

# RACISM, INTOLERANCE, HATE SPEECH



A compilation of relevant texts adopted  
by the Parliamentary Assembly  
of the Council of Europe

**NO HATE  
PARLIAMENTARY  
ALLIANCE**



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## FOREWORD

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*by Momodou Malcolm Jallow, General Rapporteur on combating racism and intolerance and Coordinator of the No Hate Parliamentary Alliance*

**T**he Parliamentary Assembly of the Council of Europe has carried out impressive work in the area of combating racism and intolerance. Its adopted texts cover a range of issues, including anti-gypsyism, anti-Semitism, xenophobia and intolerance targeting migrants. Not only do these documents take stock of the situation, analysing the challenges faced by European societies, they also indicate a variety of measures to address them which should be implemented by the legislators and policy makers of the Council of Europe's member States.

In view of the upsurge of intolerance and the emergence of new forms of racism, as observed by all the Assembly rapporteurs who have been active in this area, much remains to be done, particularly in terms of follow-up to adopted texts and their implementation in national legislation and policies.

As a General Rapporteur, I endeavour to disseminate the work of the Parliamentary Assembly by raising awareness among political leaders and sharing with them the measures voted by this "Parliament of human rights", which has contributed to shaping democracy in Europe for over 70 years. It is a central part of my mandate.

However, it is not only the General Rapporteur's job to give visibility to this acquis: all members should act as representatives of the Assembly and take back to their own national parliaments the outcome of the debates held by the Assembly and its committees, experience from others and examples of good practice. Assembly members have the opportunity to make use of relevant resolutions and recommendations whenever domestic draft legislation is discussed and budget is allocated. I would like to encourage my fellow members to play this important role, which can contribute substantially to advancing the cause of equality and non-discrimination on our continent.

This publication is meant precisely to support them in performing this task. Its main aim is to present and provide an easy access to recent texts adopted by the Parliamentary Assembly – they are worth reading and worth being brought to a wider audience. In addition to parliamentarians, this compilation may be of interest to non-governmental organisations, individual activists and all those who believe in everyone's right to live free from discrimination.

While this compilation deals with a wide range of issues, the work of the Assembly continues, with a view to covering other forms and manifestations of intolerance. Reports currently or soon to be under preparation include themes such as antisemitism and Islamophobia. While I am happy to present this first collection, I already look forward to a future edition updated to include these texts.



# I. Racism

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**D**espite the progress achieved in human rights protection over the last decades, racism is rife in Europe and on the rise in many countries. In Resolution 2069 (2015) on Recognising and preventing neo-racism, the Parliamentary Assembly states that “Europe must not underestimate the dangers of racism, nor must it forget the lessons of history”, adding that historical memory must help us understand the destructive impact of stigmatisation, prejudice, social exclusion, deprivation of rights, humiliation and segregation. Indeed, the causes of racism are deeply rooted in history. The European colonial period, and its shameful corollaries of enslavement and the transatlantic slave trade, have paved the way for racism, particularly in the form of Afrophobia, and discrimination against people of African descent. In addition to the traditional form of racism, based on the absurd idea of a supposed hierarchy of “races” (in inverted commas as the very concept of race is completely obsolete), a new form of racism has emerged in recent years. It is based on the idea that non-European migrants are culturally incompatible with the values and lifestyle of our continent. This idea aims mainly to justify the rejection of migrants and discrimination against them.

The texts adopted by the Assembly in this area provide a wide range of guidelines for Council of Europe member States as regards education, information and awareness raising, but also address the role of civil society. Countering racism, however, is not only a question of single policies or pieces of legislation. The Assembly has made it clear that the urgent need to address racism requires a strategic approach, which implies the strengthening of a comprehensive legal framework and greater efforts to ensure its effective implementation. The standard-setting work of the European Commission against Racism and Intolerance, with General Policy Recommendations covering a wide range of forms of intolerance and discrimination, is a major reference for the work of the Assembly and of all those committed to countering racism<sup>1</sup>.

## Recognising and preventing neo-racism

**Report | Doc. 13809 | 08 June 2015**

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### Committee:

Committee on Equality and Non-Discrimination

### Rapporteur:

Ms Milena SANTERINI, Italy, SOC

### Origin:

Reference to committee: [Doc. 13440](#), Reference 4049 of 23 June 2014. 2015 - Third part-session

### Summary

In Europe, we are witnessing a rising tide of racism, xenophobia and intolerance in various forms, which particularly affects immigrants, Muslims, Jews and Roma. At least two principal factors appear to have

exacerbated this phenomenon: firstly, the economic crisis of recent years, and secondly, the geopolitical instability of certain countries in North Africa and the Middle East.

Racism currently manifests itself in new forms and does not necessarily adhere to the concept of a hierarchy of “races”. What can be observed is often a “race-less racism” based on the premise that cultural differences are irreducible. Contemporary racism may be more subtle, but it is as pernicious as traditional racism, since its aim and effects are the same: it purports to explain and legitimise discriminatory types of behaviour or speech and helps to fuel them.

Hate speech, increasingly widespread, especially in the political sphere and on the Internet, is also a reason for concern. Politicians should be aware of the effect of their words on public opinion and should refrain from using any forms of discriminatory, insulting or aggressive language about groups or categories of people.

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1. A compilation of ECRI's General Policy Recommendations is available at <https://rm.coe.int/compilation-of-ecri-s-general-policy-recommendations-march-2018/16808b7945>



As racism is a complex phenomenon and entails multiple factors, the battle against it must be fought on multiple fronts. In addition to legal instruments designed to prohibit and punish all expressions of racism, including hate speech, we must fight intolerance using cultural and social instruments. Education and information must play a crucial part in training the public to respect ethnic, cultural and religious diversity. Solidarity with the groups which are victims of racism and targets of hate speech, and between these groups, contributes significantly to countering racism and discrimination in all their forms.

Read the full report: <https://pace.coe.int/en/files/21973>

## Resolution 2069 (2015)

**1.** A disturbing rise in racism, xenophobia and intolerance has been apparent for some years now in Europe. Those affected include migrants and asylum seekers, Jews, Muslims and Roma, and the reason is a supposed incompatibility between groups of different origins on cultural and religious grounds. In addition to the conventional definition of racism, there is also a “race-less racism” which is equally damaging because it tends to justify discrimination against certain groups and individuals.

**2.** Europe must not underestimate the dangers of racism, nor must it forget the lessons of history. Historical memory must help us understand that stigmatising prejudice, social exclusion, deprivation of rights, humiliation and segregation are never harmless.

**3.** The Parliamentary Assembly therefore urges national authorities and civil society to be extremely vigilant. Preventing and combating racism, intolerance and xenophobia should be a priority for the member States of the Council of Europe.

**4.** The Assembly is also concerned about the growing dissemination of hate speech, especially in the political sphere and on the Internet, and at the emergence of overtly anti-migrant political parties and populist movements in a number of member States. Politicians should be aware of the effect of their words on public opinion and should refrain from using any forms of discriminatory, insulting or aggressive language about groups or categories of people. They should also base their statements about immigration and asylum, and about intercultural relations, on objective facts.

**5.** Racism is a complex phenomenon. It is linked to multiple factors and the battle against it must be fought on multiple fronts. In addition to legal instruments designed to prohibit and punish all expressions of racism, including hate speech, intolerance must be fought using cultural and social instruments. Education and information must play a crucial part in training citizens to respect ethnic, cultural and religious diversity.

**6.** In the light of these considerations, the Assembly calls on the member States of the Council of Europe:

**6.1.** regarding civil society and dialogue between communities, to:

**6.1.1.** promote the role of civil society, in particular organisations representing groups which are victims of racism or targets of hate speech, as counterparts of the public authorities with the aim of co-operating in the implementation of policies to counter discrimination, hostility and prejudice;

**6.1.2.** encourage exchanges between groups which are victims of racism or targets of hate speech, in particular in the form of joint projects developed with the aim of consolidating social ties and promoting inter-community solidarity and the fight against discrimination;

**6.2.** regarding the legal framework for combating racism and intolerance, and its implementation, to:

**6.2.1.** ensure that the legal framework on hate speech and hate crime includes the broadest possible range of grounds of discrimination, including “race”, colour, ethnicity, language, religion, disability, migrant status, sex, sexual orientation and gender identity;

**6.2.2.** if they have not already done so, sign and/or ratify Protocol No. 12 to the European Convention on Human Rights (ETS No. 177) and the Additional Protocol to the Convention on Cybercrime concerning the criminalisation of acts of a racist and xenophobic nature committed through computer systems (ETS No. 189);

**6.3.** regarding racist statements and hate speech, to:

**6.3.1.** introduce into the rules of procedure of national parliaments, of the organs of local and regional authorities and of political parties regulations banning racist remarks and hate speech and providing for adequate penalties where those rules are breached;

**6.3.2.** encourage Internet service providers and social networks to follow up on complaints and to adopt guidelines to prevent the propagation of racist remarks and hate speech, containing clear criteria to determine which content should be deleted and to reinforce co-operation between these parties and the law-enforcement authorities so that the authors of racist remarks and hate speech can be identified and prosecuted;

**6.3.3.** encourage citizens to report racist statements and hate speech to public bodies and non-governmental organisations involved in the fight against racism and discrimination;

**6.3.4.** promote the activity of online moderators and mediators who endeavour to identify offensive content and engage in a dialogue with perpetrators for preventive purposes;

**6.3.5.** encourage the media to use wording that is factually correct, by providing them with appropriate data and statistics;

**6.3.6.** promote research into the prevalence of hate speech, its causes and the impact of campaigns against it;

**6.4.** regarding education and training, to:

**6.4.1.** train teachers in intercultural education, providing them with tools for understanding the current evolution of racism in its various forms, such as anti-Semitism, Islamophobia, xenophobia and anti-Gypsyism;

**6.4.2.** reform citizenship education curricula on the basis of an intercultural approach, in conformity with the guidelines contained in the Council of Europe White paper on intercultural dialogue "Living together as equals in dignity";

**6.4.3.** encourage exchanges and periods of living and studying abroad;

**6.4.4.** promote the remembrance of historical instances of racism and intolerance, in particular through the teaching of history and of the dynamics which allow discrimination to develop into institutionalised violence;

**6.4.5.** promote training and awareness-raising activities for adults in the fields of democratic citizenship and human rights, based on an intercultural approach, by means of campaigns and educational initiatives;

**6.5.** regarding political communication, to:

**6.5.1.** improve communication concerning migration and asylum issues so as to give citizens and non-citizens, including groups which are victims of discrimination and hate speech, accurate and impartial information on migration and asylum flows and on the applicable legislation;

**6.5.2.** establish parliamentary networks against racism in national parliaments to ensure that politicians react to instances of racism and intolerance;

**6.6.** regarding criminal justice, to:

**6.6.1.** ensure that discriminatory acts and statements and hate crimes are more systematically reported, by devising incentives which will strengthen confidence in the authorities and especially the police;

**6.6.2.** promote restorative justice, in particular in the form of mediation between the perpetrators and the victims of hate speech and other racist acts, on the basis of free choice by the persons concerned;

**6.6.3.** promote the educational aspect of criminal penalties, ensuring that persons convicted of racist acts or statements are given access to awareness-raising and training activities and to appropriate information.

## A strategy to prevent racism and intolerance in Europe

**Report | Doc. 13385 | 13 January 2014**

**Committee:**

Committee on Equality and Non-Discrimination

**Rapporteur:**

Mr Jonas GUNNARSSON, Sweden, SOC

**Origin:**

Reference to committee: [Doc. 13131](#), Reference 3949 of 22 April 2013. 2014 - First part-session

### Summary

Over the last decade, manifestations of racism, hatred and intolerance have increased both in gravity and number. The effects of the economic crisis on the social fabric and governments' failure to devise and implement adequate policies on social cohesion, migration and Roma inclusion have triggered this upsurge, which has been amplified by the increasing use of Internet and social media.

It has become urgent to address racism, hatred and intolerance in Europe through a strategic rather than a piecemeal approach. The urgency becomes even more acute considering that these phenomena affect entire groups, leading to group victimisation; they create divides in society between different groups, affecting human rights and social cohesion; and they erode even further the trust in public authorities, the rule of law and ultimately democracy.

A strategic approach to racism, hatred and intolerance implies the strengthening of a comprehensive legal framework at national level, accompanied by greater efforts to ensure its effective implementation. The Council of Europe should take up a leadership role in this area, putting emphasis on prevention, awareness raising and human rights education, while relying on the Internet and social media as valuable tools to reach out to a wider public.

Read the full report: <https://pace.coe.int/en/files/20431>

### Resolution 1967 (2014)

**1.** Racism, hatred and intolerance are long-standing problems in Europe. Over the last decade, however, despite Council of Europe member States having strengthened their legal framework against hate crime and hate speech, physical and verbal expressions of intolerance against individuals belonging to some groups have increased both in gravity and in number.

**2.** The effects of the economic crisis on the social fabric and governments' failure to devise and implement adequate policies on social cohesion, migration

and Roma inclusion have triggered this upsurge, which has been amplified by the increasing use of the Internet and social media.

**3.** A report by the European Network Against Racism has emphasised the responsibility borne by political decision makers who, on the pretext of not remaining silent on real problems, issue dangerous and stigmatising statements against certain communities. The rise of the far right and its rhetoric may also influence conventional political discourse.

**4.** The fact that some national legislation does not consider racist insults and discrimination as criminal offences effectively sends out a negative signal to European populations, as there is no provision for any official sanction against these actions.

**5.** The Parliamentary Assembly believes that it has become urgent to address racism, hatred and intolerance in Europe through a strategic rather than a piecemeal approach. The urgency becomes even more acute considering that these phenomena have repercussions that go well beyond the single individuals that are directly targeted: they affect entire groups, leading to group victimisation; they create divides in society between different groups, affecting human rights and social cohesion; and they erode even further the trust in public authorities, the rule of law and ultimately democracy.

**6.** A strategic approach to racism, hatred and intolerance implies the introduction or strengthening of a comprehensive legal framework, accompanied by greater efforts to ensure its effective implementation. The strategy should place emphasis on prevention, awareness raising and human rights education, while relying on the Internet and social media as valuable tools to reach out to a wider public.

**7.** Government representatives and politicians in general should lead the efforts to eliminate racism, hatred and intolerance with resolve and set an example by publicly challenging, rejecting and condemning expressions of hatred, from whatever quarters they come. In this regard, the Assembly expresses its support for the Declaration of Rome against racism and intolerance, which was signed by 17 ministers of European Union member States in September 2013.

**8.** In the light of these considerations, the Assembly calls on the Council of Europe member States to:

**8.1.** as regards the legal framework on hate speech and hate crime, and its implementation:

**8.1.1.** ensure that the legal framework on hate speech and hate crime includes the broadest possible range of discriminatory motives, including sex, race, colour, ethnicity, language, religion, disability, migrant status, sexual orientation and gender identity;

**8.1.2.** require mandatory recording, investigation and public prosecution of suspected hate crimes;

**8.1.3.** introduce binding guidelines for law-enforcement officials to ensure that any alleged hate motive associated with a crime is promptly, impartially, effectively and thoroughly investigated and duly taken into account in the prosecution and sentencing of those crimes;

**8.1.4.** train criminal justice personnel, including prosecutors and judges, on how to deal with hate crimes and work with victims;

**8.1.5.** ensure that the hate motives behind a crime are explicitly mentioned in judicial decisions;

**8.1.6.** encourage victims and witnesses to report hate speech and hate crimes to the authorities, by:

**8.1.6.1.** circulating, as widely as possible, information on how to report them;

**8.1.6.2.** ensuring that reporting can be done on the Internet and in other ways that are easily accessible;

**8.1.6.3.** waiving any fee for reporting or lodging a complaint;

**8.1.6.4.** ensuring that, when they are in an irregular situation, those who report cannot be expelled while co-operating with law-enforcement authorities;

**8.1.7.** sign and ratify the Additional Protocol to the Convention on Cybercrime concerning the criminalisation of acts of a racist and xenophobic nature committed through computer systems (ETS No. 189);

**8.2.** as regards data classification and collection:

**8.2.1.** collect and publish on an annual basis disaggregated data on hate speech and crime, thereby enabling a better understanding and comparability of patterns of victimisation and offending;

**8.3.** as regards prevention:

**8.3.1.** support the Council of Europe campaign entitled No Hate Speech Movement;

**8.3.2.** organise large-scale awareness-raising campaigns on combating racism, hatred and intolerance, also using the Internet and social media;

**8.3.3.** promote the publication of educational material and the provision of training on combating racism, hatred and intolerance in schools;

**8.3.4.** ensure that law-enforcement officials are trained in diversity and equality issues;

**9.** The Assembly invites its members to join the national committees set up in the context of the No Hate Speech Movement and encourages the Committee on Equality and Non-Discrimination to empower its members to conduct campaigning activities against racism, hatred and intolerance, in

co-operation with their national parliaments. The Assembly also calls on its members to co-operate more closely with the European Commission against Racism and Intolerance (ECRI).

**10.** The Assembly invites national parliaments to adopt codes of conduct for their members including safeguards against hate speech and hate crime, on whatever grounds.

## Recommendation 2032 (2014)

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**1.** Recalling its [Resolution 1967 \(2014\)](#) on a strategy to prevent racism and intolerance in Europe and [Resolution 1968 \(2014\)](#) on tackling racism in the police, the Parliamentary Assembly expresses deep concern at the upsurge of racism, hatred and intolerance in Europe and the dimension, gravity and frequency of their manifestations.

**2.** Considering that racism, hatred and intolerance run counter to the Council of Europe's most fundamental values, no effort should be spared to assist member States in preventing and combating this scourge. The Assembly acknowledges that, through a wide range of institutions, committees and structures, the Council of Europe is already making a major contribution in this area. However, it calls for a more strategic approach to be taken, with a view to increasing impact.

**3.** The Assembly therefore asks the Committee of Ministers to instruct the Secretary General of the Council of Europe to draw up a strategy against racism, hatred and intolerance in Europe as well as an action plan to implement it:

**3.1.** The strategy and the action plan should be of a limited duration, pull together the existing Council of Europe activities and expertise in the area, involve the entire Organisation and be implemented in co-operation with national authorities, intergovernmental and non-governmental organisations and other partners.

**3.2.** The strategy and the action plan should put an emphasis on prevention while strengthening the legal framework and its effective implementation, and include at least the following:

**3.2.1.** campaigning and awareness-raising activities for the general public, also by expanding and strengthening the No Hate Speech Movement;

**3.2.2.** stepping up human rights education and designing school curricula to prevent racism, hatred and intolerance and promote respect for equality and diversity;

**3.2.3.** preparing online and distance-learning tools on preventing and combating racism, hatred and intolerance for police and other law-enforcement officials;

**3.2.4.** strengthening the legal framework of Council of Europe member States, providing legal advice

and expertise and promoting the ratification of the Additional Protocol to the Convention on Cybercrime, concerning the criminalisation of acts of a racist and xenophobic nature committed through computer systems (ETS No. 189);

**3.2.5.** ensuring that the recommendations of existing monitoring mechanisms on racism, hatred and intolerance are followed up.

## Tackling racism in the police

### Report | Doc. 13384 | 10 January 2014

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#### Committee:

Committee on Equality and Non-Discrimination

#### Rapporteur:

Mr David DAVIES, United Kingdom, EDG

#### Origin:

Reference to committee: [Doc. 12888](#), Reference 3863 of 27 April 2012. 2014 - First part-session

#### Summary

Racism does not spare any part of society and the police is no exception. Racism can be present in the attitudes or behaviour of police officers, in their interaction with the population or with other officers. It can also be found in rules and regulations applied by the police, which would in that case qualify as institutional racism. Among these, racial profiling is a special concern.

Council of Europe member States should have the courage to acknowledge and address the existence of racism in the police. They should set up independent complaints mechanisms and ensure that racist crimes by police officers are promptly investigated and adequately sanctioned, with a view to avoiding impunity, maintaining trust in the police and encouraging reporting. Member States should also review existing legislation and practices of the police with a view to identifying and modifying those that might have a racist connotation.

Read the full report: <https://pace.coe.int/en/files/20433>

## Resolution 1968 (2014)

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**1.** Racism does not spare any level of society and no institution appears immune to racism. The police is no exception. Racism can be present in the attitudes or behaviour of police officers, in their interaction with the population or with other officers. It can also be found in rules and regulations applied by the police, which would in that case qualify as institutional racism.

**2.** The Parliamentary Assembly is particularly concerned about racial profiling. This is the use by the police, with no objective and reasonable justification, of grounds such as race, colour, language, religion, nationality or national or ethnic origin for control, surveillance or investigation activities. Racist behaviour and practices within the police against visible minorities have a negative impact on public opinion and can increase stereotyping and prejudice.

**3.** Considering that the acknowledgement of the existence of a problem is the first step towards its solution, the Assembly encourages all member States to look at the situation in their respective countries and have the courage to acknowledge and address, when relevant, the existence of racism in the police. There can be no impunity for manifestations of racism within or by the police and police officers must be held accountable individually for their behaviour.

**4.** Few Council of Europe member States have established independent police complaints mechanisms. Effective and independent investigations of racist crimes should be conducted and treated as a priority in order to maintain trust in the police and to encourage reporting of such crimes.

**5.** The Assembly is convinced that concrete change will not happen if there is no change in mindset and that political will can change cultural attitudes within the police. In addition, diversity training and life-long learning contribute to ensuring that the police reflects and understands the population it serves. The Assembly acknowledges the difficulties and challenges faced by police officers in their daily work. They represent a link between the law and the population, which should have a high level of trust in them and never hesitate to report violence, including racist violence.

**6.** The Assembly recalls Committee of Ministers Recommendation Rec(2001)10 on a European code of police ethics and encourages the wide application of its principles. It also recalls the work of the European Commission against Racism and Intolerance (ECRI) and its General Policy Recommendation No. 11 on combating racism and racial discrimination in policing, which provides guidelines on ways to prevent racial discrimination and prohibit racial profiling.

**7.** In the light of these considerations, the Assembly calls on Council of Europe member States to:

**7.1.** with regard to preventing racism in the police:

**7.1.1.** review existing legislation and practices of the police with a view to identifying and modifying those that might have a racist connotation;

**7.1.2.** ask police forces which have not yet done so to adopt an internal code of conduct with regard to the prevention of racism;

**7.1.3.** encourage diversity in police recruitment, including targets also for senior ranks;

**7.1.4.** provide training following recruitment and throughout each individual's career on preventing and combating racism and racial discrimination, in addition to diversity training;

**7.1.5.** provide, when possible and relevant, language training classes to police officers to allow them to interact and exchange with the population they serve;

**7.1.6.** carry out research and collect information on racist incidents in the police, including the police reaction to acts of racism by police officers so as to monitor the situation and ensure an appropriate institutional response;

**7.1.7.** provide the police with sufficient resources to work in satisfactory conditions; take specific measures to ensure that police officers have absolute respect for the rights of the persons they deal with;

**7.1.8.** encourage the exchange of good practices between police forces in preventing racism;

**7.2.** with regard to condemning racism and prosecuting racist behaviour or incidents in the police:

**7.2.1.** urge political leaders and senior officers of the police forces to publicly condemn any form of racial discrimination;

**7.2.2.** establish independent police complaints mechanisms where they do not yet exist, allocate appropriate means for their functioning and ensure that sanctions are imposed on police officers following a racist incident;

**7.2.3.** investigate in a prompt, thorough, effective and impartial manner all allegations of racial discrimination, including by the police;

**7.2.4.** ask police officers to adopt a public profile and attitude, including on social networks, corresponding to the fundamental values of the police;

**7.3.** with regard to enhancing trust in the police:

**7.3.1.** implement the provisions of ECRI General Policy Recommendation No. 11 on combating racism and racial discrimination in policing;

**7.3.2.** clearly define racial profiling, ensure its prohibition and provide specific training on identity checks to all police officers;

**7.3.3.** ensure that police officers wear a visible form of identification, such as identity numbers, at all times;

**7.3.4.** establish the practice of filling out stop forms following identity checks and searches, where it does not yet exist;

**7.3.5.** monitor identity checks and search operations;

**7.3.6.** encourage the establishment of police community liaison officers, where they do not yet exist;

**7.3.7.** encourage members of parliament and the police to enhance their interaction through regular consultations, including through appropriate parliamentary mechanisms.

**8.** The Assembly calls on civil society representatives to strengthen their dialogue with the police through regular consultations and other appropriate means.

## Combating Afrophobia, or anti-Black racism, in Europe

Report | Doc. 15306 | 07 June 2021

### Committee:

Committee on Equality and Non-Discrimination

### Rapporteur:

Mr Momodou Malcolm JALLOW, Sweden, UEL

### Origin:

Reference to Committee: Doc. 14924, Reference 4463 of 30 September 2019. 2021 - Third part-session

### Summary

In spite of anti-discrimination legislation and policies, Afrophobia, or anti-Black racism, is still rife in Europe. People of African descent and black Europeans face prejudice and abuse, hate speech, including in public and political discourse, barriers in access to quality education, healthcare and housing. Their representation in public and political life is very low.

In 2020, protests against racism following the brutal death of George Floyd and the disproportionate impact of Covid-19 on people of African descent and black Europeans raised public awareness of the severity of Afrophobia. They also triggered stronger support by leading public personalities in Europe, opening a “window of opportunity” for counteraction.

Contemporary racism is rooted in colonial history, enslavement and the transatlantic slave trade. Council of Europe member States should acknowledge this link, recognise Afrophobia, or anti-Black racism, as a specific form of racism, and introduce education, information and awareness-raising measures to counter it. They should design and implement anti-racism action plans, supported by data that are disaggregated by ethnic origin.

Read the full report: <https://pace.coe.int/en/files/29067>

### Resolution 2389 (2021)

**1.** 1. Afrophobia, or anti-Black racism, is a form of racism that targets people of African descent and black people and manifests itself through acts of direct, indirect and institutional discrimination, as

well as violence, including hate speech. Based on socially constructed ideas of “race” and reflecting the groundless belief that certain “racial” groups are biologically or culturally inferior to others, Afrophobia seeks to dehumanise and deny the dignity of its victims.

**2.** 2. In spite of national antidiscrimination legislation and policies and international human rights obligations of Council of Europe member States, racism, including Afrophobia, is still rife in Europe.

**3.** 3. An estimated 15 million people of African descent and black Europeans are part of the population of our continent, either as migrants or established for generations. They come from all walks of life and have contributed to Europe’s development and culture for centuries. Their contribution is not adequately recognised and even the numerical size of this group is not acknowledged, due to data collection regulations in some countries that do not take into consideration ethnic origin. This lack of data hinders the design, implementation, and assessment of antidiscrimination measures.

**4.** 4. In 2020, the tragic death of George Floyd due to police violence, followed by widespread protests on both sides of the Atlantic, and the disproportionate impact of the Covid-19 pandemic on people of African descent and black people (among other vulnerable minorities) have sparked new awareness among Europeans of the extent and severity of Afrophobia. Increased public awareness, together with strong support to anti-racist protests from political leaders at national and European level, have opened a window of opportunity that should be seized without hesitation.

**5.** 5. The Parliamentary Assembly observes that racism is rooted in colonial history and that the injustice of colonisation and enslavement is still reflected in today’s structural and institutional discrimination against people of African descent in Europe. Racism, including Afrophobia or anti-Black racism, fatally undermines the mission and core values of the Council of Europe and eradicating it must be an absolute priority for the Organisation and its member States.

**6.** 6. The Assembly highlights the need to adopt an intersectional approach and to address the unique forms of discrimination faced by people of African descent in relation to intersecting grounds including age, disability, gender, religion, sexual orientation and gender identity.

**7.** 7. The Assembly reiterates that public figures, including politicians, have an important role to play in combating racism in all its forms, and firmly condemns the use of xenophobic and racist rhetoric and propaganda, particularly in these contexts. A proactive and concerted effort is required to counter racism, including Afrophobia; remaining silent in the face

of its manifestations can only perpetuate inequality and discrimination.

**8.** 8. The Assembly stresses that education is key to combating racism and that the cultural industries, including traditional and online media, should embrace diversity and promote a culture of inclusion that firmly rejects racism and xenophobia.

**9.** 9. The Assembly recalls its Resolution 1968 (2014) “Tackling racism in the police” and most recently Resolution 2364 (2021) “Ethnic profiling in Europe: a matter of great concern”, in which it called on member States to take determined action against ethnic profiling through a range of measures, including ensuring diversity in the recruitment of police forces so as to reflect the diversity of the population, as well as Resolution 2339 (2020) “Upholding human rights in times of crisis and pandemics: gender, equality and non-discrimination”, which highlighted that people of African descent, among others, have been disproportionately affected by the Covid-19 pandemic due to persisting inequalities.

**10.** 10. The Assembly supports the International Decade for People of African Descent (2015-2024) proclaimed by the United Nations and supports the activities of its relevant specialised agencies, bodies and procedures, particularly at European level. It welcomes the adoption by the European Commission Anti-racism Action Plan 2020-2025.

**11.** 11. The Assembly commends the work of the European Commission against Racism and Intolerance (ECRI), reiterates its full support to the Commission and highlights the need for Council of Europe member States to effectively implement its standards.

**12.** 12. In the light of these considerations, the Assembly calls on the Council of Europe member States to take determined action to eradicate Afrophobia, or anti-Black racism, and all other forms of racism and to:

**12.1.** 12.1 recognise Afrophobia, or anti-black racism, as a specific form of racism;

**12.2.** 12.2 endeavour to recognise the legacy and negative impact of colonialism, enslavement and the transatlantic slave trade and consider introducing reparations schemes and establishing ad hoc truth commissions to this end;

**12.3.** 12.3 develop national action plans to counter racism, associating people of African descent and black Europeans in the design, implementation and evaluation of measures; action plans should address structural discrimination, including at institutional level, as well as multiple and intersectional discrimination, in all areas including employment, political representation, policing, access to justice, goods and services, to healthcare, to housing and to quality education;

**12.4.** 12.4 raise public awareness of racism, including Afrophobia or anti-Black racism, by organising or supporting relevant campaigns and activities, including events such as the African Week organised yearly in Brussels or initiatives like the Black History Month currently observed in Ireland, the Netherlands and the United Kingdom, as well as cultural activities in libraries, archives and museums that acknowledge and empower people of African descent and black people and their positive contribution;

**12.5.** 12.5 ensure that colonial history is part of school curricula, as well as teaching about the historic presence of people of African descent in Europe and their contribution to its economy, culture and society;

**12.6.** 12.6 ensure that the negative and stereotypical portrayal of people of African descent is removed from educational material and from the media, including information and advertising;

**12.7.** 12.7 adopt positive action policies to close gaps in the enjoyment by people of African descent of socio-economic rights, particularly as regards access to education, employment, housing and healthcare;

**12.8.** 12.8 collect equality data disaggregated by ethnic origin, based on self-identification, anonymity and informed consent;

**12.9.** 12.9 support civil society organisations active in the area of antiracism and ensure they have adequate access to public funding;

**12.10.** 12.10 support human rights defenders working on combating Afrophobia, protect them from violence including hate speech, harassment and physical attacks, conduct prompt investigation into such incidents, and prosecute those responsible.

**13.** 13. The Assembly invites national parliaments to:

**13.1.** 13.1 encourage the creation of caucuses and intergroups representing people of African descent within elected bodies at national and European level;

**13.2.** 13.2 ensure that rules of procedures and ethical codes prohibit the use of racist and xenophobic language, with adequate disciplinary sanctions for non-compliance;

**13.3.** 13.3 support the No Hate Parliamentary Alliance, its mandate and its functioning.

**14.** 14. The Assembly supports the initiative of updating and relaunching the Charter of European political parties for a non-racist society as a tool for combating racism and hate-speech, and for promoting political representation of racialised groups including people of African descent.

## II. Intolerance

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**T**his section comprises adopted texts that are based on reports prepared for the Committee on Culture, Science, Education and Media, the Committee on Equality and Non-Discrimination and the Committee on Migration, Refugees and Displaced Persons. These texts concern intolerance and discrimination targeting individuals and groups such as Roma and Travellers, Jewish people and migrants. In addition to denouncing manifestations of intolerance and indicating measures to address them, the Assembly highlights the benefits of inclusion and affirms in Recommendation 2049 (2014) on Identities and diversity within intercultural societies “the need to preserve democratic stability in Europe by cultivating open, vibrant, culturally diverse and cohesive societies.” The Assembly recommends, once again, the full implementation of a comprehensive anti-discrimination and anti-racism legislative framework as a prerequisite for efficient action against anti-semitism and other forms of intolerance. Countering cultural bias, negative stereotyping and stigmatisation is also crucial and can be done through education as well as information and awareness-raising activities. In terms of positive indications, the Assembly highlights that employment is a key path to inclusion, and the same applies to access to quality education and to political representation and participation in public life. Intercultural education and dialogue also contribute to promoting an open society. Civil society organisations, particularly those representing the groups and communities facing intolerance and discrimination, have an important role to play. The Assembly highlights that they should be involved in the designing and implementation of relevant policies and legislation.

### Promoting the inclusion of Roma and Travellers

**Report | Doc. 14149 | 06 October 2016**

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**Committee:**

Committee on Equality and Non-Discrimination

**Rapporteur:**

Mr Tobias ZECH, Germany, EPP/CD

**Origin:**

Reference to committee: [Doc. 13576](#) and [Doc. 13466](#),  
Reference 4102 of 26 January 2015.

### Summary

Roma and Travellers constitute the largest minority in Europe. Many members of these communities are poor, and discrimination and prejudice impact all aspects of their daily lives.

Yet social exclusion is not the inevitable fate of Roma and Travellers. As European citizens, they have a vital role to play in society.

Employment is a key path to inclusion. States must actively promote equal access to employment for Roma and Travellers. Effective anti-discrimination measures and equal access to education and training

are crucial. Employers should be required to apply diversity policies, equality requirements should be included in public procurement processes, and individualised support should be provided to Roma and Travellers in all programmes aimed at promoting their access to the labour market.

More generally, it is time to move beyond stereotypes and to recognise Roma and Travellers as actors in their own future. Fighting anti-Gypsyism must form an integral part of all efforts to promote the inclusion of Roma and Travellers, local authorities must foster good relations in their communities, and a positive sense of Roma and Traveller identity must be promoted.

Read the full report: <https://pace.coe.int/en/files/23490>

### Resolution 2153 (2017)

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**1.** There are estimated to be around 11 million Roma and Travellers living in Europe today. On average, they are disproportionately poor. Substandard living conditions and inadequate access to health care, low incomes, high unemployment and discrimination in access to education are the daily reality for many Roma and Travellers. Prejudice, hate speech and lack of trust between these groups, the population at large and the public authorities aggravate this situation and make it harder to overcome.



**2.** Nobody's life chances should be determined by their ethnic origin. States are increasingly recognising that integrating Roma and Travellers is in everyone's interests, and are adopting strategies to this effect. Moreover, major initiatives to promote the inclusion of Roma and Travellers have been taken by the Council of Europe, the European Union and other regional bodies in recent years. In this context, the Parliamentary Assembly welcomes the creation of a European Roma Institute for Arts and Culture to promote understanding about the rich and varied culture and history of Roma and Travellers and to break the cycle of prejudice, ignorance, anti-Gypsyism and discrimination.

**3.** Access to employment is a crucial factor in social inclusion. Yet Roma and Travellers face much higher unemployment rates than the rest of the population. They tend to be in more precarious employment, to have lower wages and to be over-represented in the informal sector. Barriers to employment for Roma and Travellers include lower education outcomes and skills, direct and indirect discrimination in the labour market and persistent stereotypes of Roma and Travellers as passive recipients of assistance rather than as having an active role in their own destiny. The Assembly is convinced, however, that these barriers can be overcome and that social exclusion is not the inevitable fate of Roma and Travellers.

**4.** In the light of the above, the Assembly calls on Council of Europe member States to:

**4.1.** with regard to improving the education outcomes and skills of Roma and Travellers, implement the recommendations contained in [Resolution 1927 \(2013\)](#) on ending discrimination against Roma children, and ensure in particular that:

**4.1.1.** all Roma and Traveller children have genuine access to quality pre-school education;

**4.1.2.** school segregation is eliminated and an inclusive environment is created for these children in the education system;

**4.1.3.** bullying and discrimination in the education system are not tolerated;

**4.1.4.** programmes designed to improve education outcomes of Roma and Traveller children include measures to work together with children to prevent absenteeism and school drop-out, in particular for girls;

**4.1.5.** such programmes engage the parents of the children concerned; this is especially important where parents have low levels of educational attainment themselves and/or little faith in an education system that previously failed them;

**4.1.6.** unskilled and semi-skilled Roma and Traveller workers have access to return-to-education, retraining and vocational education programmes, and that

individuals who have not completed their compulsory schooling are not excluded from such programmes but instead given additional support in order to make these programmes accessible to them;

**4.2.** with regard to tackling discrimination against Roma and Travellers in the field of employment:

**4.2.1.** ensure that effective anti-discrimination laws are in place, providing for accessible complaints procedures and simplified means of demonstrating discrimination (such as testing and a shared burden of proof), combined with dissuasive sanctions against employers who are found to have acted in a discriminatory manner;

**4.2.2.** deliver anti-discrimination training to legal professionals in all fields and conduct awareness-raising campaigns to ensure that employers are aware of their duties as regards non-discrimination;

**4.2.3.** implement capacity-building measures in order to ensure that Roma and Travellers have effective access to existing remedies;

**4.3.** with regard to actively promoting equal access of Roma and Travellers to employment:

**4.3.1.** place both public and private employers under a legal duty to monitor and report on the diversity of their workforce, encourage applications from under-represented groups, and ensure that their training and promotion practices also promote inclusion;

**4.3.2.** include equality requirements in public procurement processes;

**4.3.3.** develop and implement programmes to increase the immediate and long-term employability of Roma and Travellers through personalised support and accompaniment, tailored to the individual and context; work together with employers in order to match labour supply with employers' needs;

**4.3.4.** ensure that any active labour market policies implemented go beyond mere short-term reinsertion in working structures and provide an opportunity to receive additional training and/or qualifications that will promote integration in the primary labour market; jobs provided through such schemes must also be attributed fairly and remunerated sufficiently to help break the poverty cycle;

**4.3.5.** when putting in place measures to promote self-employment and entrepreneurship, ensure that adequate training in financial and business skills is made available to Roma and Traveller participants and provide support throughout the process of setting up or formalising a business.

**5.** In addition, the Assembly calls on member States to:

**5.1.** incorporate measures to fight anti-Gypsyism and combat prejudice and stereotypes as an integral part of all efforts to promote the inclusion of Roma and

Travellers, and promote a positive sense of Roma and Traveller identity as well as Roma and Traveller role models with whom younger generations can identify;

**5.2.** directly involve Roma and Traveller representatives at all stages of the design, implementation and evaluation of policies, strategies and programmes intended to promote their inclusion;

**5.3.** ensure that funding periods for such programmes allow for medium- to long-term planning, and avoid making such programmes reliant on funding that needs to be constantly renewed on a short-term basis;

**5.4.** encourage local authorities and give them financial and substantive support to play an active role in promoting the inclusion of Roma and Travellers, both by implementing programmes in this field and by engaging with members of local Roma and Traveller communities to build trust and foster good relations between them and the broader community; to this end, an appropriate housing policy also needs to be in place;

**5.5.** engage, in conformity with data protection requirements, in collecting the necessary data to enable programmes to promote the inclusion of Roma and Travellers to be appropriately designed and their impact to be effectively monitored;

**5.6.** promote an increase in the knowledge of Roma and Traveller culture and history, and work actively for recognition of their identity in order to improve intercultural coexistence;

**5.7.** contribute to the visibility and recognition of women and girls in Roma and Traveller communities as central to the development of their communities.

**6.** Finally, the Assembly invites national parliaments to mobilise against anti-Gypsyism and all forms of racism and intolerance, in particular through participating in networks such as the No Hate Parliamentary Alliance.

## Renewed commitment in the fight against antisemitism in Europe

Report | Doc. 14008 | 31 March 2016

### Committee:

Committee on Equality and Non-Discrimination

### Rapporteur:

Mr Boriss CILEVIČS, Latvia, SOC

### Origin:

Reference to committee: Doc. 13751, Reference 4127 of 24 April 2015. 2016 - Second part-session

## Summary

Targeted attacks against members of the Jewish community in recent years in several Council of Europe member States show that antisemitism remains a threat. Based on persisting stereotypes, ignorance and hatred, it is contrary to the fundamental values of the Council of Europe. Historically, manifestations of antisemitism have shown how prejudice and intolerance can lead to harassment, discrimination and ultimately mass killings and genocide. In the light of recent events and the rise of intolerance and xenophobia, there is a need to step up efforts to prevent and combat this scourge.

The full implementation of a comprehensive anti-discrimination and anti-racism legislative framework is a prerequisite for efficient action against antisemitism. The continuation of programmes for Holocaust teaching and remembrance, awareness-raising campaigns and the adoption of specific measures against hate speech, including online, can contribute to preventing its manifestations. Focus should be on building trust with the national authorities so as to encourage the reporting of antisemitic attacks and hate crimes.

Since action at the political level is essential, the fight against antisemitism should be considered a priority by governments and parliaments. Parliamentarians have a responsibility to show their commitment and political leadership for the protection of human rights. They can play an important role in the prevention of antisemitism by systematically and publicly condemning antisemitic attacks and discourse.

Read the full report: <https://pace.coe.int/en/files/22716>

## Resolution 2106 (2016)

**1.** Targeted attacks against members of the Jewish community in recent years in several Council of Europe member States demonstrate that antisemitism is not a curse of the past, but is a threat and a reality in Europe today.

**2.** The Parliamentary Assembly has observed for some years a worrying increase in the number of manifestations of hate speech, racism, xenophobia and intolerance in Europe affecting migrants and asylum seekers, Jews, Muslims and Roma, Sinti and Travellers. It has relentlessly condemned manifestations of hatred and intolerance and called on its members to take a strong stand against them.

**3.** Historically, manifestations of antisemitism have shown how prejudice and intolerance can lead to systematic harassment, discrimination and ultimately mass killings and genocide. Still today, persisting stereotypes, insults and physical violence are experienced on a daily basis by members of the Jewish community in Europe. Limited protection mechanisms and the

partial implementation of anti-discrimination and anti-racism legislation do not guarantee equality and safety for all.

**4.** Antisemitism and its manifestations are in contradiction with the fundamental values of the Council of Europe. It finds its origin in deep-rooted prejudice in society against Jews, which will only be overcome by increased awareness-raising efforts among the population and strong political condemnation. The Assembly expresses its concerns regarding the perpetuation of discriminatory stereotypes and calls for action to combat this scourge.

**5.** Most Council of Europe member States have taken relevant action to combat antisemitism and discrimination. But in the light of recent events, member States need to be increasingly vigilant and step up efforts to respond to new challenges. Governments and parliaments should consider the fight against antisemitism as a priority and their responsibility, as an integral part of policies and action to counter all forms of hatred.

**6.** Referring to its [Resolution 1563 \(2007\)](#) on combating anti-Semitism in Europe, the Assembly recalls that antisemitism represents a danger for all democratic States as it serves as a pretext for the use of and justification for violence. The Assembly also supports the work of the European Commission against Racism and Intolerance in preventing and combating all forms of racism and intolerance, including antisemitism. Full implementation of its General Policy Recommendation No. 9 on the fight against antisemitism and follow-up to its recommendations following country visits need to be ensured.

**7.** In the light of these considerations, the Assembly calls on Council of Europe member States, observers and partners for democracy to:

**7.1.** with regard to the condemnation and prosecution of antisemitic crimes:

**7.1.1.** ensure, while safeguarding freedom of expression, that the legislative framework on combating discrimination on any ground and hate speech is comprehensive and implemented, covering manifestations of antisemitism, such as public incitement to violence, hatred or discrimination, public insults, threats and desecration and profanation of Jewish property and monuments;

**7.1.2.** make the public denial, trivialisation, justification or praise of the Holocaust (“Shoah”), of crimes of genocide and of crimes against humanity a criminal offence, where this is not yet the case;

**7.1.3.** make a motive based on race, national or ethnic origin, religion or belief an aggravating factor in a criminal offence, where this is not yet the case;

**7.1.4.** ensure the prosecution of political figures and political parties for antisemitic statements and incitement to hatred;

**7.1.5.** suppress public funding of organisations and political parties promoting antisemitism;

**7.1.6.** sign and ratify, if they have not yet done so, Protocol No. 12 to the European Convention on Human Rights (ETS No. 177);

**7.2.** with regard to the reporting of antisemitic and other hate crimes:

**7.2.1.** increase the level of trust in the national authorities by providing police officers with training on combating hate crime and discrimination, and setting up dedicated anti-hate crime units in police forces, where such units do not yet already exist;

**7.2.2.** encourage victims to report antisemitic and other hate crimes by launching information campaigns on how to report such crimes;

**7.2.3.** step up efforts to ensure that a comprehensive and efficient system is put in place for the collection of data on hate crimes, disaggregated by motivation, and ensure the publication of the number of complaints and their motivation;

**7.2.4.** encourage co-operation between the police, the judiciary, educators and civil society organisations in assisting victims of hate crime;

**7.3.** with regard to the prevention of antisemitism:

**7.3.1.** require that educational programmes emphasise the link between current manifestations of hatred and intolerance and the Holocaust (“Shoah”);

**7.3.2.** ensure that the teaching of the Holocaust (“Shoah”) is made an integral part of the curriculum at secondary level and that teachers receive specific training;

**7.3.3.** encourage exchanges between children and young people of different faiths via joint activities, cultural programmes and sports events;

**7.3.4.** engage in reflections and debates, at governmental and parliamentary levels, with the participation of political and religious leaders of different faiths, spiritual and humanistic beliefs, on the reasons behind the persistence of negative stereotyping and the root causes of antisemitism;

**7.3.5.** oblige perpetrators of antisemitic acts to participate in educational programmes on the Holocaust (“Shoah”);

**7.3.6.** launch awareness-raising campaigns promoting respect and harmonious living together, including in the framework of school curricula and integration programmes for migrants and refugees;

**7.3.7.** actively promote the Day of Remembrance of the Holocaust and for the Prevention of Crimes against Humanity;

**7.4.** with regard to antisemitism in the media and online antisemitic hate speech:

**7.4.1.** encourage the media to promote respect for all religious faiths and appreciation of diversity and to report impartially on antisemitic attacks and on world events;

**7.4.2.** urge Internet service providers and social media to take specific action to prevent and combat online hate speech;

**7.4.3.** sign and ratify, if they have not yet done so, the Additional Protocol to the Convention on Cybercrime, concerning the criminalisation of acts of a racist and xenophobic nature committed through computer systems (ETS No. 189).

**8.** The Assembly calls on the member States to take necessary measures to ensure the security of Jewish people and their religious, educational and cultural premises in close consultation and dialogue with Jewish communities and their representatives.

**9.** The Assembly encourages national parliaments, including partners for democracy, to co-operate with the No Hate Parliamentary Alliance and the No Hate Speech Movement in their activities to prevent and combat antisemitism and other forms of hate speech and intolerance. The Assembly also calls for increased dialogue on means to prevent and combat antisemitism with the observer delegation of the Knesset at the Assembly.

**10.** The Assembly urges members of national parliaments and political leaders to systematically and publicly condemn antisemitic statements and engage in counter speech and alternative narratives. It also encourages them to set up an all-party parliamentary group against antisemitism to strengthen the fight across the political spectrum.

**11.** The Assembly recognises the important role of civil society organisations in preventing and combating all forms of hatred and intolerance and calls for their continuous financial support.

**12.** Referring to [Recommendation 1962 \(2011\)](#) on the religious dimension of intercultural dialogue and [Recommendation 2080 \(2015\)](#) on freedom of religion and living together in a democratic society, the Assembly reiterates its proposal that the Committee of Ministers set up a stable and officially recognised platform for dialogue between the Council of Europe and senior representatives of religions and non-denominational organisations.

## Identities and diversity within intercultural societies

**Report | Doc. 13522 | 05 June 2014**

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### Committee:

Committee on Culture, Science, Education and Media

### Rapporteur:

Mr Carlos COSTA NEVES, Portugal, EPP/CD

### Origin:

Reference to committee: [Doc. 13016](#), Reference 3909 of 5 October 2012. 2014 - Third part-session

### Summary

Individual and collective identities are rapidly evolving in today's Europe, partly as a result of cross-border migration which has increased ethnic diversity in most countries. As globalisation gathers pace, individuals are also travelling more widely and choosing to live and work abroad, while the Internet is also helping to break down cultural barriers. Growing numbers of individuals, but especially the young, enjoy "composite identities" that are no longer restricted to a "collective identity" related to a particular ethnic or religious group.

However, if not managed positively, cultural differences can lead to radicalisation, paralysing forms of conflict and even violence. The Committee on Culture, Science, Education and Media is alarmed by the rise of anti-democratic and xenophobic political parties in Europe and highlights the positive role of different cultures in the building of national identities and of a European identity. These ought to reflect contemporary realities of our increasingly intercultural societies and positively feature diversity, pluralism and respect for human rights and dignity.

Therefore, the committee calls for a radical change in political discourse and action so that new ways can be found to celebrate cultural diversity as a positive factor for innovation and development. States should make this a strategic long-term objective by developing a comprehensive "Intercultural Strategy" which focuses on awareness raising and public engagement, cohesion among stakeholders, countering racism, planning for diversity and building an intercultural economy.

Read the full report: <https://pace.coe.int/en/files/21065>

### Resolution 2005 (2014)

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**1.** The Parliamentary Assembly firmly believes that cultural diversity is an essential condition for human society, brought about not only by cross-border migration, but also by the cultural effects of

globalisation and the wide use of new technologies and media that provide people with easy access to information and platforms for communication.

**2.** The Assembly notes that relations with people from different cultural backgrounds have become a common experience for a majority of people at school, in the workplace, in residential neighbourhoods and in a variety of public spaces, particularly in urban areas. A growing number of individuals, especially young people, have multiple cultural affiliations to enjoy, but also to manage, on a daily basis. Their “composite identity” can no longer be restricted to a “collective identity” related to a particular ethnic or religious group.

**3.** However, lack of understanding and fear of the “other” hamper intercultural exchange and interaction. If not managed positively, cultural differences lead to radicalisation, paralysing forms of conflict and even violence. The Assembly is alarmed by the rise of anti-democratic and xenophobic political parties in Europe and calls for a radical change in political discourse and action: there is a need to recognise the role of different cultures in the building of national identities and of a European identity characterised by diversity, pluralism and respect for human rights and human dignity.

**4.** The Assembly considers that this deep societal change urgently requires a rethinking of the processes, mechanisms and relationships that are needed to counter racism and intolerance and to strengthen pluralism and democracy in European societies. In this respect, the Assembly acknowledges the very different circumstances in which national societies emerged and developed in western, eastern, northern and southern Europe and insists that account should be taken of these historic differences when discussing what cultural diversity means in different parts of Europe and what implications it entails for society.

**5.** The Assembly also underlines the importance of enhanced cultural and educational policies intended to value, and make use of, the potential of young generations with composite identities. This calls for an in-depth review of national policies (not only restricted to culture, youth and education policies, but taking a broader approach to cover, in particular, employment, social cohesion, housing and security policies), often characterised by a “defensive” approach, and for the development of innovative tools. These policies should, on the one hand, go beyond the simple recognition of diversity and the promotion of tolerance, towards recognition of the originality of each identity and the promotion of positive exchanges and interactions. On the other hand, they should take account of the European and even global nature of the phenomenon, and thus of the need to work together as a precondition for achieving effective and sustainable results.

**6.** Based also on its past work, related, *inter alia*, to participatory governance, equality of rights, non-discrimination, cultural rights, education, youth and the media, the Assembly recommends that the parliaments and governments of the member States of the Council of Europe:

**6.1.** concerning strategy and policy making:

**6.1.1.** recognise cultural diversity as a factor for innovation and development and make it a strategic long-term objective, taking political leadership and building consensus among parties in order to advance the intercultural agenda at national level;

**6.1.2.** develop a comprehensive intercultural strategy focusing, *inter alia*, on awareness raising and public engagement (campaigns, ambassadors for intercultural dialogue, etc.), cohesion among stakeholders (dialogue, cross-fertilisation and collaborative project development), countering racism (monitoring and deterrence), planning diversity (housing, urban development) and building an intercultural economy (diversity as an asset for innovation and competitiveness);

**6.1.3.** mainstream the issues of diversity and intercultural dialogue into all relevant policy areas, and, in particular, cultural, education, youth and media policies, and consider innovative ways to integrate them from the intercultural perspective;

**6.2.** concerning policy implementation:

**6.2.1.** observe the equality of rights and, in particular, harmonise civil rights laws for all citizens regardless of ethnic background or cultural origins; guarantee the freedom of any person to determine his or her cultural affiliations and identity; ensure equal access to education, culture and cultural expressions;

**6.2.2.** establish a sustainable climate of dialogue and understanding through more equal power relations, interactive communication processes and conditions for empowerment through the development of individual self-confidence, alongside a sense of collective responsibility;

**6.2.3.** review the education system to enhance its capacity to promote understanding of diversity and the development of intercultural competences starting from a very early age; in this respect, support the implementation of the Council of Europe Charter on Education for Democratic Citizenship and Human Rights Education and the use of associated tools and manuals, including the results of the intercultural education project (school curricula, teaching and educational resources);

**6.2.4.** promote plurilingualism in formal and non-formal education and develop policies and programmes encouraging the sharing of international experiences and mobility for young people and young adults to strengthen intercultural competence;

**6.2.5.** promote the role of intercultural mediators and develop targeted training of civil servants and educators aimed at building up their intercultural competences;

**6.2.6.** introduce requirements for publicly financed institutions to reflect in more concrete terms the diversity in their leadership, governing boards, staff, users and programming (artists and audience); develop “intercultural rules” as a principle of good governance and a criterion for subsidies;

**6.2.7.** use public spaces (museums, libraries, cultural and arts centres, etc.), cultural and other events (music and film festivals, sports events, etc.), and virtual platforms to cultivate interculturality and share a common vision of cohesive and plural society;

**6.3.** concerning partnerships and co-operation:

**6.3.1.** mobilise partnerships with a large network of organisations, including youth organisations, non-governmental associations, businesses, trade unions, the media, locally elected leaders, cultural actors, educators and intercultural “innovators”, and make use of the experience derived from successful pilot initiatives;

**6.3.2.** encourage public media to contribute to this process by setting up nationwide partnerships and programmes for a balanced diversity of reporting, using stories to portray cultural diversity as an asset rather than a threat to society;

**6.3.3.** recognise the increasingly important role played by local authorities in promoting and implementing intercultural policy and pilot initiatives, and, in this context, review the existing mechanisms (allocation of powers, legal structure, co-financing, etc.) to facilitate this process;

**6.3.4.** in co-operation with the Council of Europe and the European Union, seek partnerships to develop transfrontier co-operation to tackle regional specificities, develop shared diversity strategies and pilot projects which stimulate cultural exchange and shape more composite and nuanced identities, particularly in the areas of central, eastern and South-Eastern Europe which have numerous minorities, as well as cultural and historic interconnections across borders.

## **Recommendation 2049 (2014)**

**1.** The Parliamentary Assembly, referring to its [Resolution 2005 \(2014\)](#) on identities and diversity within intercultural societies, reaffirms the need to preserve democratic stability in Europe by cultivating open, vibrant, culturally diverse and cohesive societies.

**2.** In this respect, the Assembly fully supports the Council of Europe intergovernmental work on developing a “soft power” policy and information tools to assist member States in shaping new intercultural processes, mechanisms and relationships that are

needed to address the compelling diversity challenges in Europe and, on a wider scale, in the neighbouring regions. It particularly values the implementation of the Council of Europe Charter on Education for Democratic Citizenship and Human Rights Education (2010), the activities of the Intercultural Cities network and the ongoing Media in Europe for Diversity Inclusiveness programme (Mediane).

**3.** Accordingly, the Assembly recommends that the Committee of Ministers:

**3.1.** encourage integrated activities between different sectors of the Council of Europe to develop innovative approaches to diversity management and, within this framework, hold “thematic” biennial platforms with different stakeholders in the member States to promote innovative policy orientations and exchange best practices; and in support of this process:

**3.1.1.** review existing Council of Europe action on diversity with a view to engaging in long-term activities to promote respect for cultural diversity through development of policy guidance and tools, which address both national policies and specific urban intercultural strategies;

**3.1.2.** seek better co-ordination between the existing monitoring and information database systems (the Compendium of Cultural Policies and Trends in Europe, the Observatory on Policies and Values of the European Heritage (HEREIN) and the European Audiovisual Observatory) with a view to establishing a comprehensive research and monitoring approach, and use the available tools to develop an “early warning system” to help avoid culture-related conflicts and to address topical issues;

**3.1.3.** seek synergy with the European Union to support regional initiatives promoting the intercultural agenda in northern, western, eastern and southern Europe, to address regional specificities, to strengthen transnational co-operation and to help develop tailored intercultural strategies and pilot projects.

## **Migrants: ensuring they are a benefit for European host societies**

**Report | Doc. 13367 | 16 December 2013**

### **Committee:**

Committee on Migration, Refugees and Displaced Persons

### **Rapporteur:**

*Ms Athina KYRIAKIDOU*, Cyprus, SOC

### **Origin:**

Reference to committee: [Doc. 12946](#), Reference 3882 if 29 June 2012. 2014 - First part-session

## Summary

All too often migrants are unfairly portrayed as being a burden on public finances, and threatening economic prosperity and social cohesion in host societies. Worryingly, this has led to an increasingly hostile environment and debate, and has also contributed to the rise of xenophobia and right-wing extremism.

The reality is in fact quite different and the overwhelming evidence suggests that migrants are a benefit to society. On the economic front, the OECD has clearly indicated that, overall, migration is not a major burden for the public purse.

Migrants fill labour shortages and often carry out low-paid, dangerous, insecure and difficult jobs shunned by many nationals. Without them, in certain countries, whole sectors of the economy would collapse (construction, tourism, agriculture, health care, home care, etc.). Furthermore, foreign students provide significant income for higher education which also contributes to host countries' economies.

Migrants also bring solutions to some of the demographic challenges facing Europe in terms of population decline, particularly of the labour force, and ageing. Furthermore, they are a source of cultural enrichment and dialogue through literature, film, art, sports, food and fashion.

Member States of the Council of Europe are invited to tackle misconceptions about migrants, in particular those propagated by certain politicians and the media. They are encouraged to promote the integration of migrants as a two-way process, in order to maximise the benefits that migrants can bring. They are also encouraged to ensure that their labour migration policies reflect market needs, but take into account that certain types of migration (carried out by asylum seekers, refugees and people seeking family reunion, for example) cannot be regulated in the same way.

Read the full report: <https://pace.coe.int/en/files/20480>

## Resolution 1972 (2014)

1. One of the consequences of the economic crisis which struck in 2008 is that many European States have taken a hard look at migration, leading to debates that have not always been based on fact but rather more on fears and prejudices.
2. While some legitimate concerns have been raised at the highest political levels about Europe's experience of multiculturalism, particularly in relation to second generation migrants, the debate should focus more on how to successfully integrate migrants and ensure that the benefits of migration are felt by the host societies, the countries of origin and the migrants themselves.

3. The Parliamentary Assembly is concerned that all too often migrants are unfairly portrayed as being a burden on public finances and a threat to economic prosperity and social cohesion in host societies. This view has been exacerbated by the economic crisis and widespread austerity measures. Worryingly, this context has led to an increasingly hostile environment and public discourse on immigration in many Council of Europe member States.

4. Both the media and politicians have played a role in allowing misconceptions about migrants to take hold in many member States. While in some instances this has been a result of passivity, in others it has been deliberate. The opinions of far-right extremist and neo-Nazi groups are increasingly finding their way into mainstream politics, either through politicians with significant public support, or when the rhetoric of these groups is taken up by mainstream parties.

5. The Assembly considers that it is essential to portray an honest picture of the benefits that migrants bring to member States. There must be a clear understanding that States have a choice as to whether migrants become more of a benefit or more of a burden. This choice will depend on the steps member States take in terms of the migrants they accept in their territory and their commitment to integration, which has to be a two-way process involving both migrants and the host society.

6. There are many ways in which migrants bring benefits to host countries. On the economic front, the Organisation for Economic Co-operation and Development (OECD) has clearly shown that, overall, they are not a major burden for public finances. Furthermore, the European Commission has found that mobile European Union citizens are not a burden on national social security systems.

7. Migrants make an enormous contribution to the labour market, filling shortages which constrain growth. They find themselves in the position of having to accept jobs which many Europeans shun because they are low paid, insecure, dangerous and difficult. In some countries, whole sectors of the economy would come to a halt without migrants, for example construction, seasonal agriculture, tourism, health services or domestic services. Their contribution as entrepreneurs, employing 2.4% of the total employed population in OECD countries, is substantial. In addition, their links with foreign markets provide new outlets for business growth, and the contribution that international students make through spending and then providing a pool of highly qualified labour with the requisite language skills should not be underestimated.

8. Europe is ageing and the working age population in the European Union is set to fall by 10.5% by the year 2050. Current fertility rates are also low and below the replacement level in many European countries.

For example, they stand at 1.74 children per woman in Armenia, 1.42 in Germany and 1.54 in Russia. It has been projected that Europe will need between 40 and 60 million immigrant workers by 2050 to sustain its level of prosperity and welfare.

**9.** The benefits of migration cannot only be measured in terms of economics and demography. Migrants can be a source of cultural enrichment through literature, film, art, sports, food and fashion, and potentially increase intercultural and interfaith dialogue.

**10.** The Assembly considers that member States should do more to ensure that the benefits that migrants can bring are maximised. More specifically, the Assembly recommends that member States:

**10.1.** challenge the misconceptions that exist about migrants, and in particular those that portray them as being a burden on public finances and a threat to economic prosperity and social cohesion. They should do this by:

**10.1.1.** providing a fair and accurate portrayal of the fiscal and other impact of migrants in terms of labour, entrepreneurialism, demography, higher education, culture and co-development;

**10.1.2.** encouraging the media to use impartial and accurate information and research, proper terminology and less emotive language when reporting on the situation of migrants and migration;

**10.1.3.** urging politicians to show responsibility in the debate on migrants and migration and not allowing extremist views and terminology to become part of mainstream discourse. Furthermore, politicians should be encouraged to lead the public debate away from misconceptions which damage migrants and their prospects for integration;

**10.1.4.** encouraging further research and data collection on the impact of migration in order to provide an evidence-based approach to the issue;

**10.2.** ensure that the benefits of migrants and migration are maximised, through the integration of migrants as part of a two-way process, *inter alia* by:

**10.2.1.** promoting their economic participation through the removal of legal and other barriers, such as the non-recognition of qualifications, which restrict their participation in the labour market, whether as employed or self-employed workers or entrepreneurs;

**10.2.2.** increasing their education levels and achievements so that they reflect more closely those of the total population;

**10.2.3.** combating discrimination and promoting equality, taking into account the recommendations of the Council of Europe's monitoring bodies, such as the European Commission Against Racism and Intolerance (ECRI), the case law of the European Court of Human

Rights, the conclusions of the European Committee of Social Rights and the No Hate Speech Movement of the Council of Europe;

**10.2.4.** facilitating their democratic participation, including through granting nationality/citizenship and the right to vote, in particular at local level, in accordance with the Council of Europe's Convention on Nationality (ETS No. 166) and the Convention on the Participation of Foreigners in Public Life at Local Level (ETS No. 144);

**10.2.5.** promoting the advantages of diversity resulting from migration and integration, considering migrants as a resource for local economic, social and cultural development, and not only as vulnerable groups in need of welfare support and services, or a threat to social cohesion;

**10.2.6.** encouraging their sense of belonging by allowing dual citizenship, particularly for those in mixed marriages and for their children;

**10.2.7.** ensuring that higher education remains attractive to overseas students by facilitating an efficient and straightforward visa process;

**10.3.** recognising that integration for the most part takes place at the local level, make use of the experience of the Congress of Local and Regional Authorities of the Council of Europe and the Intercultural Cities Programme including its Intercultural Cities Index;

**10.4.** ensure that labour immigration policies match realistic labour market needs and recognise that some avenues of immigration cannot be regulated to the same extent as others without conflicting with human rights and humanitarian obligations. This is particularly the case with regard to refugees and asylum seekers and also with family reunification policies.

**11.** The Assembly recognises that large-scale movements of migrants, asylum seekers and refugees place responsibilities and burdens on southern Mediterranean States, in particular when they do not have the necessary infrastructure or economic resources to effectively deal with them. The Assembly calls on member States to help these countries to better meet their human rights obligations when handling migrants' needs and prevent misconceptions about migrants and the spread of xenophobic rhetoric in public discourse.



## III. Hate and hate speech

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**H**ate speech, which encompasses all forms of expression that spread, incite, promote or justify hatred based on all forms of intolerance including Afrophobia, anti-Semitism, Homo-, bi- and transphobia, Islamophobia, sexism and xenophobia, is pervasive in today's Europe. Particularly widespread on the Internet, it is nevertheless present in all spheres of public life, including politics and sport. The Parliamentary Assembly is strongly committed to combating this scourge and has worked extensively to raise awareness and provide recommendations to Council of Europe member States on how to address it in these contexts.

Hate speech is insidious and should never be underestimated. As the Assembly states, it "dehumanises the individuals and groups it targets, making them more vulnerable to stigmatisation, discrimination and violence". Therefore, while freedom of expression is a foundation of our democratic societies and it is crucial to preserve it online, as elsewhere, this must not lead us to trivialise online hate. Cooperation with ECRI is very close in this area and the Assembly's adopted texts consistently refer to ECRI's relevant General Policies Recommendations, in particular GPR 15 on Combating Hate Speech. The case law of the European Court of Human Rights is another important reference for the Assembly in this respect, particularly as regards the limits on freedom of expression<sup>2</sup>.

As a general indication, the Assembly considers that "the most effective way of preventing hate speech and intolerance is to strengthen the principles of democracy, human rights and the rule of law, and to promote a model of society that embraces diversity and respects human dignity." Specific indications are provided for the different areas in which hate speech may be found. As concerns the political sphere, the Assembly highlights that politicians have a vital role to play in combating hate speech and intolerance, and that they and bear a moral responsibility to do so. As regards the world of sport, the Assembly highlights the role that sport organisations play and the need for public authorities to cooperate with them, to ensure that reporting mechanisms are available and to combat impunity. As for cyberbullying, or online hate speech, the Assembly highlights among other things the responsibility of internet service providers and other information technology companies. Awareness raising, information and education, particularly in schools, are presented as crucial in preventing and addressing hate speech and hatred in general. It is worth noting that the Assembly views hate speech not only as a danger *per se*, but also as part of an escalating spiral that may lead to other forms of violence and discrimination.

### The role and responsibilities of political leaders in combating hate speech and intolerance

**Report | Doc. 14845 | 20 March 2019**

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**Committee:**  
Committee on Equality and Non-Discrimination

**Rapporteur:**  
[Ms Elvira KOVÁCS](#), Serbia, EPP/CD

**Origin:**  
Reference to committee: Bureau decision, Reference 4431 of 1 March 2019. 2019 - Second part-session

### Summary

Hate speech and intolerance are on the rise in Europe, with increasing use of expressions that spread, incite, promote or justify racial hatred, xenophobia, antisemitism or other forms of hatred.

Hate speech has become part of political discourse, not only among populist and extremist groups but also across the political spectrum and information technology contributes to spreading and amplifying it. Hate speech dehumanises the individuals and groups it targets and makes them more vulnerable to discrimination; it erodes the social fabric and hinders peaceful living together in diversity.

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2. A fact-sheet on ECHR judgment relating to freedom of expression is available at: [https://echr.coe.int/Documents/FS\\_Hate\\_speech\\_ENG.pdf](https://echr.coe.int/Documents/FS_Hate_speech_ENG.pdf)

The most effective way of preventing hate speech and intolerance is to strengthen the principles of democracy, human rights and the rule of law, and to promote a model of society that embraces diversity and respects human dignity.

Politicians have a vital role to play in combating hate speech and intolerance and bear a moral responsibility to do so. Countermeasures include self-regulation, particularly by political movements and parties, and civil, administrative and criminal legislation. Co-operation between the authorities and information technology players also helps to combat online hate speech. A notable example of self-regulation is the Charter of European Political Parties for a Non-Racist Society, which should be updated and relaunched.

Read the full report: <https://pace.coe.int/en/files/27481/html>

### Resolution 2275 (2019)

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1. Europe is facing an upsurge in hate speech, encompassing all forms of expression which spread, incite to, promote or justify racial hatred, xenophobia, Islamophobia, anti-Semitism or other forms of hatred based on intolerance, including intolerance expressed by aggressive nationalism and ethnocentrism, discrimination and hostility against national or ethnic, religious and linguistic minorities, immigrants and people of immigrant origin, women and lesbian, gay, bisexual, transgender and intersex (LGBTI) people.
2. The political arena is no exception to this worrying trend: hate speech and intolerance have become part of political discourse, where they are used not only by populist and extremist groups but increasingly by representatives of movements and parties across the political spectrum. Information technology has significantly contributed to spreading and amplifying hate speech, therefore trivialising it in the eyes of the general public.
3. The Parliamentary Assembly is concerned by the threat posed by hate speech, which dehumanises the individuals and groups it targets, making them more vulnerable to stigmatisation, discrimination and violence. Hate speech erodes the social fabric and hinders peaceful living together in diversity. It produces a feeling of exclusion among minority groups and can contribute to alienation, marginalisation, the emergence of parallel societies and, ultimately, radicalisation. When used in political debate, it becomes a barrier to constructive dialogue between political forces and it undermines democratic values.
4. The Assembly considers that the most effective way of preventing hate speech is to strengthen adherence to the principles of democracy, human rights and the rule of law, and to promote a model of society that embraces diversity and respects human dignity.
5. In fact, politicians have both a political obligation and a moral responsibility to refrain from using hate speech and stigmatising language, and to condemn promptly and unequivocally its use by others, as silence may be interpreted as approval or support. The enhanced protection of freedom of expression that they enjoy also strengthens their responsibility in this area.
6. The Assembly believes that a wide range of measures is necessary to counter hate speech, ranging from self-regulation, particularly by political movements and parties, and in the statutes and rules of procedure of national and local elected bodies, to civil, administrative and criminal legislation prohibiting and sanctioning its use, which should be considered as a last resort. Restrictions and sanctions should be proportionate and should not be misused to silence minorities or to suppress criticism.
7. Self-regulatory instruments adopted by political parties, such as statutes and charters, are particularly effective and more likely to be respected due to their voluntary nature. The Charter of European Political Parties for a Non-Racist Society, drawn up in 1998 under the auspices of the European Union Consultative Commission on Racism and Xenophobia, provides guidance for self-regulation by political parties in this area. To be relevant in the present times, however, it should be updated to take into account different forms of hatred, based on all grounds, and the technical means currently used to spread it. It should also redress one of its main weaknesses, namely the lack of measures addressing breaches of the charter.
8. The media, including social media, should play an important role in limiting the impact of hate speech by providing accurate, unbiased information and not giving excessive visibility to instances of stigmatising or abusive language, including by political leaders.
9. The Assembly refers to the exchange of letters between the Secretary General of the Council of Europe and the main players in information technology to promote an open and safe internet, where human rights, democracy and the rule of law are respected in the online environment, as a useful example of dialogue and co-operation with internet intermediaries.
10. The Assembly commends the work conducted by the European Commission against Racism and Intolerance (ECRI) in this area and supports, in particular, its General Policy Recommendation No. 15 on Combating Hate Speech which indicates a wealth of measures on preventing and combating hate speech,

providing support for those targeted by it, and calling for self-regulation by public and private institutions, including elected bodies and political parties.

**11.** The Assembly recalls its No Hate Parliamentary Alliance, a network of parliamentarians who commit to taking an open, firm and proactive stand against racism, hatred and intolerance on whatever grounds and however they manifest themselves, as an example of a forum for discussion and exchange of good practices that should be replicated in national parliaments. It also recalls the No Hate Speech Movement and that, although the Council of Europe campaign came to an end in 2017, its national committees continue to be active.

**12.** In the light of these considerations, the Assembly calls on the Council of Europe member States to:

**12.1.** monitor the situation as regards hate speech, including in political discourse, and collect accurate, comparable data on its nature and prevalence, disaggregated by grounds of discrimination, target groups, types of perpetrators and channels used;

**12.2.** implement ECRI's General Policy Recommendation No. 15, by adopting relevant administrative, civil and, as a last resort, criminal law provisions;

**12.3.** encourage political movements and parties to adopt self-regulation instruments, such as codes of conduct and ethical charters, which prohibit and sanction the use of hate speech by their members;

**12.4.** encourage the media to provide accurate, unbiased and responsible information in matters relevant to individuals or groups that are vulnerable to discrimination and hatred;

**12.5.** engage in dialogue and co-operation with internet intermediaries, in particular social media, to encourage them to adopt and apply self-regulation texts to prevent and sanction the use of hate speech and commit to removing offensive content;

**12.6.** promote information and awareness-raising activities addressed to politicians and elected representatives at all levels, focusing on initiatives and measures adopted to counter hate speech and intolerance, including at international level, such as the Charter of European Parties for a Non-Racist Society and the No Hate Parliamentary Alliance;

**12.7.** provide public officials with training on fundamental rights, equality and non-discrimination, particularly in schools and other educational institutions and in contexts where institutional discrimination may take place, including in police forces and the judiciary, the armed forces, legal services and the medical profession;

**12.8.** promote awareness-raising activities targeting the general public on racism and intolerance, and hate speech specifically;

**12.9.** support the national committees of the No Hate Speech Movement campaign;

**12.10.** encourage politicians to disseminate, including on social media, positive messages in relation to minorities in their countries.

**13.** The Assembly calls on the parliaments of member States, as well as the parliaments enjoying the status of observer or partner for democracy, to:

**13.1.** provide parliamentarians and other political actors with information and training on how to prevent, identify and react to hate speech on- and offline, as well as on human rights, equality and non-discrimination, and the malignant use of social networks and other media, including disinformation;

**13.2.** ensure that their statutes and rules of procedure contain specific provisions against hate speech and stigmatising language, sanctions for non-compliance and accessible complaints mechanisms;

**13.3.** establish study groups with the participation of parliamentarians, experts and civil society representatives, to monitor hate speech and recommend measures to address it at national level.

**14.** The Parliamentary Assembly believes that the 25th anniversary of the European Commission against Racism and Intolerance, which falls in 2019, provides a good opportunity to update the Charter of European Political Parties for a Non-Racist Society, including measures for breaches of the charter, and to relaunch it.

## Stop hate speech and acts of hatred in sport

**Report | Doc. 14842 | 18 March 2019**

**Committee:**

Committee on Equality and Non-Discrimination

**Rapporteur:**

Mr Goran BEUS RICHEMBERGH, Croatia, ALDE

**Origin:**

Reference to committee: [Doc. 14427](#), Reference 4350 of 22 January 2018. 2019 - Second part-session

### Summary

Hatred and intolerance are rife in today's Europe and this is reflected in the world of sport, in the form of abusive language, incitation to violence and actual hate crimes, based on all grounds of discrimination including antisemitism, islamophobia, homo- and transphobia, afrophobia, racism, sexism and xenophobia.

Sport has a powerful potential to change mindsets and should be first and foremost an instrument for promoting values such as fair play, mutual respect

and tolerance, thus contributing to harmonious living together in diversity.

The Council of Europe has taken action against hate speech in sport, inter alia thanks to the No Hate Speech Movement Campaign, and has established co-operation with UEFA and FIFA to promote human rights, integrity, good governance and non-discrimination in football.

Council of Europe member States should strengthen co-operation with sports organisations in areas including the monitoring and reporting of incidents, as well as information and awareness-raising activities targeting athletes and the general public. In addition, since education is key in preventing hatred and intolerance, special attention should be paid to the role of schools in transmitting the values of tolerance and human dignity.

Read the full report: <https://pace.coe.int/en/files/27479/html>

### Resolution 2276 (2019)

- 1.** Hatred and intolerance are rife in Europe today and the world of sport, which reflects society at large, is not immune to this reality. On the contrary, various forms of hatred and intolerance, including Afrophobia, antisemitism, homo- and transphobia, Islamophobia, racism, sexism and xenophobia, often find fertile ground in the world of sport, leading to verbal and physical violence. This interferes with the spirit of competition that is a natural element of sport, by polluting and perverting it.
- 2.** Verbal abuse is widespread in the sports environment, in the form of insults and chants that may amount to hate speech and incitation to violence. Abuse may also be written, visual or allusive, with the use of symbolic objects, extremist iconography or vandalism of the opponents' symbols. These phenomena occur most often in collective ways, among supporters, but they also take place on the playing field, involving players, trainers or referees, either as perpetrators or victims of the abuse.
- 3.** The Parliamentary Assembly condemns hatred and intolerance in any form and believes that the impact of hate speech should not be underestimated. While awareness of this issue and the need to address it has increased in recent years, much remains to be done to counter it effectively in the sports environment. In addition, the danger posed by populists and other ideologues attempting to manipulate sports supporters for electoral and political gain should be prevented and countered.
- 4.** The Council of Europe has taken action against hate speech in the area of sport through various activities, in particular through the Youth Sector's No

Hate Speech Movement campaign, in co-operation with the Enlarged Partial Agreement on Sport (EPAS).

- 5.** The Assembly welcomes the memorandums of understanding signed in 2018 between the Council of Europe, the European Union of Football Associations (UEFA) and the Fédération internationale de football association (FIFA) as an important basis for co-operation to promote human rights, integrity, good governance and non-discrimination in football, which is by far the most popular sport in Europe, and the fact that the first of these memorandums explicitly mentions hate speech among the manifestations of discrimination that member States are required to prevent and combat.
- 6.** The Assembly is aware of the powerful potential that sport has to change mindsets. It is convinced that sport should be first and foremost an instrument for promoting and transmitting values such as fair play, mutual respect and tolerance, in addition to being a beneficial activity for personal development and health and a form of entertainment accessible to all. There should be no place in sport for prejudice and violence, nor for manipulation of supporters' sentiments.
- 7.** The Assembly recalls its [Resolution 2131 \(2016\)](#) "Sport for all: a bridge to equality, integration and social inclusion", particularly as regards the need for mechanisms for regular and systematic monitoring of discrimination in the field of sport.
- 8.** The Assembly believes that education is key in preventing hatred and intolerance, including in the sports environment, and special attention should be paid to the role of schools in transmitting the values of tolerance and respect for human dignity.
- 9.** The Assembly supports the Council of Europe Convention on an Integrated Safety, Security and Service Approach at Football Matches and Other Sports Events (CETS No. 218) and invites all member States which have not yet signed and ratified it to do so.
- 10.** In the light of these considerations, the Assembly calls on the Council of Europe member States to:
  - 10.1.** promote research and data collection on hate speech and hate crime in the sports environment. Data should be comparable and disaggregated by geographic location, sport, victim and perpetrator – distinguishing between athletes (professional and amateur) and spectators – and the grounds of discrimination;
  - 10.2.** integrate into their national plans or strategies against hate speech and hate crime specific measures to address these issues in the sports environment;
  - 10.3.** strengthen co-operation with sports organisations in areas relevant to hatred and intolerance,

including the monitoring and reporting of incidents, information and awareness-raising activities targeting athletes, staff and management of sports organisations, as well as the general public;

**10.4.** ensure that reporting mechanisms are available for victims of hate speech and discrimination in the sports environment, both with a view to protecting victims and to regularly monitoring the phenomenon;

**10.5.** combat impunity by ensuring consistent implementation of existing administrative and criminal sanctions for hate speech in the sports environment and making use of the technologies currently available on sports grounds to identify perpetrators;

**10.6.** conduct awareness-raising campaigns targeting the general public on the dangers posed by hate speech, the reporting mechanisms available and the importance of countering impunity by reporting incidents;

**10.7.** integrate sports ethics into school curricula, in the framework of citizenship education; provide physical education teachers and sports trainers with training on detecting and responding to discrimination and abuse targeting athletes, whether at amateur or professional level;

**10.8.** encourage media to provide pluralistic, unbiased information on athletes, particularly those most exposed to hatred, and their performance, and to report accurately and without bias on hate speech incidents and hate crimes.

**11.** The Assembly calls on sports federations and other sports organisations to:

**11.1.** integrate equality and non-discrimination into their activities and promote democratic values; prevent and combat hate speech and, to this end, strengthen co-operation with supporters' clubs, civil society organisations, the media and educational institutions;

**11.2.** appoint outstanding athletes as "ambassadors for equality and non-discrimination";

**11.3.** require all players to formally commit to refraining from hate speech and manifestations of hatred and intolerance;

**11.4.** provide all players and staff members with training on how to identify, prevent and counter hate speech and intolerance;

**11.5.** promote educational programmes for sports supporters and fan clubs in order to prevent hate speech in stadiums during matches.

**12.** The Assembly underlines that sport should not only be a matter of competition, but also an environment in which people of all origins and walks of life can find common ground and interact harmoniously in diversity.

## Ending cyberdiscrimination and online hate

**Report | Doc. 14217 | 13 December 2016**

### Committee:

Committee on Equality and Non-Discrimination

### Rapporteur:

Ms Marit MAIJ, Netherlands, SOC

### Origin:

Reference to committee: [Doc. 13828](#), Reference 4144 of 28 September 2015. 2017 - First part-session

### Summary

The internet is an exceptional tool and resource, which has become an integral part of our daily lives.

Freedom of expression is a foundation of our democratic societies and it is crucial to preserve it online, as elsewhere. However, this must not lead us to trivialise online hate.

Hate speech, bullying, harassment, threats and stalking are offences when committed offline. Their impact on their targets when committed online is just as real and requires equally serious and effective responses. Yet measures to combat such offences often fail to capture both the specificities of online communications and the extent of online hate – which targets people on grounds as varied as their sex, colour, ethnicity, nationality, religion, migration status, sexual orientation, gender identity, political or other opinion, disability or other status.

Online hate is not just a private matter: it is a problem for society as a whole. No one should be forced out of the conversation by online hate. Member States must work to improve international standards and strengthen both the content and the application of their national laws in this field. They must convince internet intermediaries to work harder to prevent and remove online hate. And they must invest, sustainably and as a matter of urgency, in promoting the responsible use of online technology and forums and in building societies free of hate.

Read the full report: <https://pace.coe.int/en/files/23456>

### Resolution 2144 (2017)

**1.** The internet is an exceptional tool and resource that has revolutionised many aspects of our lives and opened up powerful new channels of expression. Freedom of expression is one of the most important pillars of a democratic society, and it is crucial to preserve it, including on the internet. The internet must never become a space in which censorship drowns

out dissenting voices, or where private companies dictate which and whose views can be heard.

**2.** At the same time, countless individuals are targeted every day by online hate. More and more first, second or third generation migrant children, as well as adopted and minority children, report experiences of racism as part of their everyday life. A person's real or supposed sex, colour, ethnicity, nationality, religion, migration status, sexual orientation, gender identity, political or other opinion, disability or other status may all serve as pretexts to make inflammatory and hateful statements, to harass and abuse a target, to stalk, threaten or incite psychological or physical violence against them. Hate speech is not limited to racism and xenophobia: it may also take the form of sexism, anti-Semitism, Islamophobia, misogyny, homophobia and other forms of hate speech directed against specific groups or individuals. Such forms of behaviour, which are not accepted offline, are equally unacceptable online. Just like the face-to-face world, the internet must provide space to be critical, without providing space for hate speech, including incitement to violence.

**3.** The European Court of Human Rights has found that the protection of freedom of expression under the European Convention on Human Rights (ETS No. 5) does not extend to racist or xenophobic speech. Other international instruments, such as the International Convention on the Elimination of All Forms of Racial Discrimination and the Additional Protocol to the Convention on Cybercrime, concerning the criminalisation of acts of racist or xenophobic nature committed through computer systems (ETS No. 189), also address racist and xenophobic speech but do not cover all forms of hate speech; moreover, not all international standards have been universally accepted. However, although a single, harmonised definition of hate speech is not applicable across all Council of Europe member States, definitions of hate speech and discrimination exist in their domestic law. National legislation may thus already allow for effective measures to be taken against some forms of online hate, but it does not always cover all such behaviour or capture new forms of communication effectively. These gaps in the law must be addressed in order to provide effective protection against online hate.

**4.** Online hate is a reflection of hate in our societies. It is crucial therefore that strategies to eliminate hate in the online environment acknowledge and tackle hatred and intolerance in people's hearts and minds. In parallel, however, such strategies must also recognise and address the specificities of the online environment and of people's behaviour online, such as the scope for instant and broad dissemination of internet content, the ability to remain anonymous and the uninhibited interactions this can foster, and the difficulties inherent

in taking legal action, where this is needed, in cases that frequently cross international borders.

**5.** Strategies to prevent and combat online hate must also recognise that the internet has become an omnipresent and indispensable communication tool, from which people cannot simply walk away in order to avoid abuse, especially where their job requires them to be in the public eye.

**6.** There is also a need to clarify the responsibility and role of internet intermediaries that provide the tools, forums and platforms on which internet communications occur, as regards preventing and combating online hate. In this respect, the Assembly emphasises that legislation in member States must be guided by the case law of the European Court of Human Rights.

**7.** In the light of the above, and bearing in mind the relevant recommendations made in its [Resolution 2069 \(2015\)](#) on recognising and preventing neo-racism, the Assembly calls on the Council of Europe member States:

**7.1.** in view of the international dimension of online communications, to:

**7.1.1.** ratify, if they have not already done so, the Convention on Cybercrime (ETS No. 185) and its Additional Protocol, concerning the criminalisation of acts of racist or xenophobic nature committed through computer systems;

**7.1.2.** work together to ensure that harmonised and comprehensive definitions of hate speech can be applied in cases of online hate, and draw in this respect on the recommendations of the European Commission against Racism and Intolerance (ECRI) in its General Policy Recommendation No. 15 on combating hate speech;

**7.2.** with regard to national legislation, to:

**7.2.1.** ensure, in conformity with the case law of the European Court of Human Rights, that their national law allows for the effective prosecution of online hate speech, while fully respecting freedom of expression and in particular the freedom to criticise the actions of public authorities;

**7.2.2.** ensure that national legislation covers all forms of online incitement to violence against a person or a group of persons, bullying, harassment, threats and stalking, so that these can be effectively prosecuted under national law;

**7.2.3.** amend national legislation or policy guidelines wherever necessary to ensure that the full range of characteristics considered as grounds for protection under discrimination law are taken into account in online hate cases, including sex, colour, ethnicity, nationality, religion, sexual orientation, gender identity, political or other opinion, disability or other status;

**7.3.** with regard to the enforcement of national legislation, to:

**7.3.1.** train police, prosecutors and judges on the seriousness of all forms of online hate, including online hate speech, bullying, harassment, threats and stalking;

**7.3.2.** train and provide clear guidance to police on the need to record all reported incidents in this area and investigate them expeditiously and effectively, and on how to do so; such training and guidance should also explain the avenues of assistance available to the police where they lack the technical capacity to investigate themselves;

**7.3.3.** provide training and clear guidance also to prosecutors and judges on the ways in which the existing law applies to cases of online hate;

**7.3.4.** ensure that victims' complaints of online hate are taken seriously and that they receive full support in dealing with its consequences;

**7.3.5.** provide instruments to identify online hate and promote its removal;

**7.4.** with regard to prevention, education and awareness raising, to:

**7.4.1.** raise awareness in society about the extent and impact of online hate;

**7.4.2.** recognise that children and young people are particularly vulnerable to the negative effects of cyberdiscrimination and online hate and it should thus be ensured that they are educated at an early age about both the exceptional possibilities and the challenges of online exchanges; also ensure that online competences are included as an essential element of school curricula;

**7.4.3.** launch programmes and support initiatives from civil society and other relevant actors to encourage responsible use of the internet, to combat cyberbullying while also helping victims to handle it, to empower individuals to develop counter-speech and alternative narratives to online hate speech, re-establish dialogue and de-escalate online conflicts, and to mobilise networks of and build alliances among those working to combat online hate;

**7.4.4.** ensure that such initiatives and programmes are sustainably funded and designed to have a lasting impact on people's attitudes to online hate;

**7.4.5.** organise regular events to underscore the ongoing need to combat hate, for example by recognising 22 July as the European Day for Victims of Hate Crime, as called for by the Assembly in its [Recommendation 2052 \(2014\)](#) on counteraction to manifestations of neo-Nazism and right-wing extremism;

**7.5.** with regard to internet intermediaries, to:

**7.5.1.** ensure that the standards on freedom of speech set by the European Convention on Human Rights and the European Commission against Racism and Intolerance are applied to online communications in member States;

**7.5.2.** encourage internet intermediaries to establish clear and effective internal processes to deal with notifications regarding hate speech;

**7.5.3.** promote efforts by such intermediaries to ensure that content that amounts to online hate speech, bullying, harassment, threats or stalking on any of the grounds mentioned in paragraph 7.2.3 above is rapidly removed, without prejudice to the possibility of taking legal proceedings against its author;

**7.5.4.** encourage such intermediaries to take online hate speech seriously and to co-operate closely with the law-enforcement authorities, while respecting the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data (ETS No. 108), in cases concerning online hate;

**7.5.5.** establish by law, where this has not already been done, the responsibility and role of internet intermediaries as regards the removal of online hate-motivated content, using as far as possible a notice-and-take-down approach.

**8.** Finally, the Assembly invites national parliaments to mobilise against hate speech and all forms of racism and intolerance, in particular through participating in initiatives such as the No Hate Parliamentary Alliance developed by the Assembly.

## **Recommendation 2098 (2017)**

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**1.** The Parliamentary Assembly refers to its [Resolution 2144 \(2017\)](#) on ending cyberdiscrimination and online hate, in which it calls on member States to take a number of measures to stem the rising tide of online hate, including recognising the diverse grounds on which people are today targeted by hate speech and taking into account the rapidly evolving forms of online hate and of the media through which it is disseminated.

**2.** The Assembly observes that online hate is not an isolated phenomenon specific to certain Council of Europe member States, but a pan-European problem that can best be tackled on the basis of shared experiences and good practice among member States.

**3.** The Assembly therefore asks the Committee of Ministers to:

**3.1.** review and update its Recommendation No. R (97) 20 on "hate speech", in order to ensure that it continues to provide an effective basis for combating

all forms of this phenomenon, including where it occurs online, and that it covers all the grounds on which victims may be targets of hate speech;

**3.2.** review and update its Internet Governance Strategy 2016-2019 having regard to Parliamentary Assembly [Resolution 2144 \(2017\)](#) on ending cyberdiscrimination and online hate, as well as [Resolution 2143 \(2017\)](#) "Online media and journalism: challenges and accountability";

**3.3.** launch work on education against racism and hate speech, focusing in particular on children;

**3.4.** reconsider the possibility of declaring 22 July the European Day for Victims of Hate Crime, in commemoration of the date of the terrorist attacks in Oslo and on Utøya Island (Norway);

**3.5.** bring [Resolution 2144 \(2017\)](#) to the attention of the governments of the member States.

## Counteraction to manifestations of neo-Nazism

**Report | Doc. 13593 | 12 September 2014**

### Committee:

Committee on Political Affairs and Democracy

### Rapporteur:

Ms Marietta de POURBAIX-LUNDIN, Sweden, EPP/CD

### Origin:

Reference to committee: [Doc. 12661](#), Reference 3816 of 3 October 2011.. 2014 - Fourth part-session

### Summary

Neo-Nazis are not to be ignored; they should not be turned into martyrs either.

The report stresses the prime responsibility of government representatives and democratic political leaders and urges them to form a bloc around a "democratic consensus" in order to raise concerted opposition to neo-Nazi ideology and to the political parties that speak up in its favour, whether in or out of parliament. All political leaders are thus invited to engage in debate with neo-Nazi movements so as to expose them publicly by rejecting and condemning their ideology and rhetoric. Other measures should include making party leaders and members, including parliamentarians, criminally liable for hate speech, and impeding the funding of such parties.

The Committee on Political Affairs and Democracy underlines that in the fight against neo-Nazism, the focus should be on prevention, through education and awareness raising. Council of Europe member

States should design social, economic and cultural strategies to reduce the breeding grounds for the neo-Nazi ideology.

In order to keep alive the memory of the victims of the tragic attack committed by a neo-Nazi on 22 July 2011 in Norway, the committee invites the Assembly to support the initiative by youth activists to make 22 July the European Day for Victims of Hate Crime.

Read the full report: <https://pace.coe.int/en/files/21219>

### Resolution 2011 (2014)

**1.** The Parliamentary Assembly unequivocally condemns the increasing number of manifestations of neo-Nazism and right-wing extremism and the rise of neo-Nazi parties and movements in Europe, some of which have entered parliament at national or European level. This is not an isolated phenomenon particular to some Council of Europe member States, but a problem of pan-European dimension. It often lies dormant in society until conditions favourable to its emergence arise. It can thus only be effectively tackled on the basis of shared experience and good practice among member States.

**2.** If popular disappointment over harsh economic conditions and frustration triggered by governmental failure to implement comprehensive migration policies may, in some cases, partly explain the rising popularity of neo-Nazi parties as a "protest vote", this only further enhances the responsibility of government representatives and democratic politicians, who should stand up and unite in defending democratic values. Neo-Nazis should not be ignored; nor should they be turned into martyrs.

**3.** Although symbols and structures of the past, such as party logos reminiscent of swastikas, are still being used, the strategies of neo-Nazi activists in the public arena are becoming progressively more sophisticated and thus more difficult to identify and counteract. The ever-increasing use of the Internet as the main platform for extremist propaganda and co-ordination makes monitoring and counteraction even harder.

**4.** The Assembly notes that the majority of young people who join right-wing extremist groups do so in their early teens or even before. Neo-Nazi parties also tend to develop programmes and structures that particularly attract children not yet of voting age, at schools or holiday camps.

**5.** The Assembly therefore believes that in the fight against neo-Nazism, the focus should be on prevention through education and awareness raising, and early reaction, at grass-roots level, to any manifestations of neo-Nazism, whether violent or not, be they by organised groups or radicalised individuals. Identification of early signals should allow for timely action against



radicalisation and nip neo-Nazi activities in the bud, before the problem spins out of control.

**6.** Experience has shown that, to be effective, timely action should be co-ordinated by the entire community and accompanied by a clear political message, at the highest level, that any manifestation of neo-Nazism, including hate crime and hate speech, cannot be tolerated in a democratic State governed by the rule of law. Victim support and support measures for those wishing to leave such extremist movements are also indispensable tools in counteracting neo-Nazism.

**7.** In the light of these considerations, and referring to concrete examples of experience and good practice, the Assembly calls on member States to:

**7.1.** design cross-sectoral strategies to prevent and combat neo-Nazi ideology, including social, economic and cultural strategies to reduce the breeding grounds for this ideology;

**7.2.** develop national action plans and appoint national co-ordinators against right-wing extremism to provide a framework for and co-ordination among public institutions at all levels and civil society initiatives;

**7.3.** promote and support, through regular public funding, specific civil society initiatives and projects designed to prevent or combat neo-Nazism or other forms of racism, hatred and anti-Semitism, in the local arena and everyday life, including online;

**7.4.** enhance research, including pedagogical research, as well as international co-operation and exchange of good practice in the field of preventing and combating neo-Nazism;

**7.5.** continue to support, including through voluntary contributions, or start implementing (as appropriate) the Council of Europe campaign entitled the No Hate Speech Movement, involving young people all across Europe.

**8.** More specifically, the Assembly calls on member States:

**8.1.** as regards prevention, to:

**8.1.1.** encourage and support, through public funding, joint and well co-ordinated timely action against radicalisation by the entire community, including local police and all societal actors, such as schools, childcare services, parents' groups, mayors and relevant municipal services, churches, trade unions and professional organisations, as well as civil society groups, including voluntary organisations, victim support groups, refugee councils and youth representatives;

**8.1.2.** specially train law-enforcement officials in preventive action and provide and support preventive policing tools (such as "empowerment conversations")

addressed mainly to teenagers who show signs of radicalisation and their families;

**8.1.3.** ensure the continuing development of strategies and technologies to reduce the influence of social media on the recruitment to and promotion of neo-Nazism;

**8.1.4.** ensure that any relevant data, analyses and especially early signals detected by local actors and civil society are shared with public institutions and law-enforcement forces engaged in the prevention of or fight against neo-Nazism, and that they receive quick and proper attention at political level;

**8.2.** as regards education, to:

**8.2.1.** enhance education for democratic citizenship and human rights awareness measures in schools, starting from the primary level, thus enabling children to stand up for democratic values from the outset; this should also include education against hate speech and in particular its online forms;

**8.2.2.** enhance teaching of 20th-century history and in particular that of the period around the Second World War;

**8.2.3.** train teachers on human rights and democratic citizenship and assist parents in actively supporting their children;

**8.2.4.** support educational projects and teaching methods aimed at tackling anti-democratic ideologies, such as neo-Nazism and anti-Semitism, a phenomenon which goes well beyond neo-Nazi groups;

**8.3.** as regards law enforcement, to:

**8.3.1.** provide, and effectively implement, a comprehensive legal framework on hate speech and hate crime, in line with the specific recommendations made by the Assembly in its Resolution 1967 (2014) on a strategy to prevent racism and intolerance in Europe, and those made by other Council of Europe bodies, notably the European Commission against Racism and Intolerance (ECRI) and the Council of Europe Commissioner for Human Rights;

**8.3.2.** make party leaders and members, including members of parliament, criminally liable for using hate speech or committing hate crime or any other criminal offence, reacting in a timely and effective manner;

**8.3.3.** train judges, prosecutors and law-enforcement officials on hate crime and hate speech so that they can also identify crimes with a neo-Nazi background;

**8.3.4.** ensure efficient co-operation and co-ordination, based on regular exchange of information, among the various law-enforcement bodies;

**8.3.5.** strike the right balance between the need to protect, on the one hand, freedom of expression

and the right to privacy of members of right-wing extremist groups and, on the other, the fundamental rights of democratic groups wishing to react and prevent or block manifestations organised by right-wing extremists;

**8.3.6.** ensure accelerated proceedings in the investigation, prosecution and trial of cases of neo-Nazi violence by adolescents, in co-operation with the families of the offenders and civil society networks, focusing on efficient support measures for those wishing to leave extremist movements, so as to enhance the deterrent effect on other adolescents;

**8.3.7.** design strategies for police and intelligence services, including online policing, to face the special challenges raised by neo-Nazi hate speech online;

**8.4.** as regards victim support and witness protection, to:

**8.4.1.** encourage victims of neo-Nazism and witnesses to speak up in line with the specific recommendations made by the Assembly in its Resolution 1967 (2014);

**8.4.2.** enhance victim support measures, promote victim support groups and ensure regular public funding for this purpose;

**8.4.3.** provide specific protection to illegal immigrants who have been victims of hate crimes until a judicial decision becomes final;

**8.5.** as regards support to those wishing to leave extremist movements, to:

**8.5.1.** design strategies and programmes to help and support those wishing to leave neo-Nazi movements, as well as their families, including by offering ways of changing their outlook on life, jobs or professional training;

**8.5.2.** engage former participants in the neo-Nazi sphere with the necessary personal skills and motivation in efforts to extricate others;

**8.5.3.** promote and support, including through regular public funding, civil society exit projects.

**9.** The Assembly further urges:

**9.1.** politicians, both at national and European levels, to take up the debate with neo-Nazis and expose them publicly by clearly and unequivocally challenging, rejecting and condemning neo-Nazi ideology and rhetoric;

**9.2.** democratic parties to unite around a “democratic consensus” and unanimously oppose neo-Nazi parties inside and outside national parliaments;

**9.3.** national parliaments to:

**9.3.1.** ensure that no public funding is allocated to parties promoting hate speech and hate crime;

**9.3.2.** adopt codes of conduct including safeguards against hate speech and hate crime on any grounds.

**10.** The Assembly invites its members to join and support the activities of:

**10.1.** the No Hate Parliamentary Alliance and all parliamentary groups who work towards the same objective;

**10.2.** the national committees set up in the context of the Council of Europe “No Hate Speech Movement”.

**11.** In order to raise public awareness against hate crime in Europe, and to show solidarity with those targeted and those left to mourn, the Assembly fully supports the initiative by the youth campaign to make 22 July the “European Day for Victims of Hate Crime”, in commemoration of the day of the terrorist attacks in Oslo and on Utøya Island, Norway.

## **Recommendation 2052 (2014)**

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**1.** The Parliamentary Assembly refers to its [Resolution 2011 \(2014\)](#) on counteraction to manifestations of neo-Nazism and right-wing extremism, in which it unequivocally condemns the increasing number of manifestations of neo-Nazism (right-wing extremism) and the rising popularity of neo-Nazi parties in Europe.

**2.** Considering that this is not an isolated phenomenon particular to some Council of Europe member States, but rather a problem of pan-European dimension, often lying dormant in society until conditions favourable to its emergence arise, the Assembly believes it can only be effectively tackled on the basis of shared experiences and good practice among member States.

**3.** The Assembly therefore asks the Committee of Ministers to:

**3.1.** consider possible ways for the Council of Europe to co-ordinate the various member States’ efforts against right-wing extremism, in particular by ensuring the exchange of experience and good practice;

**3.2.** support member States in their fight against right-wing extremism through demand-driven co-operation programmes;

**3.3.** support the initiative by the Council of Europe “No Hate Speech Movement” youth campaign and declare 22 July the “European Day for Victims of Hate Crime”, in commemoration of the day of the terrorist attacks in Oslo and on Utøya Island, Norway;

**3.4.** bring to the attention of the governments of the member States the specific recommendations included in [Resolution 2011 \(2014\)](#).

## Terrorist attacks in Paris: together for a democratic response

Report | Doc. 13684 | 27 January 2015

### Committee:

Committee on Political Affairs and Democracy

### Rapporteur:

Mr Jacques LEGENDRE, France, EPP/CD

### Origin:

Reference to committee: Bureau decision, Reference 4104 of 26 January 2015. 2015 - First part-session

## Summary

The Committee on Political Affairs and Democracy considers that, more than an assault on freedom of expression, aimed at silencing and intimidating critical voices, or yet another act of anti-Semitic violence – which they also were – the terrorist attacks in Paris in January 2015 were attacks against the very values of democracy and freedom in general. They were based on hatred which no arguments can justify. There must be no “but”.

Freedom of expression, in particular that of journalists, writers and other artists, must be protected and governments of member States should not interfere with its exercise be it in printed or electronic media, including the social media.

Europe must continue to show that it is not afraid and keep using humour and satire. Not to do so in the name of political correctness would mean that terrorists had won. The principle of the separation of State and religion must also be protected.

The report underlines that any security responses aimed at reinforcing the fight against terrorism and jihadism in full respect of human rights must be accompanied by preventive measures aimed at eradicating the root causes of radicalisation and the rise of religious fanaticism. Therefore, it proposes specific recommendations to the member States of the Council of Europe for these purposes.

Read the full report: <https://pace.coe.int/en/files/21521>

## Resolution 2031 (2015)

**1.** The Parliamentary Assembly is outraged by the barbarous terrorist attacks in Paris on 7, 8 and 9 January 2015, which led to the deaths of 17 people. Among them were journalists, cartoonists and staff killed in cold blood at the offices of the satirical magazine *Charlie Hebdo*, policemen and people of the Jewish faith. The Assembly conveys its sympathy to the families of the victims and expresses its solidarity with the French people and authorities.

**2.** More than an assault on freedom of expression or another act of anti-Semitic violence – which they also were – these were attacks against the very values of democracy and freedom in general, against the type of society that our pan-European Organisation has aimed at building since the end of the Second World War.

**3.** These were terrorist attacks based on hatred, which no arguments can justify and any attempt to find excuses for the actions of the murderers must be firmly rejected. There must be no “but”. As the Assembly put it in its [Resolution 1258 \(2001\)](#) on democracies facing terrorism, “[t]here can be no justification for terrorism”.

**4.** In addition, the Assembly wishes to emphasise that these terrorist attacks were obviously not the result of an alleged plot to stigmatise Islam or Muslims but a co-ordinated act designed to silence, through crime, journalists and a newspaper that symbolise freedom of expression, and to kill people for the sole reason that they are Jewish or members of the police force because they embody the defence of institutions and the rule of law.

**5.** The Assembly recalls that, in line with well-established case law of the European Court of Human Rights, the use of satire, including irreverent satire, and information or ideas that “offend, shock or disturb”, including criticism of religion, are protected as part of freedom of expression under Article 10 of the European Convention on Human Rights (ETS No. 5, “the Convention”). Such are the demands of that pluralism, tolerance and broad-mindedness, without which there is no democratic society.

**6.** Freedom comes with responsibility and it is for the democratic institutions, especially the courts, to strike a fair balance between freedom of expression and its authorised limitations, such as hate speech or incitement to violence – which should be laid down in the legislation of all European States – under the ultimate control of the European Court of Human Rights. In this context, the Assembly recalls its [Resolution 1510 \(2006\)](#) on freedom of expression and respect for religious beliefs, which stated that “freedom of expression as protected under Article 10 of the European Convention on Human Rights should not be further restricted to meet increasing sensitivities of certain religious groups”.

**7.** The Assembly notes that the fact that the terrorists claimed to be acting “in the name of Islam”, thus insulting the very religion they claimed to defend, has prompted many Muslim religious leaders, representatives of Islamic associations and also a very large number of Muslim citizens to condemn the attacks and warn against the risk of stigmatisation. The Assembly strongly condemns all malicious acts, the number of which is currently on the rise, against citizens of the Muslim faith and their places of worship.

**8.** At the same time, the fact that the three jihadists were French, born and brought up in a disadvantaged neighbourhood, as well as the fact that many people claiming to be Muslims, especially among the young, took the side of the terrorists on social media networks, has prompted a twofold debate: on the one hand, on the urgent need for a common, international but also specifically European response to the jihadist threat; on the other, on the need to combat social exclusion, discrimination, violence and segregation, as the breeding ground for terrorism and religious fanaticism.

**9.** Recalling the recent outrages directed against Jews in Toulouse and Brussels, the Assembly reiterates its condemnation of any acts of anti-Semitism. It wholly rejects any suggestion that the Arab-Israeli conflict, or other events in the Middle East or elsewhere, could possibly justify such acts within our European democratic societies.

**10.** The whole of Europe joined in condemning the attacks and in mourning the innocent victims of 7, 8 and 9 January 2015, and the whole of Europe marched alongside France on Sunday, 11 January 2015 to express its rejection of terrorism and its stand for the values of democracy and freedom. The whole of Europe must now find, together, a democratic response to the rise of terrorism and radical Islamism. The values on which Europe is founded are not outmoded. Democracy, freedom and human rights are worth fighting for.

**11.** Europe must continue to show that it is not afraid and must keep using humour and satire. Not to do so in the name of political correctness would mean that terrorists had won. Secularism, that is, the principle of the separation of State and religion, must also be protected.

**12.** Freedom of expression, in particular that of journalists, writers and other artists, must be protected and governments of member States should not interfere with the exercise of that freedom, be it in printed or electronic media, including social media. In this respect, the Assembly condemns declarations against media freedom made by certain authorities in the aftermath of the attacks on *Charlie Hebdo*.

**13.** The Assembly firmly believes that democracies have the right, and the obligation, to defend themselves when attacked. It thus finds that the fight against terrorism and jihadism must be reinforced while ensuring respect for human rights, the rule of law and the common values upheld by the Council of Europe.

**14.** In this respect, the Assembly recalls its [Resolution 1840 \(2011\)](#) on human rights and the fight against terrorism, in which it stated that the concept of “war on terror” was misleading and unhelpful and was a threat to the entire framework of international human rights. Terrorists are criminals not soldiers, and terrorist

crimes are not akin to acts of war. It calls in particular on member States to:

**14.1.** ensure that a fair balance be struck between defending freedom and security while avoiding the violation of those very rights;

**14.2.** refrain from indiscriminate mass surveillance which has proven to be ineffective for the prevention of terrorism and therefore is not only dangerous for the respect of human rights but also a waste of resources;

**14.3.** grant appropriate means to law-enforcement bodies and security and intelligence services and provide training to their members to cope with the rising threat of terrorism, including the jihadist threat;

**14.4.** ensure that intelligence services from different European countries increase their collaboration. Co-operation with other democracies as well as with countries in the Middle East and the Arab world is also important;

**14.5.** share national records of persons convicted of terrorist offences as well as information on airline passengers posing security threats, subject to appropriate data protection guarantees;

**14.6.** pay serious attention to the ways in which money and weapons end up in the hands of potential terrorists, in order to dismantle such networks and punish the culprits.

**15.** With a view to strengthening the legal action against terrorism, the Assembly also:

**15.1.** calls on Council of Europe member States, and neighbouring countries, which have not yet done so, to sign and ratify, as a matter of priority, the Council of Europe Convention on the Prevention of Terrorism (CETS No. 196);

**15.2.** welcomes and fully supports the preparation of an additional protocol on “foreign terrorist fighters” to the Convention on the Prevention of Terrorism, an issue which the Assembly itself follows closely;

**15.3.** supports the demands by several member States of the European Union asking the European Parliament to reconsider its position on the Passenger Name Record (PNR) system, which it has been blocking for almost two years, subject to appropriate data protection guarantees.

**16.** The Assembly invites newspapers and television channels to consider a code of conduct regarding coverage of terrorist events, striking a balance between the need for freedom of information and the needs of police action.

**17.** The Assembly underlines that security responses must be accompanied by preventive measures aimed at eradicating the root causes of radicalisation and the rise of religious fanaticism, especially among young

people. In this respect, the Assembly asks member States in particular to:

**17.1.** study carefully the situation in prisons and the ways in which prisoners are indoctrinated into terrorism, and in particular jihadism, and take measures to counter this phenomenon;

**17.2.** closely monitor the Internet and social media with a view, in particular, to fighting hate speech, radicalisation and cyber-jihadism;

**17.3.** grant appropriate means and resources to schools and teachers to promote education for democratic citizenship and human rights, with special emphasis given to education in marginalised and disadvantaged contexts;

**17.4.** promote intercultural dialogue and the “living together” model, including in schools;

**17.5.** take measures to combat marginalisation, social exclusion, discrimination and segregation, especially among young people in disadvantaged neighbourhoods;

**17.6.** support families in their role of educating their children to respect the values of democracy and tolerance;

**17.7.** protect journalists, writers and other artists from extremist threats and refrain from any interference with the exercise of their freedom of expression, in full compliance with the law, be it in printed or electronic media, including social media;

**17.8.** support action by the Council of Europe in the above-mentioned areas and allocate appropriate means and resources, in line with the proposals made by the Secretary General of the Council of Europe.

**18.** For its part, the Assembly resolves to continue to follow closely and try to tackle, through the work of its committees and the newly launched No Hate Parliamentary Alliance, the main challenges arising from the recent terrorist attacks in Paris, namely: the need to live together; the upsurge of the jihadist threat and the issue of jihadists arriving from Europe to fight in Iraq and Syria; the protection of human rights in the fight against terrorism; the need to combat the root causes of radicalisation and religious fanaticism, such as social exclusion, discrimination or even segregation; the process of radicalisation in prisons; the continuing fight against hate speech, racism and intolerance, including anti-Semitism and Islamophobia; and the role of education for democratic citizenship, human rights and intercultural dialogue.

## **Recommendation 2061 (2015)**

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**1.** The Parliamentary Assembly refers to its [Resolution 2031 \(2015\)](#) “Terrorist attacks in Paris: together for a democratic response” in which it expressed its outrage at the killing of 17 people, including journalists, cartoonists and staff killed in cold blood at the offices of the satirical magazine *Charlie Hebdo*, policemen exercising their duty and people taken hostage merely because they were of the Jewish faith. The Assembly conveys its sympathy to the families of the victims and expresses its solidarity with the French people and authorities.

**2.** The Assembly considers that, more than an assault on freedom of expression, aimed at silencing and intimidating critical voices, or another act of anti-Semitic violence – which they also were – these were attacks against the very values of democracy and freedom in general. It underlines that any security responses aimed at reinforcing the fight against terrorism and jihadism in full respect of human rights must be accompanied by preventive measures aimed at eradicating the root causes of radicalisation and the rise of religious fanaticism.

**3.** The Assembly therefore asks the Committee of Ministers to:

**3.1.** bring to the attention of the governments of the member States the specific recommendations addressed to them in this respect in [Resolution 2031 \(2015\)](#);

**3.2.** allocate appropriate means and resources to implement the proposals made by the Secretary General of the Council of Europe for immediate action by the Council of Europe to combat radicalisation leading to terrorism.

**[www.coe.int](http://www.coe.int)**

The Council of Europe is the continent's leading human rights organisation. It comprises 47 member states, including all members of the European Union. The Parliamentary Assembly, consisting of representatives from the 47 national parliaments, provides a forum for debate and proposals on Europe's social and political issues. Many Council of Europe conventions originate from the Assembly, including the European Convention on Human Rights.