

COMPILATION OF WRITTEN RECOMMENDATIONS

(Covering Working Session 16 - 17)

This compilation contains recommendations submitted to the HDIM Documentation Centre in accordance with the established procedure. The compilation is organized by Working Sessions and by what was submitted by Delegations / International Organizations / NGOs to participating States and, separately, to OSCE Institutions / Field Missions or other International Organizations. Recommendations are compiled in original language.

Thursday, 12 October 2006

WORKING SESSION 16-17 – Promotion of tolerance, non-discrimination and mutual respect and understanding: the implementation of OSCE commitments:

Recommendations to Participating States:

Azerbaijan:

- Promoting tolerance and mutual understanding should remain in priority list of the OSCE in general and ODIHR particularly. We hope that this issue will find its proper place in the agenda of the OSCE Spanish Chairmanship for the next year.
- We think that a special role in promoting tolerance and understanding belongs to Personal Representatives of the OSCE Chairman-in-Office who raise the profile of our common sense against intolerance and discrimination and monitor situation in the Participating States. We fully support the mandate of the Personal Representatives.
- In that respect, the role of the laws and the state is very important to open the door of enlightenment. The ideology of the state should rise on the principles of freedom of thought and freedom of belief. State should give the opportunity to the other beliefs and ideologies to teach and diffuse their principles.

Canada:

Both nationally and internationally, we are fully committed to the fight against all forms of intolerance and hate.

- We encourage all participating States to honour their OSCE commitments.
- We also encourage participating States to foster and continue the debate within their countries on individual and collective responsibilities to combat hatred.

European Union:

- We [States] must ensure that diversity contributes to integrated, confident and tolerant societies, rather than leading to segregation, intolerance and distrust.
- We must encourage contact between individuals and communities, and between generations.
- We call upon States to take the necessary measures to promote education programmes aimed at reducing prejudices and negative stereotyping.
- We in Europe have a particular responsibility to ensure that the Holocaust is never forgotten.

The active engagement of young people is key to ensuring a tolerant and cohesive society in the future. Much work is already being done with and by youth groups to increase awareness of tolerance issues.

- This should be encouraged and supported by all participating States.
- We urge all participating States to work with ODIHR and the Personal Representatives to raise awareness of this important issue and to spread best practice within the OSCE region. To do this, we must all concentrate on implementation of existing commitments. Hate crime and discrimination do not just harm the individual. They damage the whole of society. Between us, let us ensure they have no place in the OSCE region.

Netherlands:

- The Netherlands is very much aware of the need for attention to tolerance, in view of recent national and international developments. Therefore we would like to stress especially the importance of the enforcement of the legal rules and the engagement of all parties involved, including police, public prosecutor and the judicial system in taking the fight against hate crime seriously. At the same time, we would like to underline the importance of education in creating better awareness of the issues concerned.
- The Netherlands – and some like-minded States – adhere to the commitments found in the Sofia Ministerial Decision 12/04. We encourage all participating States to take time to become aware of its merits, such as supporting national NGOs that monitor and fight online hate content (cyber hate).
- The Netherlands would like to call for a strong stand against homophobia. It is our firm belief that in a diverse world governments and civil societies should ensure the inclusion and acceptance of all members of society. Gay and lesbian

rights are human rights, and it is therefore that the Netherlands calls upon all participating States to safeguard and protect all basic rights, and thus preventing discrimination on the basis of sexual orientation.

Council of Europe:

The Council of Europe is deeply committed to close co-operation with the OSCE in the field of Tolerance and Non-discrimination, and presents the following specific recommendations in this respect:

- Member States of the Council of Europe are encouraged to sign and ratify Protocol N° 12 to the European Convention on Human Rights.
- OSCE participating States are encouraged to sign and ratify the Additional Protocol to the Council of Europe's Convention on Cybercrime, on the criminalisation of acts of a racist and xenophobic nature committed through computer systems.
- OSCE participating States are encouraged to enact legislation against racism and racial discrimination, if such legislation does not already exist or is incomplete and to ensure that the key components set out in ECRI's General Policy Recommendation No7 are provided in such legislation.
- Member States of the Council of Europe are encouraged to implement ECRI's recommendations contained in its country-specific monitoring reports as well as ECRI's General Policy Recommendations.

Anti-Defamation League:

Concrete Action to Implement Commitments

- Improve data collection. As part of meeting commitments, states should take steps to more comprehensively collect hate crime data on the basis of their race, religion, gender, sexual orientation, disability, or ethnicity. Data collection efforts should include information on both the age of both the victim and the suspected offender. This information would be especially useful in efforts to learn more about juvenile hate crime offenders and victims. States should publicize this data and share it with ODIHR.
- Establish a focal point for Information and Resource. States that have not yet done so should designate a special representative and an office to coordinate and strengthen government interagency efforts to confront hate violence. This office can become both the repository for information and the central address for community-based organizations that work with youth in targeted communities.

- Make anti-prejudice skills a foundation of education. Anti-prejudice lessons should be directly integrated into the curriculum and into after-school program activities. In order to make such efforts effective, the curricula cannot exist as an add-on or extra part of the day, but rather must be incorporated as part of the educational experience for all children. Educators and students must see that diversity skills are an essential component of their teaching and learning.
- More Participating States should implement the ODIHR curriculum on anti-Semitism and other available resources which address specific forms of bias.
- Education efforts should target the community of providers who impact youth.
- Education Ministries should establish anti-prejudice teaching standards and model policies to protect students from school-based hate crime and harassment. Schools should adopt formal written policies governing how teachers, administrators and security professionals identify and respond effectively to bias-motivated bullying, violence, and harassment. The policy should include formal reporting and complaint procedures and facilitate cooperation between educators and law enforcement officials.
- Police officials should be especially mindful of special circumstances involved with youthful hate crime offenders. States should establish a framework for dealing with first-time and non-violent juvenile hate crime offenders. Where appropriate the law should provide an opportunity for alternative sentencing, such as community service, for a range of non-violent bias crimes. In addition, the murder of Ilan Halimi, demonstrates that gang-based violence can be directed at individuals on the basis of race, religion, and ethnicity. States should take steps to recognize that fact and tailor anti-gang initiatives appropriately.
- Empower youth as agents of change.
- Harness the power of technology and the Internet to reach students. We encourage exposure of online bigots – coupled with tools to empower parents, teachers, and librarians to help young people refine their critical thinking skills in responsible use of the Internet.
- Promote Holocaust education. Effective programs must also address contemporary anti-Semitism as a subject on its own. States should utilize the teaching tools ODIHR has developed on anti-Semitism, the ODIHR guidelines on Holocaust commemoration and other program resources.

B'nai B'rith International

- We must continue to make discussions of anti-Semitism more than just an infrequent event – and, for that matter, more than mere discussions. The OSCE

should convene another Cordoba-style, high-level conference on anti-Semitism and other forms of intolerance in 2007, such as the government of Romania has offered to host. Furthermore, the Ministerial Council should formalize the scheduling of such gatherings at regular intervals.

- [Moreover,] we must broadly advance the spirit of zero-tolerance for anti-Semitism cultivated at these OSCE gatherings, by steadfastly implementing relevant programs of action – in education, legislation, and law enforcement.
- We must bolster the funding of ODIHR and the staffing of its anti-Semitism-related programs, so that it can further expand its critical work and, in that vein, OSCE member states must fulfill their reporting requirements with regard to combating anti-Semitism.
- We must extend, for the foreseeable future, the terms of the OSCE Chair-in-Office's personal representatives on intolerance, who direct sustained attention, at the highest level, to the problems of anti-Semitism and other forms of intolerance. We must also support conditions that would facilitate rather than hinder the work of the personal representatives and enable them to perform their functions to the best of their respective abilities.
- We should further promote the European Monitoring Centre on Racism and Xenophobia's working definition of anti-Semitism and must maintain our commitment to the specialized treatment of the roots and manifestations of anti-Semitism, even as we fittingly deplore and take firm steps to address intolerance in its many forms.
- [Finally,] we must strongly reiterate and proactively reinforce the crucial principle declared at the 2004 Berlin conference and reiterated at last year's Cordoba conference: that no political position, cause or grievance can ever justify anti-Semitism. We must further make clear, once and for all, that the de-legitimization and demonization of Israel that goes far beyond responsible criticism of government policies is often none other than anti-Semitism in a different guise. In Europe or anywhere, let us not apologize for hatred, and let us not turn a blind eye to criminality.

Human Rights First

- We [therefore] urge the incoming Spanish chairmanship to renew the mandates of the three Personal Representatives, at the same time working with them to maximize the added value they bring to the organization.
- We encourage support for an initiative of the Romanian government to organize a high level conference in 2007 along the lines of the Cordoba conference that will

review the implementation of OSCE commitments to combat the distinct problems of racism, antisemitism, Islamophobia and related intolerance.

- We urge the OSCE participating States to ensure that there be sufficient funding designated for the Personal Representatives, and for the ODIHR's tolerance work, including core funding for ODIHR staff positions in the Tolerance and Non-discrimination Program.

Institute on Religion and Public Policy:

- We urge governments and religious leaders to implement educational programs on teachings of peace and mutual respect to effectively address the issue of Islamophobia- as well as anti-Semitism and Christianophobia.

International Helsinki Federation for Human Rights:

To political actors and political parties in the OSCE participating States:

- Demonstrate ethical and responsible leadership and openly reject all forms of racism, xenophobia and intolerance;
- Ensure that their platforms, programs and actions reflect the principles of non-discrimination, tolerance and respect and refrain from making statements or, in other ways, endorsing views and positions that encourage or reinforce prejudices and hostility against immigrants, refugees and minority members;
- Refuse to cooperate with political parties that subscribe to racist and xenophobic objectives, including in particular by forming government coalitions or parliamentary alliances with such parties.

To the governments of the OSCE participating States:

- Ensure that effective measures are adopted and implemented to prevent and punish the promotion of racism and xenophobia in political life. Such measures should correspond to and be proportionate to the gravity, nature and circumstances of each case and may, where appropriate in more serious cases, include withholding public funding of political parties, denying political parties access to state-controlled media and suspending or dismissing politicians from holding public office;
- Ensure that ordinary criminal law is consistent with relevant international human rights law and includes an appropriate range of offences and sanctions concerning the promotion of racism, xenophobia and intolerance. Such provisions should be fully and effectively implemented against politicians and political parties that

encourage hatred, discrimination and violence against foreigners and minority members.

To media and civil society in the OSCE region:

- Remain vigilant and alert the public about incidents and patterns of political exploitation of racism, xenophobia and intolerance, including in particular the penetration of such ideas into the agendas and programs of mainstream political parties;
- Hold their governments accountable to their ethical, political and legal obligations with respect to fostering tolerance, solidarity and respect for diversity and to promoting a society without discrimination.

SOVA Center for Information and Analysis:

To OSCE Member States:

- Participate in the elaboration of a uniform OSCE hate crime monitoring programme.
- To improve the system of hate crime and hate speech monitoring through better cooperation between Governments and NGOs. For this end:
 - ⇒ to charge some Government body to collect and arrange all the Information on hate crime;
 - ⇒ to oblige law enforcement bodies to produce detailed answers to NGOs' inquiries on the matter;
 - ⇒ to oblige this body to consider the information produced by NGOs;
 - ⇒ to prepare yearly detailed statistical reports based on the OSCE proposed standards adjusting it with the NGOs actually contributing to data collection.

The Canadian Council of Muslim Women:

- It is urgent that the OSCE member states find solutions to improve the socio-economic conditions of Muslims.
- We recommend that legislation to prevent discrimination and harassment on the basis of faith, race and ethnicity be strengthened in OSCE member states to protect all members of society similar to human rights legislation in Canada. This must be accompanied by education to counter discrimination, which is often based on ignorance, stereotypes and prejudice. An ongoing focus on media and public discourse will also go a long way to address these issues as the public takes

its cue from political leaders and the media in how they interact with Muslims and other minorities in their communities.

- We recommend that the OSCE also focus on socio-economic inequities facing Muslims to ensure full participation and engagement in all aspects of society. In closing, we hope that the OSCE will intensify its efforts to address the issues.

The international association of independent democrats against authoritarian regimes:

- Предлагаем создать антикризисную группу постоянного мониторинга ситуации в странах с жестким авторитарным режимом или диктатурой, а это: Туркменистан, Узбекистан, Беларусь, Таджикистан.

Recommendations to the OSCE:

Holy See:

To the OSCE:

- The OSCE should continue to promote responsibility and sensitivity in dealing with religious and cross-cultural issues and therefore this Organization should emphasize that the mockery of the sacred is not a right of freedom;
- The OSCE should continue to work to ensure that educational system and the media avoid stereotypes, distortions, attitudes of intolerance and the frequent belittling of religion and culture.
- The Holy See would welcome further suggestions and practical ideas of the CiO Representative on Discrimination and Intolerance, with a special focus on Discrimination and Intolerance against Christians and members of other Religions, on how to address intolerance and discrimination against Christians.

To ODIHR

- The Tolerance and non-Discrimination programme of ODIHR should pay more effective attention to the implementation of the specific OSCE commitment to fight against prejudice, intolerance and discrimination against Christians and members of other religions; this applies too in the context of education as a means to promote respect and understanding and in the work of ODIHR related to Challenges and Responses to Hate –Motivated Incidents.

- In the fight against discrimination and intolerance, the ODIHR action should stay within the agreed language of the Organization and therefore avoid to extend that action to issues where there is no consensus between participating States.

European Union:

- We, as States, should respond positively to requests to provide necessary data to assist in documenting the hideous crimes outlined in the report [on Challenges and Responses to Hate Motivated Incidents in the OSCE Region]. We urge ODIHR to continue its close cooperation with other intergovernmental agencies working in the same field, to ensure that its work adds value to the fight against discrimination and intolerance and that duplication is avoided. We should also pool our national experiences and knowledge to tackle them, not least in view of their trans-border nature.

Netherlands:

- We [also] recommend to ODIHR that homophobia will be addressed at the Dubrovnik meeting (October 2006), the Bucharest Conference (2007) and any other relevant TND and Human Rights events.

Council of Europe

- OSCE institutions are encouraged to continue their co-operation in the fight against racism, racial discrimination and all forms of intolerance with the Council of Europe by further strengthening mechanisms enabling the free flow of and exchange of information and data.

Organization of Islamic Conference (OIC)

- We are attaching very special importance to and supporting the Alliance of Civilizations project and looking forward to receive concrete initiatives of the OSCE Chairmanship in 2007 for joint projects in the framework of the implementation of the recommendations of the High Panel.
- The OSCE and OIC can play an important role in the implementation of this project. We would welcome and are ready to cooperate at least in one joint project in 2007.
- In addition to this, we propose the establishment of informal or formal contacts between the Chairmanships of our two organizations.

- We also propose that due consideration should be given to the idea of creation of an alliance or informal consultation mechanism among regional organizations such as OSCE, EU, Council of Europe and OIC in the framework of dialogue and tolerance issues.
- We are also highlighting the importance of the Working Group on the Alliance of Civilizations within the UN-Regional Organizations High Level Meetings mechanism. This working group will be reactivated in the UN following the presentation of the Action Plan of the Alliance of Civilizations High Panel to the UN Secretary General. The OSCE and OIC can jointly contribute to this important process.
- Lastly, OIC General Secretariat would like to develop technical cooperation with the OSCE Conflict Prevention Center as well as with the Democratization and Tolerance Units of ODIHR.

Anti-Defamation League:

Next Steps for OSCE to Confront Intolerance

- Extend the Mandate of Three Personal Representatives. The Ministerial Council should endorse and the incoming Chair in Office should reappoint the three Personal Representatives on Anti-Semitism; Racism, Xenophobia and Discrimination; and Intolerance and Discrimination against Muslims. The Personal Representatives should focus on the impact of hate on youth in their monitoring and reporting and seek ways to engage youth, and youth organizations as part of their outreach.
- Conduct High-Level Follow Up in 2007. The Permanent Council and Ministers Council should authorize a high level conference on anti-Semitism and intolerance in 2007. This event is to follow up on the conferences in Berlin and Brussels in 2004, and in Cordoba in 2005 and should focus on implementation efforts in 2006.
- Sustain ODIHR Efforts. The ODIHR tolerance work should be institutionalized and funded as part of its core budget. In addition, more Participating States should take advantage of the ready tools prepared by the ODIHR which, with very minimal assistance can reach educators and youth service professionals in more countries. These programs are supported by voluntary contributions from far too few States and more governments should step forward.
- Provide Participating States with Model Guidelines. ODIHR should craft model guidelines for a comprehensive national approach to combating hate crime that could be used to develop and implement new laws where none exist, and

strengthen existing laws, to improve the response of the criminal justice system to hate violence.

- OSCE should pilot an anti-hate programming for use in the public school systems in Participating States. Schools and NGOs in various Participating States have been involved in the development and implementation of anti-prejudice and diversity curricula, both in selected schools and in peer-led organizations. We urge the OSCE to examine these resources, and to adapt them for use in all schools in OSCE states.

Human Rights Without Frontiers Int.

Recommends to the OSCE/ ODIHR:

- to organize a structured dialogue with the highest leaders of religious denominations or their legitimized representatives about the most fundamental individual and collective rights related to freedom of religion and belief with the assistance of its Advisory Board and NGOs having some expertise in these issues;
- to elaborate a Declaration of Interreligious Tolerance and Respect listing a number of priority rights and open to signature by religious leaders, such as the individual right to have a religion or not, to change one's religion or beliefs, to manifest one's faith publicly, to express one's religious beliefs publicly, to try to share them with other people and to engage in faith persuasion without harassment; the right for a religious community to exist and have access to legal personality, to worship, to enjoy freedom of assembly and all the rights entailed by the freedom of associations; to solve any interreligious or interdenominational conflict peacefully and to sanction the rebellious clerics;
- to put in place mechanisms of evaluation of the progress of the implementation of the Declaration of Interreligious Tolerance and Respect by the signatories and monitoring mechanisms of the religious communities which have not adhered to the Declaration.

Forum 18 News Service:

- The concrete implementation of OSCE and other human rights commitments must be insisted on.
- Specific religious freedom and other human rights violations must be publicly named.
- Make it clear through concrete actions – for example visa bans on officials - that policy towards OSCE states which violate religious freedom will be strongly

influenced by the practical actions those states take in relation to all religious communities, not just state-favoured ones, and that paper improvements alone will not be viewed as improvements.

Institute on Religion and Public Policy:

Recommendations in regard to practical measures to address the issues of intolerance and discrimination:

- That the mandate of the Special Representative of the Chairman-in-Office on Combating Racism, Xenophobia, and Discrimination, also focusing on Intolerance against Christians and members of other religions should be modified. The mandate of this Special Representative is extremely broad, making it difficult for one person to effectively and timely address all the issues that are currently assigned to the Special Representative. In order to guarantee the greater protection and promotion of fundamental rights, the Institute strongly recommends that the mandate for Intolerance against Christians and members of other religions be carved out of the current position and established as a separate and independent mandate;
- That more resources be allocated to the Tolerance and non-Discrimination Program at the Office for Democratic Institutions and Human Rights (ODIHR) to progressively implement educational programs and promote respect, understanding and combat prejudice, intolerance, and discrimination against religions;
- To promote awareness among OSCE participating states regarding the increasing prejudice and hostility against Christians, Muslims, and Jews. Discrimination or intolerance directed at any religion carries the danger to trigger hostility and bigotry towards all others. Stereotyping or prejudice against any religion should be neither encouraged, tolerated nor promoted by countries of the OSCE region;

Furthermore, the Chairman in Office, ODIHR, and each of the Special Representatives are encouraged to undertake the following in order to advance the fight against religious discrimination within the OSCE region:

- Identify OSCE countries that systematically engage in serious discrimination;
- Write on-site country reports on specific executive and legislation improvements necessary to comply with OSCE standards;
- Arrange for an annual conference with religious groups and NGOs to discuss countries of concern and approaches to solve problems of Xenophobia and religious discrimination;

- Arrange for a bi-annual ministerial-level conference on religious intolerance and discrimination in all three areas;
- Expand positions to establish full-time, permanent 4-year mandates, subject to renewal;
- Publication of annual thematic reports on Media, Education, Legislation for countries' fulfillment of OSCE standards on religious discrimination and xenophobia;
- Establish close cooperation with an external group of experts on religious freedom to promote OSCE standards and find new approaches and practical steps to compliance in order to combat religious discrimination;
- Hire full time aides on the religious discrimination issues to meet with religious groups, interfaith groups, governments, NGOs and draft reports, to be paid by interested participating States and interested NGOs;
- Hold a Cordoba-style conference on religious freedom;
- Encourage participating states to appoint a high level official at Ministerial level or in the office of the Head of Government to dialogue and cooperate with religious groups and NGOs in an attempt to mediate concerns or disputes, with the Special representative facilitating such dialogue.

NCSJ: Advocates on Behalf of Jews in Russia, Ukraine, the Baltic States & Eurasia:

- We urge the continuation of the OSCE Personal Representative of the Chair-in-Office for Combating Anti-Semitism and that a follow-up Conference on Anti-Semitism take place in 2007.

SOVA Center for Information and Analysis

- Decide that OSCE member states must provide annual reports on hate crime and measures for counteracting it.
- Develop a single minimum standard for hate crime monitoring and, accordingly, universal and comparable requirements for OSCE member countries' annual reporting on hate crime counteraction.
- The OSCE Special Representatives on discrimination and xenophobia, anti-Semitism, and Islamophobia must play an active role in developing these standards and in promoting such monitoring in OSCE member countries.

- Introduce a training programme for press officers of law enforcement and other government agencies to prevent their use of language derogatory towards certain ethnic and religious groups, or setting these groups against one another (similar to the ongoing training for police officers, a programme described above should be proactively developed as well).
- Conduct expert consultations to develop minimum general principles of defining extremism and general approaches to counteracting extremism (taking into account that a legal definition of extremism already exists in some OSCE member countries).

The Forum Against Islamophobia & Racism

- We strongly recommend the OSCE to follow up on the following issues in relation to Islamophobia:
 - Policy Discourse
 - Islamophobia and Education
 - Islamophobia in the Media
 - That Member States Intensify Dialogue with Muslim Communities in their Respective States.