Parliamentary Assembly
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COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

Resolution 1967 (2014)[1]
Final version

A strategy to prevent racism and intolerance in Europe

Parliamentary Assembly

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.

1. *Assembly debate* on 28 January 2014 (4th Sitting) (see Doc. 13385, report of the Committee on Equality and Non-Discrimination, rapporteur: Mr Jonas Gunnarsson). *Text adopted by the Assembly* on 28 January 2014 (4th Sitting).
See also Recommendation 2032 (2014).

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.