Parliamentary Assembly
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COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

Recommendation 1275 (1995)[1]

Fight against racism, xenophobia, anti-Semitism and intolerance

Parliamentary Assembly

1. The Assembly, referring to its Recommendation 1222 (1993), is seriously worried by the resurgence of racism, anti-Semitism, xenophobia and intolerance in Europe, and condemns the resulting acts of violence.

2. However, the Assembly notes with great satisfaction the overwhelming positive response of the public in most member states of the Council of Europe directed against these acts and attitudes.

3. In particular, the Assembly welcomes the awareness-raising campaigns conducted at local, national and international level in this field. It especially approves of the plan of action on combating racism, xenophobia, anti-Semitism and intolerance, adopted by the heads of state and government at the Council of Europe Vienna Summit in October 1993, resulting in the launching of the European Youth Campaign and the creation of the European Commission against Racism and Intolerance.

4. The Assembly wishes to emphasise some basic policy concerns already voiced in Recommendation 1222 (1993), namely:

4.1. the importance of addressing the root causes of racism, anti-Semitism, xenophobia and intolerance;

4.2. the crucial role the media could play in presenting an open and tolerant society to the public, and in countering prejudice and hatred;

4.3. the need for prevention through education of the general public (especially of schoolchildren and university students), support for victims, and the protection and promotion of cultural diversity.

5. In the near future, the Assembly expects to discuss reports on media and migrants, the learning of history, electronic democracy and the power of the visual image all of which will also deal with the fight against racism, anti-Semitism, xenophobia and intolerance in their respective fields.

6. The Assembly recommends that the Committee of Ministers:

6.1. continue to actively work on the problems of racism, xenophobia, anti-Semitism, and all religious and other forms of intolerance, and to involve the Assembly as much as possible in its activities in this field, keeping it informed of all developments;

6.2. strengthen the mandate of the European Commission Against Racism and Intolerance, to include the right to monitor member states' compliance with international legal obligations, as already recommended in Assembly Recommendation 1222 (1993), and to lay down guidelines and common principles for a Europe-wide strategy in this area and increase its resources;

6.3. promote the work on an additional protocol to the European Convention on Human Rights strengthening the non-discrimination clause of Article 14;

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1. Assembly debate on 28 June 1995 (21st Sitting) (see Doc. 7318, report of the Committee on Legal Affairs and Human Rights, rapporteur: Mr López Henares; Doc. 7337, opinion of the Political Affairs Committee, rapporteur: Mr Bársony; and Doc. 7324, opinion of the Committee on Migration, Refugees and Demography, rapporteur: Mrs Brasseur). Text adopted by the Assembly on 28 June 1995 (21st Sitting).

6.4. appoint a European High Commissioner for Refugees as already suggested in Assembly Recommendation 1236 (1994) to work in close co-operation with the United Nations High Commissioner for Refugees, as a means of getting to the roots of problems in member states regarding asylum-seekers, refugees, and the tide of xenophobia currently engulfing them. His or her mandate would include:

a. developing guidelines to be observed by all member states of the Council of Europe in the field of asylum-seekers, refugees and stateless persons - basing itself on the 1951 Geneva Convention, its 1967 New York Protocol, and the work of UNHCR;

b. promoting, inter alia, policies and measures which would be aimed at improving solidarity between member states as regards the consequences of receiving refugees and asylum-seekers;

6.5. appoint a mediator for "Gypsies" (Roma and Sinti) along the lines proposed in Recommendation 1203.

7. The Assembly further recommends that the Committee of Ministers call on member states of the Council of Europe:

7.1. to sign and ratify, without delay, the European Framework Convention for the Protection of National Minorities, if they have not already done so, and to conduct their policy according to the principles laid down in Assembly Recommendation 1201 (1993) on an additional protocol on the rights of minorities to the European Convention on Human Rights;

7.2. to sign and ratify the European Charter for Regional and Minority Languages;

7.3. to sign and ratify, as a matter of priority, the International Convention on the Elimination of All Forms of Racial Discrimination, if they have not already done so;

7.4. to examine their national legislation and practice and to abolish still existent legislation and practices which have a direct or indirect discriminating effect;

7.5. to introduce specific legislation on a national level against racism, xenophobia, anti-Semitism, and all religious and other forms of intolerance, with a view to increasing the transparency of legal provisions and facilitating their implementation;

7.6. to incorporate in their domestic law, and implement in practice, minority rights in line with Recommendation 1201 (1993) of the Assembly, and provisions aiming at preventing or reducing statelessness, in order to attack the roots of current problems;

7.7. to adopt forthwith measures for the release of persons imprisoned on the sole ground of having conducted non-violent information campaigns in order to secure recognition for ethnic and linguistic minorities;

7.8. to set up supervisory and consultative bodies of the ombudsman or commission type on the problems of racism, xenophobia, anti-Semitism, and all religious and other forms of intolerance, with the authorisation to examine individual complaints, and to enhance the mandate of such bodies in the cases where they already exist;

7.9. to grant voting rights in local elections to resident aliens (after a certain period of residence in the respective country), to encourage their integration, as already proposed in Recommendation 1082 (1988);

7.10. to continue to conduct, or to put into place, national and local awareness-raising campaigns against racism, xenophobia, anti-Semitism, and all religious and other forms of intolerance;

7.11. to introduce effective measures to guarantee accessible judicial and social assistance to victims of racism, xenophobia, anti-Semitism and all religious and other forms of intolerance;

7.12. to encourage the drawing up of self-regulatory codes of conduct, as already proposed in Recommendation 1215 (1993) on the ethics of journalism, setting professional and ethical standards for journalists and broadcasters, prohibiting the instigation to racial discrimination, violence, hatred and intolerance in the media while respecting freedom of speech;

7.13. to promote the setting up and the activity of self-regulatory bodies supervising the implementation of codes of conduct for the media, and to give publicity to the positive results of the work of such bodies;

7.14. to support electronic media projects for programmes on national minorities and migrant groups and their history and religion;

7.15. to promote education and research in a spirit of tolerance and respect for cultural diversity, and to encourage projects on textbooks in the field of history and humanities in general to this end, as well as cultural exchanges.