europe (notably the Spanish), it required significant international coordination and it required significant bravery and risk taking in occupying the public space. Many more such initiatives are likely to be required in the coming years, as institutions cannot be relied upon to stand up for rights and people will need to take their rights in their hands.



The opponents of rights and anti-discrimination constantly try to divide different groups and put them against each other. The incomplete anti-discrimination architecture of the European Union is highly vulnerable to this because of the lack of a horizontal anti-discrimination directive, blocked in the Council since 2008. Whilst calling for a renewed initiative at a horizontal anti-discrimination directive which would incorporate intersectionality and multiple discrimination, movements across Europe should ensure intersectionality is embedded in their practice.

International events, such as the war on Gaza, the war in Ukraine, have in 2025 contributed significantly to discriminatory and racist attitudes, to repression inside of Europe and a securitization discourse being used to justify restrictions of rights. Anti-discrimination actors should integrate an analysis and education on these international topics into their practice, consolidate connections with international partners in territories directly affected and sensibilise political allies to the domestic implications of the way such international events are interpreted and presented in the media. Pushing for the European Union to take meaningful and consequential action to uphold international law is a crucial action of all anti-discrimination campaigners since the further collapse of the international legal order would place Europe's regional order under ever more pressure.



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