



HOLY SEE

**Address of Monsignor Anthony R. Frontiero
Official of the Pontifical Council for Justice and Peace**

**2009 OSCE/ODIHR Human Dimension Implementation Meeting
28 September-9 October 2009**

Working Session 10:
**Follow-up of the 2009 SDIM on Hate Crimes-
Effective Implementation of Legislation**
Monday, 5 October 2009

Mr. Moderator,

The Supplementary Human Dimension Implementation Meeting—Effective Implementation of Legislation, held in Vienna from 4-5 May 2009, was an important and fruitful gathering of experts, government and civil society representatives addressing the phenomenon of increasing and violent incidents across the OSCE region that could fall into the category of hate crimes. The meeting aimed more precisely toward a more fulsome assurance that police, investigators, and law enforcement personnel in general are properly trained and instructed to identify, investigate and register bias motives, and that those responsible for hate crimes are held accountable under the law, in a well-documented and publicized way. The Holy See appreciates the opportunity to engage in these discussions and renews its call to the OSCE to remain focused on its specific mandate in this regard. As the definition of “hate crime” has never been agreed upon, it is even more important to strictly follow the OSCE mandate on this issue in order to avoid ambiguity and misunderstanding. Undue expansion of mandated OSCE commitments risks a diminished effort in the fight against the hate crimes that participating States and OSCE institutions have agreed to combat in a unified way.

In his keynote address at that Meeting, Professor Fred Lawrence remarked that “bias-motivated crime is an attack on the victim’s soul.” Indeed, although the Meeting focused on experiences and best practices of hate crime legislation in the OSCE region, the inescapable reality is that participating States must work at developing a culture where mutual respect and understanding is the hallmark of society, and where people can be free from victimization by hatred and violence. Clearly, legislation to police and prosecute hate crime is part and parcel of this effort, and the Holy See recommends that participating States take care to ensure the proper balance between the freedom of expression and the prosecution hate crimes.

Commensurate energy and effort must also be devoted, however, to the formation of consciences free from hate—positive initiatives which will foster more harmonious co-existence among people. To this end, education is key, as many delegations indicated during the Meeting. Yet, such indications are still lacking the fulsome vision of man’s dignity, his and potential for good. The Holy See desires to be a constructive partner in this regard by recalling that education and formation of people to respect one another also requires the embrace of fundamental values and principles, such as the dignity of the human person. We therefore urge participating State and

OSCE institutions to devote commensurate attention to hate crimes perpetrated against Christians, to encourage the media not to spread prejudices against Christians, and to further develop the TANDIS with more specific information about incidents of intolerance, discrimination and hate against Christians.

The proposition by many States and civil society actors, that a value-less, neutral tolerance is the answer, is short-sighted and ultimately this relativistic view will not serve the human family well. Evidence of this reality in some of the most “advanced” societies where hate crimes abound is proof enough. Education in tolerance and respect includes the strong affirmation of man’s capacity to do the good and right thing, as well as formation in the proper motives for doing so. To this end, Holy See notes the positive contribution of dialogue as a means of promoting mutual respect and understanding, particularly with regard to combating hate crime among groups, and the need to form consciences on the basis of fundamental, authentic human values and principles. While hatred is ultimately rooted in a certain ignorance about the dignity of the human person, the remedy to such ignorance is not the adoption of some kind of value-less or neutral notion of tolerance, whereby it no longer matters at all who the person before us is or how he or she behaves. Rather, it matters deeply who people are and how they live. This is the *raison d’etre* for the OSCE commitment to combat hate crime. Every person matters. That is why only a true and deep knowledge and appreciation for the dignity and worth of every person, and the concomitant respect that each one owes to the other, must be the basis for our discernment in this regard. The rule of law is important in this process, to be sure, but so also is the need to create a culture based on authentic values of human dignity and respect. The role of religion in this regard is instructive and important. A listing of concrete recommendation on this item will be provided to the Secretariat along with the text of my remarks.

Thank you, Mr. Moderator.