



SUPPLEMENTARY HUMAN DIMENSION MEETING

Policies and strategies to further promote tolerance and non-discrimination

14 – 15 April 2016

Hofburg, Vienna

ANNOTATED AGENDA

OSCE participating States strongly condemn racial and ethnic hatred, anti-Semitism, xenophobia, and discrimination against anyone as well as persecution on religious and ideological grounds, and have committed to combat these phenomena in all their forms (Copenhagen Document 1990), including combatting hate speech and hate crime, while respecting human rights and fundamental freedoms, including the freedom of thought, conscience, religion or belief (MC Decision 10/05). Participating States have acknowledged the specificity of different forms of intolerance, while at the same time recognizing the importance of taking a comprehensive approach and addressing cross-cutting issues in order to effectively combat all forms of discrimination (MC Decision 10/07).

These commitments to address all manifestations of intolerance and to promote tolerance and non-discrimination by participating States are reflected in Ministerial Council Decisions, in which OSCE participating States committed to take effective measures to prevent and respond to hate crimes and other manifestations of intolerance and discrimination. As early as 1990, participating States agreed in the Copenhagen Document that they will “take effective measures (...) to promote understanding and tolerance, particularly in the field of education (...)” Subsequent OSCE Ministerial Council Decisions adopted at Porto (2002), Maastricht (2003), Sofia (2004), Ljubljana (2005), Brussels (2006), Madrid (2007) and Athens (2009) have underscored and strengthened this commitment.

In these decisions, participating States stressed the equality of all before the law and the need to guarantee legal protection to all persons against any discrimination on any ground. They also agreed to establish capacity-building programmes to effectively combat all forms of discrimination. They called for the development of comprehensive domestic education policies and strategies as well as awareness-raising measures to promote a greater understanding of and respect for different cultures, ethnicities, religions or beliefs, to prevent intolerance and discrimination, including against Christians, Jews, Muslims and members of other religions, and to promote remembrance and education about the Holocaust (MC Decision 13/06). They have also acknowledged the important role youth can play in fostering mutual respect and understanding between cultures and religions contributing to the promotion of democracy, human rights and fundamental freedoms. In this regard, the “opportunities offered by the Internet for the promotion of democracy, human rights and tolerance education” were also emphasized (MC Decision 10/07).

Stereotypes are being used to discriminate against specific groups, some of them facing multiple forms of discrimination. Even if institutional discrimination is forbidden by the law,

the practice of profiling based upon racial, ethnic and religious stereotypes and prejudices **by law enforcement** and security officials is a worrying issue. This discrimination affects men and women differently. In the current challenging situation with regards to the movement of migrants and refugees across the OSCE region, a number of participating States are experiencing the rising numbers of migrants being used as a justification for increasingly intolerant and discriminatory attitudes and behaviours from all sectors of society. This is aggravated by the current emphasis on terrorism and security in many OSCE participating States, and at times, underpins the intolerant actions of some groups and individuals.

Political discourse and narratives of some political leaders often openly embrace and express hate speech and propagate negative, prejudicial and stereotypical information about some groups (migrants, Muslims, Jews, Roma and Sinti, Jehovah's Witnesses, LGBTI) and present them as "threats" to national security, which in their view need to be dealt with robustly by authorities and state agents.

The situation outlined above illustrates why OSCE participating States have long recognized the inherent challenges and dangers connected to hate speech that manifests itself as **hate on the internet**. MC Decision 9/09 clearly cites the need for participating States to address hate on the internet ("Cyberhate") – while acknowledging the twin challenge for participating States of ensuring the freedom of expression, as well as fulfilling their obligation to promptly renounce hate speech by public officials and ensuring robust interventions whenever comments expressed on the internet pose a threat to targeted individuals and communities.

The number of **hate crimes** and hate incidents against particular groups and religious or belief communities in the OSCE region in recent years is also a cause for grave concern. The investigation and prosecution of hate crimes and violent incidents and the need to counter organized hate groups who incite or use violence present particular challenges for OSCE participating States. Additionally, under-reporting by victims and under-recording by law enforcement of hate crimes continues to be a cause of concern as it contributes to a climate of hate, fear and mistrust, and represents a dangerous confluence of phenomena connected to xenophobia and intolerance that could eventually be used to justify acts of violence (whether in reaction to or retaliation against intolerance).

The OSCE participating States have agreed and committed to develop comprehensive **education policies and awareness raising strategies** to combat discrimination and promote tolerance and mutual understanding. Promoting mutual understanding and respect for diversity, along with countering all forms of intolerance and discrimination, must today, more than ever, be absolute priorities for the international community, in order to maintain peace and stability at both the global and regional levels. The attitudes and tensions that lead to inter-communal conflict are often deeply rooted in stereotypes and misconceptions, and one of the most pressing contemporary challenges is to promote knowledge about, and understanding of, different cultures. Educators play a fundamental role in meeting this challenge. Recognising this, the OSCE participating States have repeatedly made commitments to counter intolerance and discrimination that stress the role of education. The 2005 Ljubljana Decision of the OSCE Ministerial Council encourages public and private educational programmes that promote tolerance and non-discrimination and, through education, raise public awareness of the existence and the unacceptability of intolerance and discrimination.

The proposed SHDM shall review and assess the progress made by participating States in implementing OSCE commitments to combat and address all forms of discrimination, including *inter alia*, racism, xenophobia, anti-Semitism, intolerance against Roma and Sinti, Muslims, Christians and members of other religious or belief communities, intolerance against persons with disabilities, the differing impact that this discrimination has on women and men as well as discrimination against other groups. The meeting will present good practices that show how governments, intergovernmental organizations, educational experts and civil society can prevent and respond to intolerance and create an appreciation for diversity through a variety of initiatives and tools, including education policies and awareness raising strategies. Also, it is important to recognise intrinsic nuances and understand that intolerance and discrimination issues are experienced differently by victims based on gender, age and other variants and have a different impact on individuals, communities and society as a whole.

This meeting will also seek to identify how ODIHR's tools and expertise can best be used by participating States to address the contemporary and specific challenges outlined above.

The objectives of the SHDM are to:

1. Review and assess current challenges facing participating States in the implementation of commitments in the area of tolerance and non-discrimination.
2. Exchange good practices aimed at combatting all forms of intolerance and discrimination, promoting mutual respect and understanding, including in the area of legislation, policy, law enforcement, education and dialogue among and between civil society, religious, belief or ethnic communities and state/public authorities.
3. Identify recommendations for the OSCE participating States on combatting intolerance and promoting mutual respect and understanding as well as to consolidate the role of the OSCE in this field.

Day 1: Thursday, 14 April 2016

13:00 – 15:00

SIDE EVENTS

15:00 – 16:00

OPENING SESSION

Welcome remarks by the German OSCE Chairmanship and the OSCE Office for Democratic Institutions and Human Rights

Keynote Speech

16:00 – 18:00

SESSION I: Challenges to Realizing Tolerance and Non-Discrimination: Root Causes and Consequences

Over the past twenty years, there have been a number of positive developments in countering intolerance and discrimination throughout the OSCE area. Participating States have implemented policies and strategies aimed at combatting manifestations of racism, intolerance and discrimination, including hate speech and hate crimes. The commitments of OSCE participating States have created a comprehensive normative framework in the field of tolerance and non-discrimination.

Despite these developments, serious challenges remain. The impact of racism on society is exacerbated by the heightened security situation and the recent global economic crisis as well as by the intolerant discourse and scapegoating of minorities, which makes the task of effectively addressing racism, intolerance and discrimination in society more difficult. Alarming incidents of intolerance against ethnic communities, Muslims, Christians, Roma and Sinti, persons with disabilities, anti-Semitism and other bias-motivated intolerance continue to plague society.

Hate crimes and incidents have been documented in ODIHR's annual reporting on hate crime. OSCE participating States have made commitments to combat hate crimes, and in particular to collect data on hate crimes, to consider enacting or strengthening legislation prohibiting discrimination and hate crimes, and to ensure that officials have the necessary skills to address the issue properly. Information provided to ODIHR highlights major concerns over the past year such as intolerant discourse and hate speech where racist and xenophobic rhetoric stigmatising migrants and foreigners, Muslims, Christians, Roma and Sinti, Jewish communities and other religious or belief communities, persons with disabilities and individuals from other marginalized groups has been used to portray these groups as the cause of economic woes, antisocial and criminal activity, or as terrorist threats to society. Worryingly, despite being victims of hate crimes and hate incidents, many victims do not report these incidents to law enforcement or the authorities for a variety of reasons. Consequently, under-reporting of hate crimes and incidents motivated by a certain bias continues to be an issue and needs to be addressed by authorities.

The purpose of this session is to provide an overview of the underlying root causes and consequences of intolerance and discrimination throughout the OSCE area.

Questions for discussion include:

- What are the current manifestations of intolerance and discrimination in the OSCE area? What is their impact and implications for security in society?
- What are the root causes (psychological, sociological, political) of intolerance and discrimination? If these causes are better known, can adequate policies and strategies be developed to counter these manifestations of intolerance?
- How to deal with multiple forms of discrimination?
- What type of data collection mechanisms exist to collect information about incidents of intolerance, discrimination, including hate crimes?
- Why can policies and programs aimed at countering terrorism result in racial, ethnic, cultural and religious profiling by state agents? What is the impact of these policies and how can they be human-rights compliant? How can public authorities ensure that their fight against religious and violent radicalization is not used to spread stereotypes?
- Why does discriminatory political discourse, including racist, xenophobic discourse and discourse directed towards individuals from marginalized groups continue? What is the impact of intolerant political discourse on different individuals, communities and society as a whole?
- How to avoid the phenomenon of victimisation and re-victimisation? How to fight the actual or perceived alienation of some communities?
- What new and existing challenges in preventing and combatting all forms of discrimination exist for state actors, civil society, national human rights institutions (NHRIs), IGOs and INGOs?
- How do intolerance and discrimination affect men and women differently?
- How can ODIHR and the Personal Representatives of the Chairperson-in-Office on Tolerance and Non-Discrimination help to better identify the root causes of intolerance?

18:00

RECEPTION HOSTED BY THE GERMAN CHAIRMANSHIP

Day 2: Friday, 15 April 2016

10.00 – 12.00

SESSION II: Education and Awareness-Raising to Prevent Intolerance and Discrimination, including Hate Crimes, Hate Speech and Hate on the Internet

Acknowledging the need to address the root causes of discrimination and tensions which may give rise to wider conflict and violence, as well as the need to fully respect human rights and fundamental freedoms such as the freedom of opinion and expression, the freedoms of peaceful assembly and association, and freedom of thought, conscience, religion or belief, OSCE Ministerial Council decisions called upon participating States to develop educational programmes to foster a greater understanding of and respect for different cultures, ethnicities,

religions or beliefs (MC.DEC/13/06) as well as to raise public awareness of the existence and unacceptability of intolerance and discrimination (MC.DEC/10/05), and the importance of a continued and strengthened interfaith and intercultural dialogue to promote greater tolerance, respect and mutual understanding (MC.DEC/4/03).

Education and awareness raising can be effective tools in addressing discrimination, furthering tolerance and mutual understanding in societies and in preventing and responding to hate speech and hate crime. The attitudes and tensions that lead to inter-communal conflict are often deeply rooted in stereotypes and misconceptions, and one of the most pressing contemporary challenges is to promote knowledge about, and understanding of, different cultures. To counter this, ODIHR has developed several tools to help law enforcement, civil society and educators learn and teach others about bias and prejudices. ODIHR's Training Against Hate Crime for Law Enforcement and Prosecutors and Hate Crime trainings teach law enforcement officials how to recognize, respond and prosecute hate crime. ODIHR's civil society trainings help civil society work with victim communities and law enforcement to address bias motivated violence. Finally, ODIHR's materials for educators help address bias and stereotypes at a young age and in the classroom.

This session will explore good strategies available to participating States for the effective prevention to hate crimes, violence, intolerance and discrimination in society. Finally, an emphasis will be placed upon preventive strategies available to stakeholders, including development of national action plans and their effective implementation.

Questions for discussion include:

- What role do education and awareness-raising campaigns have in preventing and combatting intolerance and discrimination, hate crimes, hate speech and other manifestations of discrimination?
- What can participating States do to develop inclusive policies and awareness-raising programmes that promote tolerance and mutual understanding?
- How can law enforcement build positive relationships and trust with the communities that they serve to facilitate the prevention and reporting of hate crime?
- How do we ensure that educational responses are designed in a gender-sensitive manner?
- What are good practices in designing awareness-raising activities aimed at informing targeted groups about their rights?
- What is the role of government agencies, NHRIs, civil society and other bodies in monitoring, preventing and combatting hate crimes, racism, intolerance and discrimination?
- How can responsible political leadership and media reporting contribute to non-discriminatory and unbiased portrayal of communities and an increased understanding and respect for diversity?
- How can comprehensive educational measures that promote tolerance in contemporary pluralistic societies be developed? Which measures should be taken to train teachers to address intolerance and challenge stereotypes?

- How can teaching about human rights contribute to improved mutual respect and understanding and how can teaching about tolerance and non-discrimination contribute to the promotion of human rights and democratic values among the young generation?
- How can international organizations effectively collaborate to combat hate crimes? How can OSCE institutions and field operations assist participating States in combatting intolerance and discrimination, including hate crimes?

12:00 – 14:00

LUNCH BREAK / SIDE EVENTS

14:00 – 16:00

SESSION III: Responses to Intolerance and Discrimination, including Hate Crimes, Hate Speech and Hate on the Internet: Tools and Policies

The focus of the final working session is to identify next steps that would need to be taken to effectively address intolerance and discrimination in order to ensure implementation of OSCE commitments. This includes reliable and disaggregated data collection systems that will serve as a basis for the development of sound policies to address intolerance and discrimination, including development of national action plans, awareness-raising measures, capacity-building initiatives and educational programmes. In particular, the session will focus on effective collaboration mechanisms between and among civil society actors, including religious or belief communities, and between civil society actors and governments by exploring how effective dialogue and partnerships can contribute to addressing intolerance and discrimination and building more cohesive and inclusive societies.

Bearing this context in mind, participants are invited to share good practices which showcase activities that integrate a gender-responsive approach and provide a platform for confronting intolerance and discrimination, and facilitating mutual respect and understanding, and that address individual and institutional discrimination with a view to achieving a more balanced representation of marginalized and/or minority groups in order to promote equality for all.

Questions for discussion include:

- What should participating States do when prevention fails and hate crimes and hate speech occur?
- How can participating States best support hate crime victims?
- How to fight against hate speech on the internet without interfering with freedom of expression?
- How can participating States, civil society organizations and communities exchange good practices in combatting all forms of intolerance and discrimination and promotion of tolerance and mutual understanding?
- What initiatives aimed at challenging intolerance and discrimination exist in the OSCE area? What is the impact of these initiatives?

- How can OSCE participating States be supported in their efforts to design effective tolerance-building initiatives which mainstream gender and encourage and promote mutual respect and understanding among diverse communities, including Roma and Sinti, asylum seekers, refugees and migrants?
- How can governments, civil society and other stakeholders promote equal opportunity policies and practices in order to achieve a more balanced representation of minority groups and gender in society at all levels?
- What legislative policies are needed to ensure that intolerance and discrimination in society are effectively eradicated?
- What initiatives and programmes have effectively contributed to the increased access to rights and the participation of racial, ethnic and religious minorities, persons with disabilities as well as women, in society?
- What is the role of different institutions, including parliaments, the judiciary, schools, universities and colleges as well as other stakeholders such as civil society and youth in eradicating racism and xenophobia?
- How can youth be empowered to participate in/develop the capacities and skills to participate in meaningful and effective interfaith and intercultural dialogue?
- How can international organizations effectively collaborate to address intolerance and discrimination? How can OSCE institutions and field operations assist participating States in combatting racism, intolerance and discrimination, including hate crimes?

16.00 – 16.30

BREAK

16:30 – 17:30

CLOSING SESSION

Reports by the moderators of the working sessions

Comments from the floor

Closing remarks

17:30

CLOSING OF THE MEETING