

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

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**EU Right of Reply – Working Session 15**

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Madame Moderator,

We want to reiterate, once more, our firm support for the sovereignty, independence and territorial integrity of Georgia within its internationally recognized borders, as well as for the policy of non-recognition and engagement concerning the Georgian regions of South Ossetia and Abkhazia. As the Resolution of the European Parliament from 2008 was mentioned by one speaker in this context, we would like to recommend him to read it in full, together with all other resolutions relating to Georgia, including the one from 14 June 2018, and not to mislead the audience.

In reply to some remarks questioning again the need of addressing hate crimes, we would like to reiterate that, 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.

As we did in the previous session, we would like to draw again 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”.

Thank you.