

**OSCE Human Dimension Implementation Meeting****Warsaw, 10-21 September 2018****Working sessions:****6 and 8: Tolerance and non-discrimination****7: Fundamental freedoms I****16 and 17: Combating racism, xenophobia, intolerance and discrimination****Contribution by the Council of Europe****I. Protection of national minorities*****Introductory Remarks***

The Council of Europe has dealt with the protection of national minorities since its early years of existence. In 1961, the Consultative Assembly (today: Parliamentary Assembly) encouraged the Committee of Ministers to include a specific article on the protection of persons belonging to national minorities into the Second Protocol to the European Convention on Human Rights.

The protection of national minorities became a priority concern for the Council of Europe during the early 1990s with the collapse of the communist regimes and the rise of extreme nationalism in certain parts of Europe. The outbreak of inter-ethnic violence and hostility in former Yugoslavia and the former Soviet Union made it all too clear that the protection of national minorities is not only a crucial element of human rights but also essential for stability, security and peace in Europe. The Heads of State and Government of the Council of Europe responded to these developments at their first Summit Meeting, held in Vienna in October 1993, by launching both standard-setting and cooperation activities aimed at protecting persons belonging to national minorities, and combating racism, xenophobia, anti-semitism and intolerance.

The increased attention given to minority issues within the Council of Europe resulted in a range of concrete achievements during the 1990s, including the adoption of the first legally binding minority rights instrument, namely, the Framework Convention for the Protection of National Minorities, as well as the European Charter for Regional or Minority Languages, with effective monitoring mechanisms coupled with targeted co-operation activities to support member states.

Council of Europe Action

Council of Europe action in the field of minority protection and respect for diversity is based on the principle that the protection of persons belonging to minorities is part of the universal protection of human rights.

Action includes standard setting and monitoring, intergovernmental co-operation, activities for the development and consolidation of democratic stability, and confidence building measures in civil society. It extends to many related policy fields and involves, in addition to intergovernmental co-operation, the Parliamentary Assembly and the Congress of Local and Regional Authorities of Europe as well as specialised bodies.

The co-operation activities organised in the field of minority protection are continuously evolving and include, *inter alia*, minority protection related actions in Albania in the framework of the Horizontal Facility, a co-operation initiative between the Council of Europe and the European Union, as well as in Georgia and Belarus, as part of the Council of Europe - European Union Partnership for Good Governance.

Legal Instruments

The European Convention on Human Rights, which is the centre piece of the Council of Europe's normative "*acquis*", is of relevance for the protection of minorities because its universally applicable individual rights can also be claimed, individually or collectively, by persons belonging to national minorities. Relevant provisions include the freedom of thought, conscience and religion, the freedom of expression, the freedom of assembly and association. Next to the non-discrimination provision of the Convention (Article 14), which prohibits discrimination in the enjoyment of the rights guaranteed by the Convention, Protocol No. 12 to the Convention, which entered into force in April 2005, contains a general prohibition against all forms of discrimination and thereby strengthens the protection afforded under the Convention to individuals belonging to national minorities. The Council of Europe continues to work for the widest possible acceptance of this Protocol amongst all Council of Europe member states (currently 20 states have signed and 17 states have ratified Protocol No. 12).

The Framework Convention for the Protection of National Minorities and the European Charter for Regional or Minority Languages are the two Council of Europe conventions with direct relevance to the protection of national minorities: the former as an individual rights instrument, the latter as a tool for the protection and promotion of regional or minority languages as part of Europe's cultural heritage.

The 20th anniversary of the entry into force of the Framework Convention and the Charter was celebrated on 18-19 June 2018 with a high-level conference.

Framework Convention for the Protection of National Minorities (FCNM)

The Council of Europe Framework Convention for the Protection of National Minorities has been in force since February 1998; today it has 39 State Parties.¹ It is the only legally binding instrument in the world that protects the specific rights of persons belonging to national minorities as an integral part of human rights.

¹ Parties to the Framework Convention: Albania, Armenia, Austria, Azerbaijan, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, the Czech Republic, Denmark, Estonia, Finland, Georgia, Germany, Hungary, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Malta, Republic of Moldova, Montenegro, the Netherlands, Norway, Poland, Portugal, Romania, the Russian Federation, San Marino, Serbia, the Slovak Republic, Slovenia, Spain, Sweden, Switzerland, "the former Yugoslav Republic of Macedonia", Ukraine and the United Kingdom. Belgium, Greece, Iceland, and Luxembourg are signatories to the Framework Convention. In addition, following an 2004 agreement between the United Nations Interim Administration Mission in Kosovo (UNMIK) and the Council of Europe, the Advisory Committee for the Framework Convention also assess the minority rights situation in Kosovo*.

With ratifying the Framework Convention, states parties assume the obligation to safeguard the specific rights of persons belonging to national minorities such as the right to preserve and develop their cultural and linguistic identity, media and education rights, as well as provisions related to the use of minority languages in public life. In addition, the Framework Convention contains important general principles related to non-discrimination and the promotion of full and effective equality for persons belonging to national minorities in all spheres of life. Member states are further encouraged to formulate overall policies that foster diversity and promote inter-ethnic tolerance and understanding, and to ensure that persons belonging to national minorities are enabled to effectively participate in all economic, social and cultural life and in public affairs.

The Framework Convention sets out principles to be respected as well as goals to be achieved by the Contracting Parties, in order to ensure the protection of persons belonging to national minorities, whilst fully respecting the principles of territorial integrity and political independence of states. The principles contained in the Framework Convention must be implemented through national legislation and appropriate governmental policies

The Framework Convention is monitored by the Council of Europe's Committee of Ministers which adopts resolutions on the implementation of the Framework Convention in member states, containing recommendations on how to improve minority protection in the states under review. The Committee of Ministers is aided in this task by the Advisory Committee on the Framework Convention, a Committee of 18 independent experts, which provides detailed analyses on minority legislation and practice in the different member states.

Most of the countries concerned welcome the Opinions of the Advisory Committee and provide constructive comments to them, in many cases indicating that the Opinion has already prompted increased action to address specific shortcomings in the implementation of the Framework Convention. The Opinions stimulate fresh rounds of inter-departmental discussions within governments and in some cases have prompted an immediate dialogue with national minorities on the issues raised. Often this is assisted with the organisation of a 'follow-up seminar' in the country concerned. These seminars allow for a national discussion of the findings contained in a given Advisory Committee Opinion and provide a platform to discuss concretely how best to implement its recommendations. Follow-up seminars have become a standard feature of the Advisory Committee's work and are highly welcomed by civil society representatives as an occasion to discuss constructively with various levels of authority, in the presence of experts who know the situation in the country. The Advisory Committee continues to encourage all states to organise such seminars at the end of each monitoring cycle.

The monitoring mechanism of the Framework Convention has, in many cases, been a central catalyst for improved dialogue between governmental agencies and national minorities and for concrete improvements in legislation and practice in diverse subjects. It has also prompted the adoption of new laws devoted to the protection of national minorities and encouraged states to improve their non-discrimination legislation and practice.

The Framework Convention and the Opinions of the Advisory Committee have emerged as a central reference in the work of other international bodies, including the OSCE High Commissioner on National Minorities and the European Commission, which rely on the Framework Convention when it examines the implementation of the Copenhagen criteria on national minorities in candidate countries.

While the adoption of country-specific opinions forms the backbone of the Advisory Committee's work, the Advisory Committee has over the years also engaged in thematic commentaries on issues of particular importance and concern in a number of member states. Four such thematic commentaries have so far been adopted, based on the Advisory Committee's experience and findings throughout its monitoring work: the First Thematic Commentary on Education Rights under the Framework Convention was adopted in 2006, followed in 2008 by the Second Thematic Commentary on Article 15 of the Framework Convention and the effective participation of persons belonging to national minorities in cultural, social and economic life and in public affairs. In May 2012, the Advisory Committee adopted a Third Thematic Commentary on the language rights of persons belonging to national minorities. The Fourth Thematic Commentary on the scope of application of the Framework Convention was adopted in May 2016 and presented to a wide audience of State Parties, academics and representatives of minorities in October 2016.

Regular monitoring in five year cycles constitutes the essence of the Advisory Committee's work.

Dependent on the moment of ratification of the Framework Convention, state Parties are either in the third, the fourth or the fifth monitoring cycle, due to start early 2019.

The only ad hoc visit so far was carried out in March 2014 to Ukraine. This visit occurred at the request of the Ukrainian authorities and subsequent to the instruction by the Committee of Ministers to review the situation of national minorities in Ukraine and report on the findings as soon as possible. The visit took place from 21 – 26 March 2014 and the Advisory Committee adopted its ad hoc report on 1 April. The report was made public by the Committee of Ministers on 2 April 2014.

[For further information see: http://www.coe.int/minorities](http://www.coe.int/minorities)

European Charter for Regional or Minority Languages (ECRML)

The European Charter for Regional or Minority Languages is the only legally binding instrument in the world for the protection and promotion of traditional regional and national minority languages. With the support of the Parliamentary Assembly, the Standing Conference of Local and Regional Authorities of Europe (today: Congress of Local and Regional Authorities of the Council of Europe) took the lead in drafting the European Charter for Regional or Minority Languages during the 1980s. The Charter was opened for signature in November 1992 and entered into force on 1 March 1998. It has been ratified so far by Armenia, Austria, Bosnia and Herzegovina, Croatia, Cyprus, the Czech Republic, Denmark, Finland, Germany, Hungary, Liechtenstein, Luxembourg, Montenegro, the Netherlands, Norway, Poland, Romania, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Ukraine and the United Kingdom. A further eight states have signed the Charter². Six states have committed themselves to ratification when joining the Council of Europe but have not yet done so (Albania, Azerbaijan, Georgia, Republic of Moldova, Russian Federation, "the former Yugoslav Republic of Macedonia").

The purpose of the Charter is to protect and promote the various regional and minority languages spoken in the different countries of Europe. The Charter provides for a definition of the languages covered by this treaty (Article 1): these are the languages which have been traditionally used within a given territory of a state by nationals of that

² Azerbaijan, France, Iceland, Italy, Malta, Republic of Moldova, Russian Federation and "the former Yugoslav Republic of Macedonia".

state who form a group numerically smaller than the rest of the State's population and are different from the official language(s) of that State. The definition explicitly excludes the languages of migrants and the dialects of the official language(s) of the state. The protection of regional or minority languages must respect the territorial integrity of each state without interfering with the development of the official language(s) of that state.

Part II of the Charter lays down the aims and principles for all the traditional regional and minority languages spoken on a given territory which are to be the states' long term policy targets. These aims and principles include, *inter alia*, the recognition of the language as an expression of cultural wealth, the respect for the geographical area in which each language is spoken, the facilitation and/or encouragement of the use of such languages, in speech and writing, in public and private life, and the teaching and study of these languages at all the appropriate stages. In addition, states are required to eliminate discrimination in respect of the use of regional or minority languages. Although the Charter is principally concerned with languages which are historically identified with a particular territory of the State, it was considered necessary to grant "non-territorial languages" protection as far as possible, and they are therefore subject to the protection under Part II of the Charter.

Part III contains more specific provisions for the languages identified thereunder by the states at the time of ratification. The undertakings entered into by the states under Part III require the latter to adopt concrete positive measures for the protection and promotion of regional or minority languages in several fields: education, justice, dealings with the administrative authorities and public services, media, cultural activities and facilities, economic and social life and transfrontier co-operation. However, the extent of the protection can vary according to the situation of each language (e.g. the number of speakers) provided that the state applies at least 35 paragraphs or sub-paragraphs of the Charter to each language that it has selected under Part III. This contributes to a minimum standard of protection.

The Charter foresees a system of monitoring its implementation by an independent Committee of Experts. Each Party is required to present a first report within the year following the entry into force of the Charter with respect to it, in which the Party states its policy and measures taken in order to fulfil its obligations under the Charter. Other periodical reports are to be presented thereafter at three yearly intervals. These reports are made public by the State Party. The Committee of Experts, established in accordance with the Charter's provisions, has already considered the seventh periodical reports presented by the longest-standing States Parties.

In the context of the fact-finding process, the Committee of Experts can be approached by bodies or associations legally established in the respective State Party wishing to supply additional information or to give their views on the implementation of the Charter. After this process of information gathering, the Committee of Experts adopts a report which is then sent to the Committee of Ministers of the Council of Europe together with proposals for the recommendations to be addressed by the Committee of Ministers to the state concerned.

Additionally, the Secretary General of the Council of Europe is required to report every two years to the Parliamentary Assembly concerning the implementation of the Charter.

Several improvements in the situation of minority languages can be attributed to the Charter and recommendations made during the monitoring procedure.

The Charter being a rather complex instrument for states to ratify and implement, information seminars are regularly organised by the Secretariat in those states which

are approaching ratification or are facing difficulties in the implementation of the Charter and the recommendations made by the Committee of Ministers and the Committee of Experts.

Such seminars involve non-governmental organisations as well as local, regional and national authorities. In particular, non-governmental organisations have the important role of assisting the authorities in identifying the needs of the languages as to which kind and level of protection is adequate. They also have the role of providing the Committee of Experts with information, after ratification and during the monitoring process, on how the Charter is applied in practice. Local and regional authorities are often the authorities, which are in practice confronted with implementing the obligations arising from the Charter, for example in pre-school education, in local and regional assemblies and administration.

The OSCE High Commissioner on National Minorities continues to make reference to the Charter as the legal framework of reference for the protection and promotion of languages used by national minorities. In this context, the secretariats of the Charter and the HCNM regularly exchange information, for example in relation to HCNM country-visits.

II. The European Commission against Racism and Intolerance (ECRI)

The fight against racism, racial discrimination (i.e. discrimination on grounds such as “race”, colour, citizenship, national/ethnic origin, religion and language), xenophobia, antisemitism and intolerance is at the core of the Council of Europe’s mission. Since 1993 this task has been entrusted to the European Commission against Racism and Intolerance (ECRI), which is an independent human-rights monitoring mechanism set up by the Heads of State and Government of the Organisation.

Main trends

With high levels of migration and related challenges of integration, religious extremism and the austerity-driven socio-economic climate, the European Commission against Racism and Intolerance (ECRI) identified a continuing rise in xenophobic populism and online hate speech in Europe in its recent findings.

Managing migration while respecting human rights obligations has remained a major challenge in many European countries. Migration and multiculturalism have continued to be represented as a threat to social cohesion and security. Social media and other Internet tools, in addition, have encouraged self-segregation and deepened social divides. Therefore, while acknowledging the challenges of migration, across Europe, there is a need to change the narrative to a more balanced and fact-based discourse that emphasises the positive contribution of well-governed migration, in particular by underlining the opportunities and resources migrants can bring.

Antisemitism propagated by a diverse range of groups has continued. While some political leaders spoke out strongly against such hatred, there has been too little public outcry about the persistence of antisemitism.

Anti-Muslim rhetoric has also persisted in many states. The negative stereotyping of Islam has led to an increase in Islamophobic incidents, including violence and

Islamophobia and its articulation have gradually become acceptable in the public opinion and media in growing number of countries.

The perception of Lesbian, Gay, Bisexual and Transgender (LGBT) persons varies significantly among member states. LGBT rights activists have remained the targets of violent attacks in several countries. Similarly, homo- and transphobic hatred is still prevalent, particularly on the internet and in social media.

ECRI's country reports continue to show that Roma still suffer from perpetual prejudice, stigma, hate speech and violence; however, efforts towards the social inclusion of Roma have also borne some positive results.

ECRI's activities

ECRI's programme of activities is based on three pillars. The first is country monitoring work, whereby ECRI conducts an in-depth analysis of the situation concerning manifestations of racism and intolerance in each of the Council of Europe member states. ECRI's findings, along with priority recommendations for interim follow-up, are published in a report drawn up after a contact visit to the state concerned and confidential dialogue with the national authorities.

ECRI's country monitoring work is carried out in five-year cycles. ECRI's fifth cycle will finish at the end of 2018 and focuses on four common topics in all member states, namely legislative issues, hate speech, violence and integration, and a number of topics specific to each country, as well as LGBT issues.

So far in 2018, ECRI has conducted country visits to Russian Federation, Slovenia, Romania, Ireland and the Netherlands.. Last visit of the fifth cycle will be to Finland later in 2018.

The second pillar of ECRI's activities is work on general themes. ECRI elaborates General Policy Recommendations (GPRs) addressed to all member states, on topics such as discrimination against Muslims, the dissemination of racist and antisemitic material via the Internet, combating racism while fighting terrorism, combating antisemitism, racism and racial discrimination in education and in policing, and combating discrimination against Roma.

ECRI recently published its revised GPR No. 2 on Equality Bodies³ to combat racism and intolerance at national level. This new version of GPR No. 2 draws on best practices and contains standards to help member states to further strengthen their equality bodies, which are vital for advancing equality and for eliminating racism and violence in a sustained manner. While focusing on the key elements for their establishment, independence and effective functioning, it emphasises the importance of ensuring that equality bodies fully execute their two essential functions: to promote equality and prevent discrimination and to support people exposed to discrimination and intolerance and to pursue litigation on their behalf.

ECRI and ODIHR continue to work on improving state and civil society responses to hate crime, an area of common interest also in the context of ECRI's fifth monitoring cycle, as it focuses inter alia on hate speech and racist violence. The two bodies cooperate and benefit each other's expertise and initiatives in this area. ODIHR's

³ The term "national specialised bodies" was updated with "equality bodies" in the revised version of GPR No. 2 which was published on 27 February 2018.

annual reports on Hate Crime in the OSCE Region are a key source of information for ECRI in all of its country monitoring reports. ODIHR systematically references ECRI's country reports and GPRs, no. 15 on hate speech in particular, as well as the recommendations of the Council of Europe Commissioner for Human Rights in its annual hate crime reporting, which is available at <http://hatecrime.osce.org/> and, when relevant, in its practical guides and manuals.

In 2018 ECRI produced abridged versions of four of its GPRs. These versions contain the key points and are presented in an attractive format, for use by the general public.

Relations with civil society and equality bodies constitute the third pillar of ECRI's work. In this context, awareness-raising and a communication strategy are crucial. ECRI organised a round table in the Armenia on 27 June 2018 in co-operation with the Human Rights Defender and the Ministry of Justice of Armenia. The Round Table is part of ECRI's civil society programme and discussed the follow-up to the recommendations of its 2016 report on Armenia.. ECRI furthermore organised its traditional seminar with national equality bodies on 24 May 2018 at which it launched its revised GPR No. 2.

ECRI and ODIHR have continued to involve each other in their activities. For example, on 22 November 2017, an ECRI member participated in the OSCE Conference on Preventing and Countering Hate Crimes against Christians and Members of Other Religious Groups – Perspectives from the OSCE and Beyond, which took place in Yerevan. ECRI also took part in an OSCE Mission Conference entitled Western Balkans Regional Conference – Protect and respect – safeguarding human rights held in Podgorica on 23-24 November 2017. The Conference discussed issues such as hate speech, hate crime and self-regulation in the media, including social media. Each year a joint statement by ECRI, ODIHR, and FRA is published on 21 March on the occasion of the International Day for the Elimination of Racial Discrimination. ECRI continues to collaborate with the ODIHR as in previous years. ECRI would like to emphasise its excellent cooperation with the OSCE-ODIHR. Both benefit from each other's expertise and initiatives.

III. Intercultural cities

INTERCULTURAL CITIES (ICC) is a capacity-building and policy development programme implemented by the Council of Europe to support local authorities across Europe and beyond to design inclusive integration policies and strategies built on the application of a diversity management model called Intercultural Integration. Based on the notion of "diversity advantage", these strategies are founded on the assumption that diversity can be an asset for communities if managed in a positive and competent way; they mobilise leaders, policy officials, professionals, businesses and civil society towards re-shaping city policies and services to make them more effective and engage citizens in building an understanding of their society's diversity as a competitive advantage.

The Intercultural Cities' programme offers a comprehensive methodology for city leaders and a range of analytical and assessment tools, including the Intercultural Cities Index, that municipalities can use to evaluate the success of their integration strategies.

Recent developments

The ICC has grown exponentially in the past two years and has a current membership of 120 cities, taking in five continents. There are also active national

networks in Italy, Jordan, Norway, Morocco, Portugal, Spain and Ukraine. Moreover, the intercultural integration policy paradigm has been endorsed by the Council of Europe Committee of Ministers through the adoption, in 2015, of a specific Recommendation addressed to the 47 Member States, recognising intercultural integration as an effective policy approach managing the growing cultural diversity of European societies as a resource, amplifying its socio-economic benefits and minimising its potential negative effects. Ten years after its launch, the ICC programme is developing new perspectives, approaches and partnerships in order to shape inclusive societies in the decade to come, in particular in relation to expanding the intercultural approach with intersectionality elements, developing specific know-how on refugee inclusion, encouraging the development of participatory democracy practice in cities to encourage the participation of non-nationals, and innovative approaches to migrant entrepreneurship.

126 cities from 5 continents are currently members of the network. A study by the Migration Policy Group carried out in 2017 confirmed that the intercultural approach to migrant and refugee inclusion delivers important benefits in terms of cohesion, governance and services⁴.

➤ **Inclusive Integration Policy Lab**

One of the crucial challenges that both cities and states need to address in the coming years is the development of an effective framework for dialogue and co-action between local, regional, national and European authorities in order to ensure that migrant inclusion policies at all levels reinforce each other. The underlying principles of intercultural integration (equality, diversity, interaction, within an overarching human rights framework) take inclusive integration beyond anti-discrimination and require active intervention by public authorities. There is much that can be achieved at the local level but at the national level some enabling conditions (legal and policy frameworks) need to be in place. To this end, the ICC has launched an Inclusive Integration Policy Lab, that aims to ensure policy consistency and complementarity and enable transfer of innovation and good practice from local to regional and national levels and vice-versa, in view of a management of migration that complies with human rights standards and reaps the benefits and minimise the risks related to human mobility and diversity.

A series of Inclusive integration policy labs are being organised in 2018, internationally and in some member states, to raise awareness among national policy-makers of the potential of the intercultural approach for enhancing social integration and inter-community trust, and encourage its take-up in national policies. The work will continue, leading possibly to the development of standards for national integration policies based on the intercultural principles.

➤ **Human Rights and inclusive integration**

A thematic seminar on “Human Rights in the Intercultural City”, organised in Oslo in June 2017, has highlighted the strong links between the Intercultural integration approach and human rights, showcasing examples of good practices from ICC members in this field and pointing out at the key principles that enable full enjoyment of human rights in the city. The outcomes will be integrated in the ICC new policy

⁴ <https://rm.coe.int/intercultural-to-the-core-how-the-intercultural-cities-index-can-be-be/168076631b>

paradigm that will be launched at the ICC Milestone event (Lisbon, November 2017), and contribute to the strategic development of the programme.

➤ **Prevention of discrimination: Anti-Rumours Methodology**

Successful intercultural strategies require changes in the mind-set, attitudes and behaviour of both migrants and receiving communities. Building trust and a feeling of belonging to a pluralistic community with shared fundamental principles is key to achieving cohesion. The difficulty of gaining access to reliable information or grasp the real impact (both negative and positive) of migration on communities is a major obstacle in achieving this goal. As a matter of fact, people often tend to form their views on the basis of unfounded “myths”, on wrong or partial information. These myths are often very specific to a certain locality (e.g. lack of places in kindergartens or social housing because of priority given to migrants).

The “Anti-rumour methodology” has been developed precisely to counter diversity-related prejudices and rumours that hamper positive interaction and social cohesion and that lay the foundations of discriminatory and racist attitudes. The Anti-rumour methodology promoted by the ICC programme, and understood as a public policy, is composed of a number of elements: identifying major rumours existing in a city; collecting objective data and also emotional arguments to dismantle false rumours; creating an anti-rumour network of local actors from civil society; empowering and training “anti-rumour agents”; and designing and implementing anti-rumour campaigns to raise awareness.

Following a first pilot action launched and tested by the ICC programme in some cities, the interest and demand for the Anti-rumour training is growing and thus the programme is developing an Anti-rumours Manual as a tool that cities and other stakeholders can use to ensure the proper and harmonised development of the standardised Anti-rumours methodology. It will also include an evaluation/assessment guide, as well as a set of examples of best and innovative practices, chosen after the mapping of the anti-rumours projects run so far. The publication of the Manual is foreseen by November 2017.

➤ **Migrant entrepreneurship**

Besides, the Intercultural Cities Programme also aims to elaborate and enact strategies and policies that can help cities work with diversity as a factor of development. This is strongly linked to the full inclusion of migrants in the local economy. That is why last year the ICC programme launched a Pilot Project to design a new type of business incubators which connect underrepresented (migrants/refugees, as well as women, LGBTI, people with disabilities) and mainstream entrepreneurs, across industry sectors, to maximise the innovation potential of diversity. The diversity connectors will provide general services such as technical training, access to potential funders, meeting spaces etc., as well as specific services for under-represented start-ups. The project will end in November 2017 and deliver Guidelines for diversity connectors.

➤ **Religious minorities**

Held over two days, the seminar on “Tackling Prejudice and Engaging with Religious Minorities: the role of cities” (October 2016) explored local policy responses to tackling prejudice and discrimination against religious minorities, including anti-Muslim hatred, through an intercultural approach. The foundation for this approach is to acknowledge the rights of all individuals and groups, whether religious or not,

under the European Convention on Human Rights, and to positively engage with faith communities alongside those with other beliefs, including secular worldviews, for the purpose of building trust cohesion and positive intercultural interactions within the city as a whole. It starts from the position of exploring how public discourse, policies, procedures and practices can have a significant impact in exacerbating and/or reducing experiences of prejudice and discrimination within local communities.

In the conclusions participants identified a wide range of potential ways of taking action, including: (i) the need for a robust legal framework for supporting the rights of all; (ii) challenging hate crime and discrimination across a range of fields and promoting more thorough and widespread collection of data; (iii) raising mutual awareness of different religions and beliefs; (iv) reasonable adaptation of public service delivery; (v) promoting positive interactions which build trust and involve interconvictional dialogue and/or working together on shared social issues to break down divides; (vi) engaging critically with political and media discourses, including seeking to counteract those which exacerbate division, and be aware of how other policy agendas can interact with and undermine attempts to challenge prejudice and discrimination; (vii) supporting and training people who can enable dialogue and build bridges between individuals and groups, including on issues where there is disagreement.

➤ **Diverse cultural heritage**

Urban heritage is the expression of a city's identity. Different to national identities, urban identities can be inclusive to everyone living in a city, across national borders or citizenships. An intercultural approach to its heritage sector allows a city to actively open up the urban identity to all communities, increasing trust, mutual recognition and eventually community cohesion through an identity inclusive to all. STEPS is a EU-CoE Joint pilot project which aims at building and strengthening community cohesion, promoting trust, dialogue and mutual understanding across diverse societies, through participatory heritage-based action plans. Building on the experience and achievements of the Council of Europe and the cities of the ICC Network in the field of cultural heritage, as well as culturally diverse societies, STEPS will develop and test a methodological framework for the use of heritage at the local level, based on (I) Participatory heritage-mapping and need assessment in relation to community cohesion, (II) network mobilisation, training and heritage-based strategic planning, (III) developing of perception change indicators and monitoring of results through an initial and final survey. Launched in February 2017 STEPS will run until end of 2018.

A complete overview of the ICC activities can be found on the ICC website: www.coe.int/interculturalcities. Also, the 2017 Annual report is available online.

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IV. No Hate Speech Movement Youth Campaign

The Council of Europe No Hate Speech Movement Youth Campaign mobilises young people to promote respect for human rights online by raising awareness of the consequences of hate speech on individuals and society and advocating policy responses, especially in the fields of education, media and Internet governance. The

campaign ran from 2012-2017 and was part of the Council of Europe Action Plan on the fight against violent extremism and radicalisation leading to terrorism since 2015.

The second evaluation conference of the Youth Campaign ‘Is this I.T?’ was held April 2018 in Strasbourg. It marked the end of the European level coordination by the Youth Department. The conference also facilitated the integrating of its achievements into the programmes of the Youth Department and the launch of new initiatives by the Council of Europe and partners to combatting hate speech and to strengthen human rights online for young people.

Most national campaigns⁵ in the 46 countries that joined by end of 2017 continue. The National campaigns involve stakeholders from civil society, public authorities and online activists. National campaigns associate young people and youth organisations as activists and agents of the campaign. They are responsible for reaching out to young people, as well as to public and private stakeholders. Their work remains visible on the European campaign website and social media channels in addition to their own national channels. They are where possible linked into the work of the Council of Europe on hate speech at European and National level.

The No Hate Speech Movement remains present online. The campaign url www.nohatespeechmovement.org links to a dedicated website providing information on the initiatives of national campaigns and partners, the Council of Europe’s work on hate speech, and essential resources and tools. The reporting mechanisms for hate speech, hate crime and cyber bullying of 5 major social media platforms and 19 national authorities or organisations were added to the website. The Facebook and Twitter channels remain active covering the work of the Council of Europe and national campaigns.

The campaign’s methodological approach is based on human rights education and produced the manuals “Bookmarks” and We CAN!. “Bookmarks, manual for combating hate speech through human rights education” has been translated into 17 languages⁶ with more on the way. The manual “We CAN! Taking action on hate speech through counter and alternative narratives” was launched in 2017 and is available in 4 languages⁷ with more in preparation. It complements “Bookmarks” by providing communication and educational approaches, as well as tools for young people and other human rights activists to develop their own counter and alternative narratives to hate speech. A series of European, regional and National level training courses throughout 2017 promoted the use of the manuals. Providing human rights based counter narratives have also become an essential element to action days of the campaign.

The No Hate Speech Movement and particularly its logo have grown beyond the youth campaign to represent values of solidarity, respect and diversity, a pushback against hate speech and discrimination. The campaign is also an access point for young people to learn of the work of the Council of Europe. Hate speech however remains a threat and will continue to be addressed through a variety of means. The Council of Europe’s approach is to offer support and guidance to member states to

⁵ All No Hate Speech Movement national campaigns are listed at: <https://www.coe.int/en/web/no-hate-campaign/national-campaigns1>

⁶ Bookmarks is available in: [Armenian](#), [Dutch](#), [English](#), [Estonian](#), [French](#), [German \(Austrian edition\)](#), [German \(German edition\)](#), [Greek](#), [Hungarian](#), [Italian](#), [Macedonian](#), [Montenegrin](#), [Norwegian](#), [Polish](#), [Portuguese](#), [Romanian](#) and [Ukrainian](#)

⁷ We CAN! is available in: [Dutch](#), [English](#), [French](#), and [Norwegian](#)

develop adequate responses covering policy measures and capacity-building programmes. The legacy of the campaign, particularly the network of national campaigns, is linked up with the wider work on anti-discrimination of the organisation, including monitoring bodies such as ECRI.

Young people have an important role to play. Youth work and human rights education build their competences to be at ease with multi-cultural diverse societies. The Youth Department, building on the legacy of the campaign, continues addressing hate speech. The Human Rights Education youth programme supports the dissemination of Bookmarks and We CAN! through translations and national training courses, including media literacy with children and young people. The Youth Department will extend its work on youth participation in Internet governance processes and continue to support vulnerable groups affected by discrimination and targeted by hate speech.

The Council of Europe has established the Anti-Discrimination Department⁸ (Directorate General of Democracy, Directorate of Anti-Discrimination) which brings together the work on policy standards, monitoring and capacity building of the European Commission against Racism and Intolerance, the Framework Convention on National Minorities, the European Charter on Regional or Minority Languages, the Sexual Orientation and Gender Identity Unit and the Intercultural Cities programme⁹. This new department includes a specific unit on 'No Hate Speech and Co-operation' under the 'Inclusion and Anti-discrimination programmes Division'. The new unit initiates programmes on hate speech involving a wide network of partners, including the existing national campaigns, and national authorities in the member states. The European campaign coordinator has joined the new unit strengthening the link with the legacy of the campaign.

The new 'No Hate Speech and Co-operation' Unit has launched the cooperation project 'Fight against discrimination, hate crimes and hate speech in Georgia' which aims to provide expertise, build competences, advocate and raise awareness among policy makers, legal and law enforcement agencies and civil society organisations. It's also developing proposals for regional programmes on combatting hate speech and protection of national minorities in the Balkan region and a capacity building programme aimed to combine hate speech monitoring with development of counter narrative strategies online. The Unit is also engages with Internet Businesses on setting up a pilot for self-regulation for assessing hate speech reported to them.

We call on Member States and European partners, including the OSCE, to maintain and build on the momentum generated by No Hate Speech Movement and work with the national campaigns.

V. Combating discrimination on the grounds of sexual orientation or gender identity (SOGI)

The Council of Europe standards and mechanisms seek to promote and ensure respect for the human rights of every individual, including lesbian, gay, bisexual and transgender (LGBT) persons. Assuming its leading role in human rights protection,

⁸ Short introduction to the Anti-Discrimination Department: <https://rm.coe.int/presentation-of-the-antidiscrimination-activities-in-2018/16808b6ff9>

⁹ For more information see the links to the [European Committee against Racism and Intolerance](#) the [Framework Convention on National Minorities](#), the [Sexual Orientation and Gender Identity Unit](#) and [Intercultural Cities programme](#).

the Council of Europe Committee of Ministers adopted on 31 March 2010 [Recommendation CM/Rec\(2010\)5 to member states on measures to combat discrimination on grounds of sexual orientation or gender identity](#). The Recommendation is the first international legal instrument dealing specifically with several of the most persistent and difficult forms of discrimination. It sets out the principles from existing European and international instruments, with particular emphasis on the European Convention of Human Rights and the European Court of Human Rights case law. The recommendation identifies specific measures to be adopted and effectively endorsed by member states to combat discrimination, ensure respect for LGBT persons, promote awareness of violations experienced by them, them and ensure that victims have access to legal remedies. In early 2018, the Steering Committee for Human Rights (CDDH) [launched the second review process](#) of the implementation by member states of CM/Rec(2010)5 via a questionnaire elaborated by the SOGI Unit. A report assessing the replies from member states and civil society will be adopted in 2019.

In January 2014 the Committee of Ministers encouraged further action to implement the CM/Rec (2010)5 particularly in areas dealing with:

1. Identifying, promoting and exchanging good practices;
2. Mainstreaming LGBT issues within the Council of Europe and setting up a long-term action plan for the respect of LGBT persons' rights;
3. Collecting data and carrying out research, disseminating know-how and expertise;
4. Raising public awareness on issues related to discrimination on the grounds of SOGI;
5. Enhancing co-operation and synergies with stakeholders, governments, IGOs and LGBT civil society.

Since 2014 an inter-secretariat taskforce on SOGI issues was established by the Secretary General of the Council of Europe with the main objective of mainstreaming SOGI in the work of the organisation and enhancing coordination and cooperation between the different sectors. The cooperation activities on SOGI are carried out within the following framework:

1. **Providing support, upon request, to member states, local authorities and civil society actors through capacity-building and sharing good practice** : provision of legislative expertise, development and implementation of national action plans, training of law enforcement and legal professionals on hate crimes and violence, peer-to-peer activities on legal gender recognition and asylum policies;

2. **Sharing good practices among member states and carrying out research**: the publication of the [training manual for law enforcement on hate crime against LGBTI persons](#); [good practice guide on values based campaigning for legal recognition of same-sex partnerships](#), [short guide to legal gender recognition](#); [the compendium of good practices on local and regional level](#) as a concrete follow up to the [Congress Resolution 380 \(2015\)](#); the analysis of challenges, the gaps and opportunities in the field of human rights of LGBTI children ; [the publication Extending rights, responsibilities and status to same-sex families: trends across Europe](#), [the booklet on national action plans as effective tools to promote and protect the human rights of LGBTI people](#), [the setting up of a Council of Europe online database on good practices and policies on SOGI](#); ; the guidebook

[for legal professionals on the case law of the European Court of Human Rights on SOGI.](#)

3. **Raising awareness** on issues related to discrimination on the grounds of SOGI and enhancing co-operation and synergies with stakeholders, governments, IGOs and LGBTI civil society organisations.

The standards and mechanisms developed by the Council of Europe to combat discrimination on the grounds of sexual orientation or gender identity (SOGI), include:

[European Convention on Human Rights – Article 14 – Prohibition of discrimination](#)
[Protocol No 12, Article 1 - General Prohibition of discrimination](#)
[The European Social Charter \(Revised\) of 1996](#)
[Council of Europe Convention on preventing and combating violence against women and domestic violence \(CETS No. 210\)](#)
[Recommendation CM/Rec\(2010\)5 to member states on measures to combat discrimination on grounds of sexual orientation or gender identity.](#)

Parliamentary Assembly:

[Resolution 1945 \(2013\) on Putting an end to coerced sterilisations and castrations](#)
[Recommendation 2021\(2013\) on Tackling discrimination on the grounds of sexual orientation and gender identity](#)
[Resolution 1952\(2013\) on Children’s right to physical integrity](#)
[Resolution 2048 \(2015\) on Discrimination against transgender people in Europe](#)
[Resolution 2191\(2017\) Promoting the human rights of and eliminating discrimination against intersex people](#)

Congress:

[Resolution 380 \(2015\) on Guaranteeing lesbian, gay, bisexual and transgender \(LGBT\) people’s rights: a responsibility for Europe’s towns and regions](#)

Commissioner for Human Rights:

[Human Rights and Gender Identity](#)
[Discrimination on grounds of sexual orientation and gender identity in Europe](#)
[Discrimination on grounds of sexual orientation and gender identity in Europe \(2011\)](#)
[Human rights and intersex people \(2015\)](#)

Venice Commission:

[CDL-AD\(2013\)022-e - Opinion on the issue of the prohibition of so-called "Propaganda of homosexuality in the light of recent legislation in some Council of Europe Member States, Adopted by the Venice Commission at its 95th Plenary Session \(14-15 June 2013\)](#)

European Court of Human Rights (Factsheets)

[Gender identity](#)
[Homosexuality: criminal aspects](#)
[Sexual orientation issues](#)

For further information, see our website: <http://www.coe.int/lgbt> or send an e-mail to the electronic address of the Secretariat sogi@coe.int

