



Office for Democratic Institutions and Human Rights

**CHALLENGES AND PERSPECTIVES ON HATE CRIME  
AGAINST MIGRANTS**

**Expert Roundtable  
London, United Kingdom  
27-28 February 2018**

**OSCE/ODIHR Meeting Report**



**Warsaw  
March 2018**

*This report should not be interpreted as comprising official OSCE recommendations based on a consensus decision, an opinion of the OSCE Office for Democratic Institutions and Human Rights or of any particular OSCE participating State. The content of this report reflects opinions expressed by participants which took place in London on 27-28 February 2018.*

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# CHALLENGES AND PERSPECTIVES ON HATE CRIMES AGAINST MIGRANTS

**Expert Roundtable  
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## ROUNDTABLE SUMMARY

The roundtable was organized with the aim of supporting OSCE participating States to meet OSCE commitments on migrant integration and hate crime. Organized by the OSCE Office on Democratic Institutions and Human Rights (ODIHR), and in co-ordination with the British government, the expert roundtable brought together 47 participants (26 women and 21 men), including representatives from national and local authorities, academia, international organizations, civil society and migrants working on hate crime, discrimination and migrant integration, from 14 OSCE participating States (Austria, Belgium, Denmark, Finland, France, Germany, Ireland, Italy, Malta, the Netherlands, Norway, Spain, the United Kingdom (UK), and the United States of America (US)). (Annex 2 provides a full list of participants.)

While systematic data on hate crime against migrants across the OSCE region is lacking, a growing body of evidence suggests an increase in hate-motivated incidents against migrants and in intolerant political rhetoric, including in long-established countries of immigration with a previously generally positive record of integration efforts. The twin objectives of the event were to raise awareness of the problem of hate crime targeting migrants (with different migration statuses) and of good practice responses to this problem, and to generate recommendations and guidance for stakeholders in participating States and for ODIHR, as material gathered from the event will inform the development of future resources. The event's target group was practitioners and decision-makers working on hate crime and migrant integration in OSCE participating States which have generally a strong track record of migrant integration but which have experienced challenges in this respect in recent years.

The meeting was opened with an introductory session, followed by six working sessions (please see Annex 1 for the agenda) covering different aspects of the issue, and a closing session providing a summary of key points raised and conclusions.

The conference began with opening remarks from ODIHR: Ms. **Cristina Finch**, Head of the Tolerance and Non-discrimination Department, and from Ms. **Christine Hirst**, Deputy Head of the Democratization Department. Ms. Finch welcomed participants, providing an introduction to the OSCE's engagement on hate crime, outlining the commitments that participating States have made to address hate crime including passing specific laws, supporting hate crime victims and ensuring adequate data collection. Ms. Finch also provided an overview of ODIHR's work to support governments and civil society in the struggle against bias-motivated violence and ODIHR's assistance programmes, such as law enforcement training on hate crime. Ms. Hirst followed, highlighting key commitments related to migrant integration agreed by OSCE participating States. Mr. **Paul Giannasi**, the Head of the UK's Cross-Government Hate Crime Programme, joined in welcoming participants from different countries, institutions and groups, noting his appreciation of the diverse range of those gathered for the roundtable as effective approaches to addressing hate

crime must necessarily involve a cross-sector and cross-government approach. He highlighted the value of learning from others' successes and failures, and noted the importance (and relatively low costs) of investing in building coalitions of institutions and organizations as part of advance and preventive measures to ensure partnerships exist and function as part of responses in times of crisis.

Working Session I focused on political rhetoric and hate-motivated incidents against migrants. Mr. **Jakub Krupa** of the Polish Social and Cultural Association (POSK) in the UK chaired the session, framing the topic with an introduction that discussed the rise in hate crime targeting migrants experienced in the context of the Brexit campaign and months since, including targeting of POSK itself. He used the opportunity to highlight POSK's "Better than That" campaign, designed to encourage the public to stand against racist and anti-migrant rhetoric and incidents. The British Member of Parliament, Mr. **Afzal Khan**, delivered the first presentation, and supported the points made by the Chair regarding the clear link between the Brexit referendum and the depth and scale of hate speech and hate crime, which he thought would have been unimaginable in 2016. He observed the blurring of lines between established families with British citizenship and recent migrants, with second or third generation British citizens told to "go home" in 2017. In addition to political developments, he noted that terrorist incidents are also associated with spikes in hate crime, and that these spikes in incidents reveal deeper social tensions, which are at times deliberately inflamed by some politicians. Referring to the statements, posters and social media commentary published by right-wing parties, he observed a number of political figures identified by their faith, and the extension of the definition of "migrant" to a range of settled non-white groups. He underlined the need to respond to these disturbing developments, and highlighted proposals he is promoting: a new oath for holders of public office, and the development of new narratives to recognize the huge contributions that migrants make to society.

Prof. **Brian Levin** of the Center for the Study of Hate and Extremism at California State University in the US followed, presenting a range of data reflecting the correlation between numbers of hate crimes reported and both key political announcements and terrorist incidents. He observed that while hate crimes have traditionally risen in election years, there were particularly large increases observed around the 2016 elections. Noting the longer-term shifts in North America's immigration dynamics, he highlighted the general decrease in trust in public institutions and that the resulting vacuum provided space for those promoting messages of hate. Echoing MP Khan, Prof. Levin observed that negative public statements on migrants are no longer made by those on the political fringes, pointing to the direct correlation between political announcements or comments and the number of hate crimes in the following few days. He concluded by recommending greater emphasis on clear and enforceable laws, more use of data to direct resources, liaison with civil society and commitments to protect migrants from hate crime regardless of their migration status.

Ms. **Ingeborg Senneset**, Board Member of the Norwegian Centre against Racism and a journalist, discussed the influence of the media and the opportunities and challenges faced by journalists in a world where social media now plays such an important role. She spoke about her social media monitoring results, which indicate that hate-filled, extreme right-wing messages and news items get "shared" far more frequently than mainstream and balanced reporting, which struggles to get readers to engage to the same extent. She underlined the value of reporting on hate-mongering, on the use of intolerant rhetoric and on responses, and

the importance of journalists reporting correctly and professionally to combat the mass of biased and inaccurate postings on the internet and social media.

Discussion following the presentations in this session highlighted that the terms “migrant” and “refugee” are now considered insults. Participants exchanged perspectives on the potential tensions between freedom of expression and freedom from harassment, with notes made of the risk that greater weight given to freedom of expression allowed the normalization of racist rhetoric, that limitations on freedom of expression can create far-right martyrs and that bigotry should be instead combatted with facts. Participants expressed shock at the racist and inflammatory statements increasingly made by those in power, and the perceived failure of political leadership to deal with incitement to violence against migrants, also noting the need to engage with the right-wing, including right-wing media, in order to combat stereotypes and advance constructive debate.

Working Session II focused on statistical trends and reporting of anti-migrant hate crimes. The session was chaired by Ms. **Cristina Finch**, who highlighted ODIHR’s work on this topic, including annual reporting and several new assistance tools for participating States and civil society including a reporting app to assist third party reporting of hate crime and a guide for governments on their obligations to support hate crime victims. Mr. **Miltos Pavlou**, Senior Programme Manager at the EU Fundamental Rights Agency (FRA), spoke first, presenting the data FRA has collected on the frequency and trends in victimization, which reflect disturbing increases for those identifiable by race, origin and religious clothing. FRA’s data also indicates dissatisfaction with the way police handle incidents and a range of reasons given for not reporting (including the belief nothing would happen or that they can resolve the problem themselves, or feelings that the incident was minor, of intimidation, and of mistrust towards the police, a factor linked to migration and residency status). The survey recommends that governments must take hate crime more seriously, there must be better victim support, partnership with civil society, and public sector recruitment from migrant backgrounds to improve services, in particular police and education. On a more positive note, FRA’s data also highlighted relatively high feelings of “belonging” to their country of residence among migrants in Europe, who have similar levels of openness to the majority in terms of tolerance of different beliefs, sexual orientation or political views.

Mr. **Didier Demelin**, the Local Police Commissioner and Reference Police Officer for Hate Crimes and Discrimination in Denderleeuw/Haaltert, Belgium, followed, presenting the perspective from his local force, which has stepped up efforts in response to a rise in hate crime against migrants. Including proceeding with specialized ODIHR training, the Belgian police have adopted a “multiple community policing” approach for diverse societies, echoed in “whole school approaches” to education on countering racism and hate crime. Mr. Demelin noted the problem of criminal exploitation, particularly where residency documents are required by police to report crimes, and underlined the importance of the first minutes of police response to victim recovery, investigative outcome and public attitudes. He highlighted the need to address underreporting through reporting platforms or third parties and victim assistance, and the value of “familiar faces” for local policing and community liaison. He emphasized the importance of training for police, particularly on cultural differences, youth work and recruitment of minorities into the police force.

Ms. **Iman Atta**, Director of Tell MAMA (TM), presented next, giving an overview of her NGO’s work to support victims and contribute to reporting, measuring and monitoring hate

crime and discrimination against Muslims in the UK. She concurred with earlier observations of recent increases in the UK, noting the 565% increase in TM's reported hate incidents around the Brexit referendum, greater than any increase linked to one of the terrorist attacks experienced in 2017, including particular increases in abusive behaviour and assaults in public spaces. Pointing out the gender dimension of many of these crimes, the majority committed by men against women, she shared examples of social media abuse, discussing how trigger events and media coverage led to spikes in reported incidents. Noting that 90% of those who report to TM do not want to report to the police, she underlined the importance of partnership with the police and other NGOs, as combined efforts are more effective in tackling hatred. In the discussion that followed, the panel presentations participants highlighted the challenges of working with data when under-reporting is a known phenomenon, and where the experiences of smaller communities are hard to capture or reflect accurately given sample sizes. The issue of engaging the "silent majority" was raised, and participants discussed the need to raise awareness that hate crime and hate speech impact the health and functionality of democratic societies and systems, affecting everyone.

Working Session III discussed children and youth and the promotion of inclusion, tolerance and diversity. Chaired by Ms. **Sarah Chander** from the European Network against Racism, the session's first speaker was Mr. **Martin Bernhard**, Deputy Principal of Sondervangskolen Public School in Aarhus, Denmark. Mr. Bernhard presented his belief that teachers and schools have a role in social development, not just preparation of students for the job market, underlining that better schools can lead to more diversity, social inclusion and tolerance. He outlined the "Study Hard" concept piloted at his school, which with 97% of students bilingual and previously judged as "failing" was transformed into a successful school. The approach included one-to-one work with students, tailoring capacity building and assessments, and using mobile learning technology. He underlined the need to focus on leadership, and leveraging a 'whole school' and 'whole community' approach to bring positive changes and empowerment of neighbourhoods that will be reflected in students' wellbeing and academic achievement.

Ms. **Carina Autengruber** of the European Youth Forum (EYF), a network of over 100 youth organizations, spoke next, highlighting the need for youth activism on inclusion, sharing the EYF's experience of establishing a migration and human rights network in 2015 to better support young refugees, and encouraging other youth organizations to assess how they can increase diversity and inclusion within their structures to tackle a wider range of issues. Sharing EYF's lobbying experiences, she highlighted the Policy Resolution on Protection and Integration of Young Refugees in Europe and related guidelines on inclusion of young refugees in youth organizations. Noting that while many migrants are young people, youth are in general excluded from policy discussions around migration, she recommended governments acknowledge the work of youth organizations and support their work, including recognizing the importance of inter-cultural dialogue, anti-discrimination activism, and non-formal and citizenship education, which she underlined had particular benefits for youth involved both in terms of knowledge and skills.

Mr. **Steve Goodsell**, the Southern Regional Manager from the British NGO Show Racism the Red Card (SRtRC), presented the work of his organization in primary and secondary schools to educate teachers and children on stereotypes and hate crimes, including race and disability, and encourage them to prevent it. He highlighted the importance of collaboration among civil society, educators and police, as well as partnerships with sports and football clubs to promote

key messages and bring influential role models to speak to students and share their personal experiences. While noting the challenges of limited funding, he underlined the value of incentivizing schools through competition and recognition of achievements, including by political leaders, presenting a short film about SRtRC's work.

Participants raised a number of points following the panel, noting that for the participating States targeted by the roundtable many children now have a second language at home or are of mixed backgrounds, and the issue of hate crime and speech directed against migrants, including European migrants, is both mixed and distinct from that directed at non-white minorities, often apparently regardless of their migrant or citizenship status. Other issues discussed included the need to reflect this diversity in curricula, to ensure systematic (and not only non-formal) teaching of democratic values and citizenship, and to teach students (and the wider community) the skills to identify fake news and check facts, as well as to develop new reporting and measures to counter hate in social media and online harassment. Participants noted that youth organizations are well placed to contribute to education and skills development, including as "ambassadors" delivering messages to schools, and that secondary school students can also play this role for primary schools.

Working Session IV discussed the challenging issue of social media as both a problem and a potential modality to address hate crime against migrants. Mr. **David Tosco**, Media Adviser and Multiplatform Impact Producer from Italy, chaired the session, outlining at the beginning the diverse challenges and current influences on public perceptions of migration, including the role of 'fake news' and access to often partial information which inhibits critical thinking, with online hate speech often reinforcing offline racism and radicalization. Ms. **Suzette Bronkhorst**, First Secretary of the International Network against Cyberhate from the Netherlands, presented her Network's work on anti-discrimination, highlighting the recent tendency to blur the categories of 'migrant', 'refugee' and 'Muslim'. She noted that although social media has many positive functions, it is used for alarming amounts of hate and heavily biased reporting that is unchecked by professionals, and underlined the need to educate, particularly young people, in online fact-checking, critical thinking and reporting. She observed that while the legal standard for hate speech is rightly high, this does not mean that speech which is not strictly illegal is not deeply harmful. She described how online forums facilitate exchange among the likeminded and reinforce racist and hateful opinions, which have become mainstream in recent years, particularly with the rise of more right-wing political figures. She also welcomed the increasing willingness of social media companies to remove online hate speech as they begin to respond to longstanding civil society lobbying efforts, and welcomed new European laws and policies in this direction.

Mr. **Carl Miller**, Research Director of the Centre for the Analysis of Social Media at the British thinktank Demos, presented recent analysis of social media, noting the challenges of measuring online hate and the complex data and algorithms involved. With accuracy of approximately 75%, the Demos programme developed with UK government funding has been used for research undertaken with the police, and Mr. Miller noted that the spikes identified in 2017 were clearly linked to terrorist attacks. Interestingly, of the twitter data analyzed, most of those posting hate speech were based in London, despite assumptions which could be made about the diversity of the UK's capital, and analysis indicates that a relatively small number of people are responsible for a disproportionate number of tweets, with only around 6% of those posting responsible for around 50% of content registered as offensive. Mr. Miller also highlighted the reasonably strong correlation between online and offline hate incidents

identified by their analysis, though noted this did not necessarily reflect a causal link and was rather more likely that both responded to the same external events. He concluded by highlighting that the analysis to date cannot be used for detection due to anonymity restrictions, but that the next stage is to work closely with police on real time analysis which can contribute to prevention and response.

Mr. **Tommaso Chiamparino**, policy officer on fundamental rights at the European Commission (EC) Directorate General for Justice and Consumers, underlined that hate speech crime is not only illegal according to national criminal laws transposing EU law but it also threatens core common European values of tolerance and dignity. He highlighted the further danger of hate speech, noting recent research that identified close associations between clouds of hate speech and subsequent violent assaults against migrants and refugees. Mr. Chiamparino outlined the EC policy response, including the May 2016 Code of Conduct on Countering Illegal Hate Speech Online signed with Facebook, Twitter, YouTube and Microsoft which contains commitments on notice and action procedures (e.g. the 24-hour turnaround response to hate speech notifications), counter narratives, co-operation and coalition building involving NGOs, IT Companies, national authorities and the EC. The September 2017 EC Communication on Tackling Illegal Content Online and the following Recommendation, which applies to all forms of illegal content including incitement to hatred and violence, provide further guidance, in particular on transparency, the role of trusted flaggers and safeguards for the protection of free speech. He noted that social media platforms are starting to do their part, and noted the broader societal challenge of spreading positive narratives, co-operation among IT companies and law enforcement, investment in education, and collaboration among institutions, the media, companies and civil society and researchers to better understand and respond to these new challenges.

Participants' discussion highlighted different legal perspectives on hate speech, with European perspectives tending to view hate speech and racist and xenophobic incitement as illegal and criminal activity, while the American perspective gives greater weight to freedom of speech: problems related to lack of legal clarity affected a number of participating States. The question of whether to engage those who participate in online hate speech and racist commentary was robustly debated, as was the challenge of policy-making in a fast-changing environment, including in the context of likely moves to smaller, more independent platforms and media providers. The need for new digital tools and stronger digital literacy was underlined, with participants seeing this as particularly necessary for the younger generation, whose participation in discussion, counter narratives and solutions is essential. Mr. Tosco concluded the session by showing a short video clip of a programme aiming to encourage youth activism and learning about migrant stories, presented on a multi-media platform in Italy.

Working Session V marked the beginning of the second day of the roundtable, with some slight changes to the original agenda due to weather affecting participation. The session was chaired by Ms. **Rose Simkins**, Chief Executive of Stop Hate UK, a charity that provides independent and confidential support to people affected by hate crime. Ms. **Rachel Neild**, Head of the Criminal Justice Cluster at the Open Society Foundation (OSF) in New York, spoke first, highlighting the challenges of monitoring discrimination, including the lack of ethnic data. She noted that the UK is one of the few countries in the region that gathers race and ethnic data in the census and during policing; while not systematic, available data across Europe consistently shows that police actions based on racial profiling are less productive,



whether stops and searches or other measures for counter-terrorism and migration control. Warning of the serious consequences of unjust policing tactics, she underlined how damaging police action on the basis of stereotypes can be, producing minimal results but weakening trust in the police and the legitimacy of public institutions, and indeed the social fabric. Describing OSF's work in this area, including strategic litigation, she shared recommendations, including that: national law must explicitly require police to have a reason for suspicion beyond a suspect's appearance; strong internal agency controls exist to scrutinize police practice; complaints mechanisms are accessible; efforts are undertaken to internalise values and strengthen community relations, including awareness of the messages police send through their actions and press statements, and making sure these do not feed negative public stereotypes.

**Mr. Richard Melichar**, Adviser in the Austrian Ministry of Interior working on police-community relations, presented next on the new strategy and approaches being implemented in Vienna to address direct and indirect discrimination based on profiling and respond to the EU Code of Police Ethics. Contextualizing the importance of such work in a participating State where ethnic and religious diversity has greatly increased in the last few decades, he noted recent research results indicate that in Austria, 30% of Muslim respondents complain of hate-motivated harassment and 10% of sub-Saharan Africans have experienced physical violence. Emphasizing the importance of addressing diversity in the police force, Mr. Melichar described new guidelines, which have legal force and require the police to use a formal, polite address when stopping people. He noted that this is part of a new way of seeing policing, a re-framing which defines the "police as the biggest human rights protection organization in Austria" and which has seen a revision of professional policies from a human rights-based perspective. Underlining the importance of training to support implementation of the new guidelines, Mr. Melichar also described the accompanying community liaison mechanisms established, including NGO forums which can directly impact on policy-making through working group recommendations, for example on the use of forms for search orders.

**Ms. Gwanwyn Mason**, Programme Manager for Hate Crime at the London Mayor's Office for Policing and Crime, spoke next, noting that tackling hate crime had been an explicit commitment in the Mayor's manifesto and explaining the role of his Office in working with the police and victim services. She noted that despite London's diversity, negative trends were evident and there had been a recent rise in hate crime, racism, and aggressive nationalism targeting migrants as well as other minority groups, including those with disabilities and LGBT communities, pointing to the intersectional nature of many hate crimes, often targeting women and youth. Ms. Mason observed that this increase has been accompanied by an apparent culture of permission for the use of racist language that would not normally be acceptable in British society. Noting the challenge of insufficiently clear legislation on hate crime, particularly in relation to the legal inequality in failing to recognize all hate crime as having aggravating motivating factors, Ms. Mason underlined the importance of partnership with communities in tackling the problem, pointing to the independent advisory groups established to work with the Mayor's Office as an example of one of the mechanisms used.

**Mr. Mustafa Field**, Director of Faiths Forum for London, was the panel's last speaker and emphasized the need to counter anti-migrant commentary and promote inclusive narratives. Noting that xenophobic discourse had left fringe audiences and become common, Mr. Field argued that keeping discussion going between those holding different views is a key tenet of

liberal democracy and essential to successfully combatting extremism. He noted the importance of discussing legitimate fears about employment and community identity, but also the need to embed the issue of migration in conversations about equality and values. Highlighting the importance of engaging the private sector and outlining examples of ethical business ventures and boycott decisions for advertising on media which carry hate messages, he also pointed to the key role played by faith-based organizations and civil society in social integration and inter-faith structures.

Discussion following the panel covered the causes of violent extremism, including the far-right threat and social exclusion, as well as counter-terrorism policies as a potential cause of anti-Muslim sentiment. Participants highlighted the need for specialization among police forces, in particular for victim support, with examples given of ‘flagged’ officers with special training being assigned to the reaction teams or acting as liaison officers for certain types of crimes or victims, e.g. against LGBT victims. The value of new information technology tools was also pointed out by participants, including the example of the ‘dash board’ used by the British Metropolitan Police and Mayor’s Office’s.

Chaired by Ms. **Fizza Qureshi**, Director of the British Migrant Rights Network, Working Session VI focused on policy responses to hate crime against migrants in a changing context. Ms. **Karoline Fernández de la Hoz Zeitler**, Director of the Racism and Xenophobia Observatory within the Spanish Ministry of Labour and Social Security, presented first, outlining some of the steps Spain has taken in recent years to address the social changes experienced in the last decade or so, as social diversity greatly increased due to immigration. She highlighted a key study on youth which informed a number of subsequent steps as it revealed discrimination and harassment in schools, and outlined the role of a national strategy. She described the legislative reform undertaken as the basic constitutional provisions were found insufficient and new legislation was passed to emphasize social integration and establish new institutions, including the Observatory, as well as amend criminal law. The comprehensive national strategy supports these measures, combatting racism and promoting racial integration, with a heavy accent on data collection and analysis and cross-institutional co-ordination to support a victim-centred approach. Emphasizing the need for specialized training, Ms. Fernández de la Hoz Zeitler noted the dedicated staff appointed, including the province-level Special Prosecutors Offices established to focus on hate crime and discrimination.

Mr. **Paul Giannasi** spoke next, sharing experience from the British cross-government perspective. Responding to the issue of hate speech prosecution raised in earlier discussion, he shared his views on the very serious impact of hateful language, the ‘drip, drip, drip’ normalization of hatred it facilitates and the toxic effect this has on social cohesion. He shared examples of language which is not technically illegal in the UK, demonstrating that such language remains extremely offensive, and underlining that institutions and communities have a social and moral responsibility to engage in addressing the problem. Presenting the UK’s five-step response, he underlined that more work is needed on victim support and particularly on counter narratives, where work has only recently begun. He concluded his presentation by sharing the positive example of a collaborative community and police response in 2015, where the British authorities were able to prevent potentially serious violence through effective links with communities which facilitated swift reporting to the police, a prompt response from the police and local authorities, and supporting measures from community groups.

Ms. **Kirsi Pimiä**, the Finnish Non-discrimination Ombudsperson, gave the last presentation, explaining the non-governmental status of her independent institution, and providing context to her work with migrants in Finland's 2015 decision to receive 33,000 asylum seekers, the third largest refugee influx in Europe relative to population size. Noting the clear rise in hate speech and hate crime targeting migrants, she has made tackling hate speech a priority in the last two years, and has also worked with academia on tools to identify hate speech used during local elections (though Finnish linguistic specificities make this challenging). Ms. Pimiä noted her role to request police investigations and undertake strategic litigation, which she has done on several occasions with political parties that were using racist and hate-filled language, and reflected that the previously high levels of public trust in the Finnish police have dropped recently and more training is needed. In relation to the question of whether the right to freedom of expression can be limited if such expression violates the rights of others, Ms. Pimiä noted that judicial rulings indicate that in Finland this is the case, with recent judgements banning a far-right political party, and an emphasis on these considerations in policing of assemblies. The final exchange among participants picked up on this question, exploring the question of protection of freedom of speech even if it violates the dignity of another human being and bringing in perspectives from the European Court of Human Rights, which place an emphasis on context. There was agreement that too often national legislation is unclear and fails to provide clear boundaries or protection, that police, prosecutors and judges require training, and there is a need for general awareness raising of the serious damage resulting from hate crimes and hate speech.

The Closing Session reviewed the main challenges and conclusions for the way forward with two presentations from ODIHR. Ms. **Cristina Finch** extended thanks to all participants, chairs and speakers, while Ms. **Christine Hirst** provided a summary of the key conclusions and recommendations<sup>1</sup> made during the roundtable presentations and discussions, outlined below.

## **CONCLUDING RECOMMENDATIONS**

### ***1. Continue to fund and draw on research to guide responses***

- Understand that correlation between political events and announcements and hate crime or speech, and analysis of the proportionately few yet very active users, readers and sharers of online hate, allows us to study the dynamics between cause and effect and to move towards prediction, and hopefully prevention; continue to support research so its conclusions can inform policy- and decision-makers.
- Note that research indicates a recent increase in the levels of frequency and of victimization in many of the participating States discussed during the roundtable, as well as a blurring of the categories of “migrant”, “refugee” and “Muslim”, and a merging of anti-migrant feeling with racism directed at a range of minority groups, accompanied by an increase in the intersectional nature of hate crimes against migrants.

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<sup>1</sup> These good practices and recommendations have no official status and are not based on consensus of OSCE participating States. Their inclusion in this report does not necessarily reflect the views or policies of the OSCE/ODIHR.

- Recognize that increasingly technically sophisticated tools are needed to understand, analyse and help combat hate crimes, discrimination and intolerance against migrants by informing law enforcement responses and social responses to hate directed at migrants.
- 2. *Support counter narratives of inclusion, tolerance and democratic values***
- Seek new strategies and engage the voices of the often ‘silent majority’ to support more effective and stronger counter narratives to hate, both online and offline.
  - Undertake advocacy to encourage people to speak out and address predominating beliefs that “hate crime doesn’t concern me”, drawing clear links between tolerance, inclusion and functioning democracy, including core human rights and democratic values.
  - Invest in building critical thinking and digital literacy, increasing fact-checking skills and resources available to all, incorporating these in regular education, including citizenship programmes, so that the younger generation will have the knowledge and skills they need to be active and engaged protagonists in dialogue on inclusion, tolerance and democratic values.
- 3. *Promote responsible leadership and address intolerant political rhetoric***
- Recognize that irresponsible and intolerant political rhetoric is clearly linked to increases in anti-migrant or racist hate incidents – incidents that in turn are linked to decreased trust in public institutions.
  - Advocate and promote action by political parties and politicians to act on their responsibility to protect core human rights and democratic values and to combat xenophobic and racist discourse.
  - Support initiatives such as new oaths for holders of public office to ensure mutual respect and tolerance of those with different faiths and beliefs, and promote new, evidence-based narratives that recognize the great social, economic and cultural contributions of migrants to society.
- 4. *Recognize and engage constructively with the tensions between freedom of expression and efforts to combat hate speech***
- Recognize that different legal frameworks across the OSCE region place different emphases on what is considered illegal and what is permissible – what may be illegal hate speech in one jurisdiction is the exercise of free speech in another – and that these national distinctions matter, particularly in a globalized world of international communication.
  - Understand the “drip, drip” damage which unchecked hate speech and racist language does to inter-community relations, the role which online material has in fuelling acts of terrorism, and the danger of normalizing intolerance and discrimination.
  - Recognize the dangers of limiting free speech and closing spaces for important conversations, including those in which hate-filled statements can be challenged in robust debate and counter narratives presented.

### **5. *Seek clarity in legislation, including definitions***

- Identify when legislative weaknesses pose obstacles to identification or prosecution of hate crime or hate speech and address these weaknesses through targeted steps such as regulatory guidance and specialized training for police and prosecutors.
- Note that in a number of cases across the OSCE region, definitions of hate crime or speech are limited to those targeting persons of a particular race or religion, while a more expansive definition is needed to capture crimes targeting migrant groups with different origins, those with disabilities, and the LGBT community.
- Recognize the value of solid legal frameworks for integration, including new legislation where needed, and also of the support which existing constitutional provisions may provide for application to changing needs and emerging problems, including those linked with new technologies.

### **6. *Strengthen law enforcement and justice responses***

- Recognize that public, and migrant and minority groups', trust in the police is crucial to effective and successful law enforcement responses. Also recognize that public and migrant trust in the police and public institutions is damaged by experiences of hate crime and discrimination, including through experience of profiling. Make provisions for the use of anonymous platforms or intermediaries to encourage reporting, and adopt a legal and regulatory framework that provides for prosecution of hate crime regardless of migrant status.
- Adopt 'human rights-based' or 'multiple community' policing models that position the diverse communities in the area of responsibility as central and client figures which the police force serves with respect, and undertake honest reviews of policing which allow for learning lessons and identifying successes for replication.
- Ensure the police force and justice chain actors reflect the communities they serve in their diversity, and have the skills and specialization in hate crime identification and prosecution, victim support and community liaison to support effective responses which recognize the nuances among different communities, the issue of intersectionality and different gender perspectives.

### **7. *Build coalitions and partnerships***

- Recognize that a range of tools are required, and that comprehensive responses are not possible without building coalitions of diverse organizations and institutions – including police, justice professionals, social workers, educators, civil society, community groups, migrants association, faith groups, analysts, IT and commercial companies, local and political leaders, and the public. In addition to helping provide regular support, these relationships require investment and maintenance so that they are ready to provide emergency help in times of crisis.
- Establish mechanisms which value and benefit from feedback and policy inputs from a range of actors, including communities; good examples include policy review directly informed by community engagement, such as Police-NGO forums that lead to practical changes, or independent ethics panels who contribute to reviews and strengthen calls for improvements with perspectives from different communities, including from victims and their families.

**8. *Ensure efforts to counter hate crime, intolerance and discrimination targeting migrants are properly resourced***

- Recognize that resources are needed for the range of activities that comprise a comprehensive response to hate crime, intolerance and discrimination against migrants, ranging from statistical analysis to identify trends and evaluate responses, to specialized training for law enforcement and justice professionals, to support for community initiatives to facilitate reporting and support victims, and to advocacy promoting fact-based narratives on migration and engaging in robust public and political debate to counter prejudice and myths.
- Recognize that the costs of prevention will invariably be less than the costs of serious social violence and the damage to life, property and community relations that can result from hate-motivated speech and incidents.

## **ANNEX 1: AGENDA**



# **CHALLENGES AND PERSPECTIVES ON HATE CRIMES AGAINST MIGRANTS**

**Expert Roundtable Meeting**

**27-28 February 2018**

**Holiday Inn Kensington High St.**

**Wrights Ln, Kensington, London W8 5SP, UK**

While systematic data on hate crime against migrants across the OSCE region is lacking, a growing body of evidence suggests an increase in hate-motivated incidents against migrants and in intolerant political rhetoric associated with such incidents, including in long-established countries of immigration with a previously generally positive record of integration efforts.

Building on the substantial experience of the OSCE Office for Democratic Institutions and Human Rights (ODIHR) in work on hate crime as well as migrants' rights and migrant integration, and in particular the discussions held at an ODIHR fact-finding meeting on hate crime against migrants in 2015, ODIHR will convene the *Challenges and Perspectives on Hate Crime Against Migrants* roundtable on 27-28 February 2018 in London, UK.

Organized jointly by ODIHR's Democratization and Tolerance and Non-Discrimination departments as the issue of hate crime against migrants brings together their respective areas of specialization, the event is organized with the goal of supporting OSCE participating States to meet OSCE commitments on migrant integration and hate crime. The twin objectives of the event are to raise awareness of the problem of hate crime targeting migrants (with different migration statuses) and of good practice responses to this problem, and to generate recommendations and guidance for stakeholders in participating States and for ODIHR, as material gathered from the event will inform the development of future resources.

The event's target group is practitioners and decision-makers working on hate crime and migrant integration in OSCE participating States which have generally a strong track record of migrant integration but which have experienced challenges in this respect in recent years. Working Sessions will cover issues related to: political rhetoric; statistics and reporting; children and youth and inclusion and tolerance education; social media; profiling and prejudice; and, policy responses to hate crime against migrants. Participants will include government and police officials, politicians, analysts and academics working on review and evaluation of hate crime prevention efforts, civil society and migrants involved in hate crime and migrant integration work who can speak from the migrant perspective, and international organizations active on these issues. Following the event, a summary report including these concluding recommendations will be drafted, circulated to all participants and disseminated widely through the ODIHR website.

<b>27 February 2018</b>	
<b>Registration of participants, welcome coffee</b>	<b>08:45-09:15</b>
<p><b>Opening remarks:</b></p> <ul style="list-style-type: none"> <li>- Ms. Cristina Finch, Head of Tolerance and Non-Discrimination Department, OSCE ODIHR</li> <li>- Ms. Christine Hirst, Deputy Head of Democratization Department, OSCE ODIHR</li> <li>- Mr. Paul Giannasi, Head of the Cross-Government Hate Crime Programme, UK</li> </ul>	<p><b>09:15-10:00</b> <b>45mins</b></p>
<p><b>Working Session I: Political rhetoric and hate-motivated incidents against migrants</b></p> <ul style="list-style-type: none"> <li>- Mr. Afzal Khan, Member of Parliament, UK</li> <li>- Prof. Brian Levin, Center for the Study of Hate and Extremism at California State University, San Bernardino, US</li> <li>- Ms. Ingeborg Senneset, Board Member of Norwegian PEN, Norway</li> </ul> <p><b>Chair:</b> Mr. Jakub Krupa, Polish Social and Cultural Association, London, UK</p> <p><i>Working Session I will provide a platform for discussion of the role of political rhetoric in legitimizing hate speech and inspiring hate-motivated incidents against migrants. A growing body of evidence demonstrates the link between hate-filled political rhetoric and increases in hate crimes, and participants will discuss the effects of extreme political rhetoric associated with the politicization of migration. This session will also explore ways of changing the political discourse on migration-related issues, promoting awareness of the value of diversity and the contributions of migrants to their host societies.</i></p>	<p><b>10:10-11:40</b> <b>90mins</b></p>
<b>Coffee break</b>	<b>11:40-12:00</b>
<p><b>Working Session II: Statistical trends and reporting of anti-migrant hate crimes</b></p> <ul style="list-style-type: none"> <li>- Mr. Bobby Duffy, Managing Director of the Ipsos MORI Social Research Institute, UK</li> <li>- Mr. Miltos Pavlou, Senior Programme Manager, EU Fundamental Rights Agency, Vienna</li> <li>- Mr. Didier Demelin, Local Police Commissioner Denderleeuw/Haaltert, Reference Police Officer for Hate Crimes and Discrimination, Belgium</li> <li>- Ms. Iman Atta, Director of Tell MAMA, UK</li> </ul> <p><b>Chair:</b> Ms. Cristina Finch, Head of Tolerance and Non-Discrimination Department, OSCE ODIHR</p> <p><i>Working Session II will focus on statistical trends in hate crime and limitations related to the recording, measurement and analysis of hate crime against migrants as well as the obstacles that prevent individuals from reporting hate crime. This session will also explore how hate crime affects migrant women and migrant men differently. Participants will discuss measures to improve reporting rates and increase reliability of hate crime statistics, including reporting platforms, encouraging third party reporting, and working with vulnerable groups that tend to under-report hate crime.</i></p>	<p><b>12:00-13:30</b> <b>90mins</b></p>
<b>Lunch</b>	<b>13:30-14:30</b>
<p><b>Working Session III: Children and youth and promoting inclusion, tolerance and diversity</b></p> <ul style="list-style-type: none"> <li>- Mr. Martin Bernhard, Deputy Principal of Søndervangskolen Public School &amp; Founder of 'BERNHARD' Consulting Company, Aarhus, Denmark</li> <li>- Ms. Carina Autengruber, European Youth Forum, Brussels</li> <li>- Mr. Steve Goodsell Southern Region Manager, Show Racism the Red Card, UK</li> </ul> <p><b>Chair:</b> Ms. Sarah Chander, European Network Against Racism (ENAR), Brussels</p> <p><i>Working Session III will discuss hate crime prevention through education. The participants will discuss education policies and practices aimed at fostering tolerance, respect for diversity and civic responsibility in children and young women and men,</i></p>	<p><b>14:30-16.00</b> <b>90mins</b></p>



<i>and promoting digital literacy and resilience as well as the role of youth civil society in mobilization against anti-migrant hate crime.</i>	
<b>Coffee break</b>	<b>16:00-16:20</b>
<p><b>Working Session IV: Social media as problem and solution for hate crime against migrants</b></p> <ul style="list-style-type: none"> <li>- Mr. Carl Miller, Research Director at the Demos' Centre for the Analysis of Social Media, UK</li> <li>- Ms. Suzette Bronkhorst, First Secretary of the International Network Against Cyberhate, Amsterdam</li> <li>- Mr. Tommaso Chiamparino, Policy Officer, DG Justice, European Commission, Brussels</li> </ul> <p><b>Chair:</b> Mr. Davide Tosco, Media Advisor, Multiplatform Impact Producer, Italy</p> <p><i>Working Session IV will focus on how social media can be central to the problem as well as the solution to hate crime against migrants. Participants will discuss how social media may drive online hate and offline hate crimes against migrants, as well as change its character. This session will also explore the role of social media and new technologies in promoting greater recognition of hate crime and building digital resilience as well as fostering an inclusive society.</i></p>	<p><b>16:20-17:50</b> <b>90 min</b></p>
<b>Reception</b>	<b>18:00</b>
<b>28 February 2018</b>	
<p><b>Working Session V: Ethnic profiling and prejudice in the context of migration</b></p> <ul style="list-style-type: none"> <li>- Ms. Rachel Neild, Head of Criminal Justice Cluster, Open Society Justice Initiative, Open Society Foundations, New York, US</li> <li>- Mr. Richard Melichar, Ministry of the Interior, Austria</li> <li>- Ms. Gwanwyn Mason, Programme Manager (Hate Crime), London Mayor's Office for Policing and Crime, UK</li> <li>- Mr. Mustafa Field, Director of the Faiths Forum for London, UK</li> </ul> <p><b>Chair:</b> Mr. Frédéric Potier, National Delegate, the Interministerial Delegation for Combatting Racism, Anti-Semitism and anti-LGBT Hate (DILCRAH), France</p> <p><i>Working Session V will focus on ethnic profiling and prejudice in the context of migration. While profiling based on race, ethnicity, nationality, migration status or religion constitutes an unlawful form of discrimination and a violation of human rights, it has often been justified as indispensable to law enforcement. Participants will discuss ways of eliminating racial profiling from national security and migration policies as well as measures aimed at changing anti-migrant stereotypes, attitudes and practices in law enforcement institutions.</i></p>	<p><b>09:30-11:00</b> <b>90min</b></p>
<b>Coffee break</b>	<b>11:00-11:15</b>
<p><b>Session VI: Policy responses to hate crime against migrants</b></p> <ul style="list-style-type: none"> <li>- Ms. Karoline Fernández de la Hoz Zeitler, Director of the Racism and Xenophobia Observatory, Ministry of Labour and Social Security, Spain</li> <li>- Mr. Trevor Owen, Cohesive Communities Team Leader, Connected Communities Unit, Scottish Government, UK</li> <li>- Mr. Paul Giannasi, Head of the Cross-Government Hate Crime Programme, UK</li> <li>- Mr. Andrea Rigoni, Committee on Migration, Refugees and Displaced Persons, Council of Europe Parliamentary Assembly</li> </ul> <p><b>Chair:</b> Ms. Fizza Qureshi, Director of the Migrants' Rights Network, London, UK</p> <p><i>Working Session VI will focus on policy responses to hate crime in the new context of increased migration flows, including drafting and revising hate crime legislation, addressing politicisation of migration, and adapting existing migrant integration policies and practices to current needs.</i></p>	<p><b>11:15-12:45</b> <b>90min</b></p>

<p><b>Closing Session: Meeting conclusions and recommendations for ways forward</b></p> <p><b>Final remarks:</b></p> <ul style="list-style-type: none"><li>- Ms. Christine Hirst, Deputy Head of Democratization Department, OSCE ODIHR</li><li>- Ms. Cristina Finch, Head of Tolerance and Non-discrimination Department, OSCE ODIHR</li></ul> <p><i>The Closing Session will review the main conclusions and recommendations of the conference developed by participants during the previous working sessions.</i></p>	<p><b>12.45-13.00</b> <b>15min</b></p>
<p><b>Refreshment and departures</b></p>	

## **ANNEX 2: LIST OF PARTICIPANTS**

### **Austria**

**Mr. Richard Melichar**  
Federal Ministry of the Interior

### **Belgium**

**Mr. Didier Demelin**  
Local Police Commissioner Denderleeuw/Haaltert, Reference Police Officer for Hate Crimes and Discrimination

### **Denmark**

**Mr. Martin Bernhard**  
Deputy Principal of Søndervangskolen Public School, Founder of 'BERNHARD' Consulting Company, Aarhus

### **Finland**

**Ms. Anca Enache**  
Helsinki Deaconess Institute

**Ms. Kirsi Pimiä**  
Non-Discrimination Ombudsman

### **France**

**Mr. Frédéric Poitier**  
Interministerial Delegation for Combatting Racism, Anti-Semitism and anti-LGBT Hate (DILCRAH)

### **Germany**

**Ms. Dina Jacob**  
Desk Officer Division ADS-3 (Counselling), Federal Anti-Discrimination Agency

### **Ireland**

**Ms. Teresa Buczkowska**  
Immigrant Council of Ireland

### **Italy**

**Ms. Esohe Aghatise**  
Iroko Association

**Mr. Stefano Chirico**  
Lieutenant Colonel of the Italian National Police responsible for the OSCAD secretariat

**Ms. Daniela Mengoni**  
Colonel of the Italian National Police, Chief of Staff of the Deputy Director General of Public Security

**Mr. Davide Tosco**  
Media Advisor, Multiplatform Impact Producer

### **Malta**

**Mr. Jean-Pierre Gauci**  
Director, People for Change Foundation

### **Netherlands**

**Mr. Ronald Eissens**  
Magenta Foundation, Cyberhate Complaints Bureau (MDI)

### **Norway**

**Ms. Mari K. Linløkken**  
The Norway Centre against Racism

**Ms. Ingeborg Senneset**  
Board Member of the PEN Norway

### **Spain**

**Ms. Karoline Fernández de la Hoz Zeitler**  
Director of the Racism and Xenophobia Observatory, Ministry of Labour and Social Security

### **United Kingdom**

**Mr. Alan Anstead**  
The UK Race and Europe Network

**Ms. Iman Atta**  
Director of Tell MAMA

**Ms. Shenaz Bunglawala**  
Researcher/ Assistant to Afzal Khan, MP

**Ms. Barbara Drozdowicz**  
Chief Executive Officer, East European Resource Centre

**Mr. Mustafa Field**  
Director of Faiths Forum for London

**Mr. Paul Giannasi**  
Head of the Cross-Government Hate Crime Programme

**Mr. Nick Glynn**  
Open Society Foundation, London

**Mr. Steve Goodsell**  
Southern Region Manager, Show Racism the Red Card

**Mr. Stevie-Jade Hardy**  
University of Leicester

**Mr. Afzal Khan**  
Member of Parliament

**Mr. Ali Khan**  
Open Society Foundation, London

**Mr. Jakub Krupa**  
Polish Social and Cultural Association (POSK)

**Ms. Gwanwyn Mason**  
Programme Manager (Hate Crime), London Mayor's Office for Policing and Crime

**Mr. Carl Miller**  
Research Director at Demos' Centre for the Analysis of Social Media

**Ms. Fizza Qureshi**  
Director of the Migrants' Rights Network

**Ms. Rose Simkins**

Chief Executive of Stop Hate UK

**Ms. Irina Sukhikh**

DRD Partnership

**Ms. Rachael Wilson**

Cohesive Communities Team, Connected Communities Unit, Scottish Government

**United States of America**

**Prof. Brian Levin**

Center for the Study of Hate and Extremism at California State University, San Bernardino

**Ms. Rachel Neild**

Senior Adviser on Ethnic Profiling and Police Reform, Open Society Justice Initiative, New York

**International Organizations**

**Ms. Carina Autengruber**

European Youth Forum, Brussels

**Ms. Suzette Bronkhorst**

Secretary-General of the International Network Against Cyberhate (INACH)

**Ms. Sarah Chander**

European Network Against Racism (ENAR)

**Mr. Tommaso Chiamparino**

DG Justice, European Commission, Brussels

**Mr. Miltos Pavlou**

Fundamental Rights Agency (FRA), Vienna

**Mr. Alfiaz Vaiya**

Coordinator of European Parliament Anti-Racism and Diversity Intergroup, Brussels

**OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR)**

**Ms. Cristina Finch**

Head of Tolerance and Non-Discrimination Department

**Dr. Joanna Fomina**

Migration Expert

**Ms. Christine Hirst**

Deputy Head of Democratization Department

**Ms. Rita Stafejeva**

Administrative Assistant, Democratization Department

### **ANNEX 3: SELECTED OSCE COMMITMENTS IN THE AREA OF MIGRANT INTEGRATION**

Since the 1975 Helsinki process OSCE participating States realized that increasing legal migration in the OSCE region has not only been beneficial both for host countries and migrants themselves, but has also given rise to a number of economic, social, human and other challenges<sup>2</sup>. Gradually the OSCE participating States acknowledged that some of those challenges should be addressed by means of special migrant integration policies.

Therefore, over more than 40 years, the OSCE participating States have agreed to a number of commitments in the field of migrant integration. These commitments relating to the so-called human dimension of the OSCE are contained in an ever-growing set of documents adopted by CSCE/ OSCE Summits and other political forums.

The OSCE commitments form the basis of the work of the Organization and were developed jointly and adopted unanimously by all participating States. They establish clear standards for the participating States in their treatment of each other and of all individuals within their territories.

#### **Helsinki 1975** (Co-operation in the Field of Economics, of Science and Technology and of the Environment)

The participating States,

Considering that the movements of migrant workers in Europe have reached substantial proportions, and that they constitute an important economic, social and human factor for host countries as well as for countries of origin,

Recognizing that workers' migrations have also given rise to a number of economic, social, human and other problems in both the receiving countries and the countries of origin,

Taking due account of the activities of the competent international organizations, more particularly the International Labour Organisation, in this area, are of the opinion that the problems arising bilaterally from the migration of workers in Europe as well as between the participating States should be dealt with by the parties directly concerned, in order to resolve these problems in their mutual interest, in the light of the concern of each State involved to take due account of the requirements resulting from its socio-economic situation, having regard to the obligation of each State to comply with the bilateral and multilateral agreements to which it is party, and with the following aims in view:

- to encourage the efforts of the countries of origin directed towards increasing the possibilities of employment for their nationals in their own territories, in particular by developing economic co-operation appropriate for this purpose and suitable for the host countries and the countries of origin concerned;
- to ensure, through collaboration between the host country and the country of origin, the conditions under which the orderly movement of workers might take place, while at the same time protecting their personal and social welfare and, if appropriate, to organize the recruitment of migrant workers and the provision of elementary language and vocational training;
- to ensure equality of rights between migrant workers and nationals of the host countries with regard to conditions of employment and work and to social security, and to endeavour to ensure that migrant workers may enjoy satisfactory living conditions, especially housing conditions;
- to endeavour to ensure, as far as possible, that migrant workers may enjoy the same opportunities as nationals of the host countries of finding other suitable employment in the event of unemployment;
- to regard with favour the provision of vocational training to migrant workers and, as far as possible, free instruction in the language of the host country, in the framework of their employment;
- to confirm the right of migrant workers to receive, as far as possible, regular information in their own language, covering both their country of origin and the host country;
- to ensure that the children of migrant workers established in the host country have access to the education usually given there, under the same conditions as the children of that country and, furthermore, to permit them to receive supplementary education in their own language, national culture, history and geography;
- to bear in mind that migrant workers, particularly those who have acquired qualifications, can by returning to their countries after a certain period of time help to remedy any deficiency of skilled labour in their country of origin;
- to facilitate, as far as possible, the reuniting of migrant workers with their families.

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<sup>2</sup> Section "Economic and social aspects of migrant legal" of the Final Act of the Conference on Security and Co-operation in Europe (Helsinki 1975).

**Madrid 2007** (Decisions: Decision No. 10/07 on Tolerance and Non-Discrimination: Promoting Mutual Respect and Understanding)

The Ministerial Council,

(...)

Recognizing that manifestations of intolerance and discrimination can undermine the efforts to protect the rights of individuals, including migrants, refugees and persons belonging to national minorities and stateless persons,

(...)

7. Calls on participating States to protect migrants legally residing in host countries and persons belonging to national minorities, stateless persons and refugees from racism, xenophobia, discrimination and violent acts of intolerance and to elaborate or strengthen national strategies and programmes for the integration of regular migrants, which also requires active engagement of the latter;

(...)

**Vienna 1989** (Co-operation in the Field of Economics, of Science and Technology and of the Environment)

(40) The participating States emphasize the need for effective implementation of the provisions of the Final Act and the Madrid Concluding Document relating to migrant workers and their families in Europe. They invite host countries and countries of origin to make efforts to improve further the economic, social, cultural and other conditions of life for migrant workers and their families legally residing in the host countries. They recommend that host countries and countries of origin should promote their bilateral co-operation in relevant fields with a view to facilitating the reintegration of migrant workers and their families returning to their country of origin.

(41) The participating States will (...) consider favourably applications for family reunification as well as family contacts and visits involving migrant workers from other participating States legally residing in the host countries.

(42) The participating States will ensure that migrant workers from other participating States, and their families, can freely enjoy and maintain their national culture and have access to the culture of the host country.

(43) Aiming at ensuring effective equality of opportunity between the children of migrant workers and the children of their own nationals regarding access to all forms and levels of education, the participating States affirm their readiness to take measures needed for the better use and improvement of educational opportunities. Furthermore, they will encourage or facilitate, where reasonable demand exists, supplementary teaching in their mother tongue for the children of migrant workers.

(44) The participating States recognize that issues of migrant workers have their human dimension.

**Copenhagen 1990**

(22) The participating States reaffirm that the protection and promotion of the rights of migrant workers have their human dimension. In this context, they

(22.1) - agree that the protection and promotion of the rights of migrant workers are the concern of all participating States and that as such they should be addressed within the CSCE process;

(22.2) - reaffirm their commitment to implement fully in their domestic legislation the rights of migrant workers provided for in international agreements to which they are parties;

(22.3) - consider that, in future international instruments concerning the rights of migrant workers, they should take into account the fact that this issue is of importance for all of them;

(...)

**Paris 1990** (A New Era of Democracy, Peace and Unity)

We recognize that the issues of migrant workers and their families legally residing in host countries have economic, cultural and social aspects as well as their human dimension. We reaffirm that the protection and promotion of their rights, as well as the implementation of relevant international obligations, is our common concern.

**Moscow 1991**

(38) The participating States recognize the need to ensure that the rights of migrant workers and their families lawfully residing in the participating States are respected and underline their right to express freely their ethnic, cultural, religious and linguistic characteristics. The exercise of such rights may be subject to such restrictions as are prescribed by law and are consistent with international standards.

(38.1) They condemn all acts of discrimination on the ground of race, colour and ethnic origin, intolerance and xenophobia against migrant workers. They will, in conformity with domestic law and international obligations, take effective measures to promote tolerance, understanding, equality of opportunity and respect for the

fundamental human rights of migrant workers and adopt, if they have not already done so, measures that would prohibit acts that constitute incitement to violence based on national, racial, ethnic or religious discrimination, hostility or hatred.

(38.2) They will adopt appropriate measures that would enable migrant workers to participate in the life of the society of the participating States.

(38.3) They note that issues which concern the human dimension of migrant workers residing on their territory could, as any other issue of the human dimension, be raised under the human dimension mechanism.

**Helsinki 1992** (Decisions: VI. The Human Dimension)

The participating States:

(...)

(36) Restate that human rights and fundamental freedoms are universal, that they are also enjoyed by migrant workers wherever they live and stress the importance of implementing all CSCE commitments on migrant workers and their families lawfully residing in the participating States;

(37) Will encourage the creation of conditions to foster greater harmony in relations between migrant workers and the rest of the society of the participating State in which they lawfully reside. To this end, they will seek to offer, *inter alia*, measures to facilitate the familiarization of migrant workers and their families with the languages and social life of the respective participating State in which they lawfully reside so as to enable them to participate in the life of the society of the host country;

(38) Will, in accordance with their domestic policies, laws and international obligations seek, as appropriate, to create the conditions for promoting equality of opportunity in respect of working conditions, education, social security and health services, housing, access to trade unions as well as cultural rights for lawfully residing and working migrant workers.

**Budapest 1994** (Decisions: VIII. The Human Dimension)

31. They [*OSCE participating States*] will continue to promote the integration of migrant workers in the societies in which they are lawfully residing. They recognize that a successful process of integration also depends on its active pursuit by the migrants themselves and decided therefore to encourage them in this regard.

**Maastricht 2003** (Decisions: Decision No. 4/03 on Tolerance and Non-discrimination)

The Ministerial Council

(...)

11. Undertakes to combat discrimination against migrant workers. Further undertakes to facilitate the integration of migrant workers into the societies in which they are legally residing

(...)

**Sofia 2004** (Decisions: Annex to Decision No. 12/04 on Tolerance and Non-discrimination;

Permanent Council Decision No. 621: Tolerance and the Fight against Racism, Xenophobia and Discrimination)

The participating States commit to:

(...)

- Take steps, in conformity with their domestic law and international obligations, against discrimination, intolerance and xenophobia against migrants and migrant workers;

- Consider undertaking activities to raise public awareness of the enriching contribution of migrants and migrant workers to society;

(...)

**Ljubljana 2005** (Decisions: Decision No. 2/05 on Migration)

The Ministerial Council,

Reaffirming the commitments related to migration, and in particular regarding migrant workers, and other relevant commitments (...),

Recognizing the increasing importance of migration, as well as the challenges and opportunities that it presents to participating States,

Further recognizing that migration is becoming a more diverse and complex phenomenon, which needs to be addressed in a comprehensive manner and therefore requires a cross-dimensional approach at the national, regional and international levels,

Recognizing that all States should adopt effective national frameworks in order to manage migration,

Underlining that migration is inherently a transnational issue requiring co-operation between States,

Acknowledging that migration constitutes an important economic, social and human factor for host countries as well as for countries of origin,



Acknowledging also that successful integration policies that include respect for cultural and religious diversity and promotion and protection of human rights and fundamental freedoms are a factor in promoting stability and cohesion within our societies,

(...)

Considering that the OSCE, within its comprehensive approach to security, could contribute, *inter alia*, by:

- Working in synergy and developing a stronger partnership with international bodies having a specific focus on migration,
- Facilitating dialogue and co-operation between participating States, including countries of origin, transit and destination in the OSCE area, as well as the OSCE Partners for Cooperation and Mediterranean Partners for Co-operation,
- Assisting the participating States, upon their request, to develop effective migration policies and to implement their relevant OSCE commitments,
- Inviting participating States to consider becoming parties to relevant international Instruments.

**Athens 2009** (Decisions: Decision No. 5/09 on Migration Management)

The Ministerial Council,

Acknowledging the increasing importance of and the benefits stemming from effective migration management for the socio-economic development, social cohesion, security and stability in all countries including those of origin, transit and destination, and fully recognizing the human rights of migrants and their family members,

Underscoring the importance of mainstreaming migration policies into economic, social, environmental, development and security strategies and addressing migration management through co-operative, comprehensive and cross-dimensional approaches,

Underlining the need to facilitate legal migration and fight illegal migration,

Bearing in mind the different approaches to migration issues by the OSCE participating States, and drawing on their experiences and best practices,

Stressing the need to deepen dialogue and co-operation at all levels within and between all States, as well as with all relevant stakeholders, including social partners, business community, civil society and academia, to effectively address the opportunities and challenges related to comprehensive migration management,

Confirming that co-operation, dialogue and exchange of good practices and information on migration management issues remain an important component of the OSCE's comprehensive concept of security, supported as appropriate and within the respective mandates, capacities and resources in all three dimensions,

1. Encourages the participating States to continue to work on migration management by:

- Paying particular attention to addressing the root causes of migration;
- Ensuring that their national migration practices comply with their respective international obligations and OSCE commitments;
- Further elaborating and enhancing implementation of comprehensive and effective national migration policies and action plans as appropriate;
- Improving the collection of comparable data on migration, in order to facilitate dialogue and exchange of best practices at the OSCE level;

(...)

- Respecting the human rights of migrants and increasing efforts to combat discrimination, intolerance and xenophobia towards migrants and their families;

(...)

5. Tasks the Permanent Council, its informal subsidiary bodies and the OSCE executive structures, in accordance with their respective mandates across all dimensions, within the Organization's comprehensive concept of security and within existing resources to *inter alia*:

- Provide a broad regional platform for dialogue on migration and security issues, both among OSCE participating States and between participating States and Partners for Cooperation, with the involvement of other relevant stakeholders in full conformity with the OSCE Rules of Procedure;
- Continue working on gender aspects of migration;
- Assist participating States, upon their request, to improve migration legislation and to elaborate and implement effective national policy frameworks, by providing advice and training, in co-operation with relevant international and regional organizations;

(...)

- Continue to assist the participating States, upon their request, to promote effective migration management, including exchange of best practices, and to facilitate legal migration and fight illegal migration, while paying particular attention to bilateral and multilateral co-operation in this field.

**Hamburg 2016** (Decisions: Decision No. 3/16 on OSCE's role in the governance of large movements of migrants and refugees)

The Ministerial Council,

Recognizing that the benefits and opportunities of safe, orderly and regular migration are substantial and often underestimated, whilst noting that irregular migration in large movements often presents complex challenges, and recognizing the substantial economic and social contribution that migrants and refugees can make for inclusive growth and sustainable development,

Recognizing the leading role of the United Nations, Commending efforts made since 2015 by the Serbian and German OSCE Chairmanships to address issues related to the governance of these movements more effectively in the OSCE, Acknowledging the many specific activities linked to migration and refugees already undertaken by OSCE executive structures, within existing mandates, as well as by participating States, based on existing OSCE commitments, relevant United Nations documents and national policies,

Building on in-depth discussions conducted at the OSCE, especially during the hearings of the Informal Working Group Focusing on the Issue of Migration and Refugee Flows in spring 2016 and during a special meeting of the OSCE Permanent Council held on 20 July 2016,

1. Acknowledges the work of the Informal Working Group Focusing on the Issue of Migration and Refugee Flows and the output discussed at the special meeting of the OSCE Permanent Council of 20 July 2016;
2. Encourages the OSCE executive structures, within existing mandates and available resources, to continue their work on the issue of migration, including by reinforcing activities leading to the exchange of best practices and enhancing dialogue and co-operation with Partners for Co-operation, in a manner that complements the activities undertaken by other relevant international organizations and agencies;
3. Encourages participating States also to use the OSCE platform, including appropriate OSCE working bodies, to continue addressing migration-related issues where the OSCE has developed its expertise, and improve dialogue on migration-related matters with regard to developing possible effective measures and common approaches to address them.

## **ABOUT THE OSCE/ODIHR**

The Office for Democratic Institutions and Human Rights (OSCE/ODIHR) is the OSCE's principal institution to assist participating States "to ensure full respect for human rights and fundamental freedoms, to abide by the rule of law, to promote principles of democracy and (...) to build, strengthen and protect democratic institutions, as well as promote tolerance throughout society" (1992 Helsinki Summit Document). This is referred to as the OSCE human dimension.

The OSCE/ODIHR, based in Warsaw (Poland) was created as the Office for Free Elections at the 1990 Paris Summit and started operating in May 1991. One year later, the name of the Office was changed to reflect an expanded mandate to include human rights and democratization. Today it employs over 130 staff.

The OSCE/ODIHR is the lead agency in Europe in the field of **election observation**. Every year, it co-ordinates and organizes the deployment of thousands of observers to assess whether elections in the OSCE region are conducted in line with OSCE Commitments, other international obligations and standards for democratic elections and with national legislation. Its unique methodology provides an in-depth insight into the electoral process in its entirety. Through assistance projects, the OSCE/ODIHR helps participating States to improve their electoral framework.

The Office's **democratization** activities include: rule of law, legislative support, democratic governance, migration and freedom of movement, and gender equality. The OSCE/ODIHR implements a number of targeted assistance programs annually, seeking to develop democratic structures.

The OSCE/ODIHR also assists participating States' in fulfilling their obligations to promote and protect **human rights** and fundamental freedoms consistent with OSCE human dimension commitments. This is achieved by working with a variety of partners to foster collaboration, build capacity and provide expertise in thematic areas including human rights in the fight against terrorism, enhancing the human rights protection of trafficked persons, human rights education and training, human rights monitoring and reporting, and women's human rights and security.

Within the field of **tolerance** and **non-discrimination**, the OSCE/ODIHR provides support to the participating States in strengthening their response to hate crimes and incidents of racism, xenophobia, anti-Semitism and other forms of intolerance. The OSCE/ODIHR's activities related to tolerance and non-discrimination are focused on the following areas: legislation; law enforcement training; monitoring, reporting on, and following up on responses to hate-motivated crimes and incidents; as well as educational activities to promote tolerance, respect, and mutual understanding.

The OSCE/ODIHR provides advice to participating States on their policies on **Roma and Sinti**. It promotes capacity-building and networking among Roma and Sinti communities, and encourages the participation of Roma and Sinti representatives in policy-making bodies.

All ODIHR activities are carried out in close co-ordination and co-operation with OSCE participating States, OSCE institutions and field operations, as well as with other international organizations.

More information is available on the ODIHR website ([www.osce.org/odihhr](http://www.osce.org/odihhr)).