



## STATEMENT OF THE HOLY SEE

### 2019 Human Dimension Implementation Meeting

*Working Sessions 15 (specifically selected topic): Hate crime*

**Warsaw, 25 September 2019**

Mr./Mme Moderator,

The Holy See notes with alarm that “**Christians are the targets of hate crime across the OSCE region.**”<sup>1</sup> Data collected and made available by the ODIHR indicate that anti-Christian hate crimes mainly and increasingly target places of worship, cemeteries and other religious properties, even where Christians are in the majority.

Especially West of Vienna, certain sentiments and manifestations of intolerance and discrimination against Christians continue to exist as the last acceptable prejudice<sup>2</sup> and seem to receive less attention than other forms of intolerance, presumably because of Christianity’s position as the historically dominant religion. In this respect, it is important always to bear in mind that, as agreed by all participating States, “victims of hate crimes may belong to both minority and majority communities,”<sup>3</sup> and, as a wide group statement highlighted in the closing plenary session of the Tirana High-Level Conference on Tolerance and Non-Discrimination, “it has become outdated to talk about minority and majority religions,” since “all religions or beliefs are concerned, often in ways that go unnoticed.”<sup>4</sup> On the other hand, too often the term ‘minorities’ is used as a synonym of ‘victims,’ as if the victims could belong only to minority groups.

In addition, key findings from the ODIHR hate crime reporting show us that crimes committed due to religious hatred mainly and increasingly target properties<sup>5</sup>, probably because they are easier to identify and to attack. Since in several jurisdictions crimes against property are considered less serious than those against persons, there is both the risk of under-reporting and reluctance to record, investigate and prosecute such crimes. The poor attention given to hate crimes committed against majority communities and the fact that hate crimes motivated by religious bias or prejudice are under-reported and under-recorded for the above-mentioned reasons, imply that hate crimes against Christians are likely more numerous than those indicated in the annual reporting of the ODIHR and deserve greater attention.

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<sup>1</sup> <http://hatecrime.osce.org/what-hate-crime/bias-against-christians>

<sup>2</sup> P. Jenkins, *The New Anti-Catholicism: The Last Acceptable Prejudice*, New York, 2004.

<sup>3</sup> OSCE Ministerial Council Decision No. 9/09.

<sup>4</sup> *Closing remarks of the European Union*, PC.DEL/383/13.

<sup>5</sup> <http://hatecrime.osce.org/2017-data>

The protection of places of worship is a direct consequence of the protection of the freedom of thought, conscience, religion or belief<sup>6</sup>. Addressing both governments and believers, Pope Francis and Grand Imam Ahmed Al-Tayyeb have jointly affirmed: “The protection of places of worship – synagogues, churches and mosques – is a duty guaranteed by religions, human values, laws and international agreements. Every attempt to attack places of worship or threaten them by violent assaults, bombings or destruction, is a deviation from the teachings of religions as well as a clear violation of international law”.<sup>7</sup>

In the most recent Ministerial Council Decision on the freedom of thought, conscience, religion or belief, participating States have already committed themselves to “endeavour to prevent and protect against attacks directed at persons or groups based on thought, conscience, religion or belief” and to “adopt policies to promote respect and protection for places of worship and religious sites, religious monuments, cemeteries and shrines against vandalism and destruction.”<sup>8</sup>

The response to the security challenges faced by religious communities should be based on the understanding that OSCE participating States are under a primary responsibility to protect the communities from attacks, also if perpetrated by private actors. Every time an attack occurs, we should ask whether the State has done its best to prevent *ex ante* the crime from being committed and not only to punish it *ex post*.

The Holy See, while once more applauding the ODIHR’s document on *Understanding Anti-Semitic Hate Crimes and Addressing of the Security Needs of Jewish Communities*<sup>9</sup> and the drafting of a paper on understanding hate crimes against Muslims and addressing the security needs of Muslim communities<sup>10</sup>, remains confident that, benefitting from the expertise derived from these Guidelines and in accordance with the common approach in addressing all forms of religious intolerance and discrimination without improper or hierarchical selectivity, the ODIHR will also draft guidelines on understanding hate crimes against Christians and addressing the security needs of Christian communities.

Secondly, my Delegation wishes to underline the importance of data-collection in order to understand and address hate crimes. As we all know, good data are essential to elaborate good policies. With regard to hate crimes, recognizing, recording and reporting such crimes is an important way for participating States to acknowledge the problem and its extent, as well as to develop strategies to prevent and counter it.

The website laudably managed by the ODIHR is an important tool, but under-reporting and under-recording limit its effectiveness. In particular, the Holy See wishes to recall that, by Ministerial Council Decision No. 9/09, participating States

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<sup>6</sup> *General Remarks by H.E. Archbishop Bernardito Auza Apostolic Nuncio, Permanent Observer of the Holy See to the United Nations, at the Consultations on a United Nations Plan of Action to Safeguard Religious Sites*, New York, 11 June 2019.

<sup>7</sup> *Document on Human Fraternity for World Peace and Living Together*, Abu Dhabi, 4 February 2019.

<sup>8</sup> OSCE Ministerial Council Decision No. 3/13.

<sup>9</sup> OSCE/ODIHR, *Understanding Anti-Semitic Hate Crimes and Addressing the Security Needs of Jewish Communities: A Practical Guide*, 2017.

<sup>10</sup> <https://www.osce.org/odihr/385875>.

have committed themselves to collect, maintain and make public disaggregated data on hate crimes.

Therefore, in accordance to this Ministerial Council Decision and with specific regard to hate crimes against religious communities, participating States are required:

- i. to collect and report to ODIHR reliable data on hate crimes;
- ii. to disaggregate the data on hate crimes motivated by religious bias or prejudice;
- iii. disaggregate among these data, those on Anti-Semitic hate crimes, those on hate crimes against Muslims, those on hate crimes against Christians and those on hate crimes against the member of other religions.

Since, from the official data from the ODIHR, we may see that just about one in five of participating States provide such disaggregation, we all understand that, after ten years from the Athens Decision, much work still needs to be done in this respect.

However, it is very well known that official data are an unreliable indicator of the true extent of criminal behaviour. For a variety of reasons, many victims do not report hate crimes to the police, and the police do not record all offences reported to them. Because of the limitations of police-recorded crime data, a number of participating States use victimization surveys to estimate more accurately the prevalence of hate crimes. In this regard, as was observed in a recent paper of the ODIHR<sup>11</sup>, it is important to keep in mind that victimization surveys mainly research crimes that are directed at individual members of a community, while they are not appropriate for crimes targeting entire communities (such as crimes targeting properties of, or associated to, a certain community).

Since – in accordance to the data made available by the ODIHR<sup>12</sup> – the vast majority of Anti-Semitic hate crimes and hate crimes motivated by religious bias or prejudice are perpetrated against property, and not against people, this means that victimization surveys are not able to intercept all these crimes, which remain unrecorded and underestimated. Therefore, specific measures have to be taken in order to survey carefully also hate crimes perpetrated against religious properties.

In conclusion, anti-semitic hate crimes and hate crimes motivated by religious bias or prejudice are widely under-recorded and more numerous than those indicated in the annual reporting of the ODIHR. Therefore, they deserve more attention, particularly since they represent a phenomenon that could threaten the security and stability of the Region, triggering violence and conflict on a wider scale, thus putting in danger the peaceful relations among the States.

Thank you, Mr./Mme Moderator!

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<sup>11</sup> <https://www.osce.org/odihr/413924?download=true>, p. 19.

<sup>12</sup> <http://hatecrime.osce.org/2017-data>