

**EUROPEAN UNION****OSCE Human Dimension Implementation Meeting
Warsaw, 16 - 27 September 2019**

EU Right of Reply – Working Session 14

Madame Moderator,

In reply to some remarks made during this session, we would like to reiterate our well known position on the illegal annexation of the Autonomous Republic of Crimea and the City of Sevastopol by the Russian Federation, which we condemn and do not recognize. We therefore regret the attempts by some participants of this meeting to use a legitimate opportunity for discussion and dialogue to make points relating to a situation that is in contradiction with Helsinki principles.

We use this opportunity to call again for full compliance with international human rights standards in the Autonomous Republic of Crimea and the city of Sevastopol. As we already heard many calls addressed to us to visit Crimea, we trust that this invitation is extended, together with full and unrestricted access, to the OSCE Special Monitoring Mission, the OSCE institutions, as well as to all international human rights monitoring missions and human rights non-governmental organisations.

In reply to some remarks regarding the conflict between Russia and Georgia of August 2008, we reiterate our firm support for the sovereignty, independence and territorial integrity of Georgia within its internationally recognized borders, as well as the policy of non-recognition and engagement concerning the Georgian regions of South Ossetia and Abkhazia.

In reply to the Russian Federation, let me reiterate that the European Union is committed to combating all forms of intolerance and discrimination, in an inclusive and comprehensive manner, based on the universality of human rights, as reflected also in the OSCE commitments. Respecting and protecting the human rights of migrants is at the cornerstone of EU migration policies and external action.



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Finally, in reply to the interventions questioning the existence of hate crimes and implying that there is no definition for them, we would like to draw attention to the Athens Ministerial Council Decision 9/09 on *Combating Hate Crimes*, where all OSCE participating States acknowledged that “hate crimes are criminal offences committed with a bias motive”. Within the EU, the *Council Framework Decision from 2008 on combating certain forms and expression of racism and xenophobia by means of criminal law*, sets the frame for a common response to hate speech and hate crime. This instrument obliges the EU Member States to penalise the public incitement to violence or hatred against a group of persons or a member of such a group defined by reference to race, colour, religion, descent or national or ethnic origin, which shall also be punishable if committed by public dissemination or distribution of tracts, pictures or other material. Furthermore, for any other criminal offences, Member States must ensure that racist and xenophobic motivation is considered as an aggravating circumstance, or alternatively that such motivation may be taken into account in the determination of the penalties.

Thank you.