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**Report from the  
Forum of Non-Governmental  
Organisations**

**«End Racism Now!»**

**(Strasbourg, 10-11 October 2000)**

**prior to the European Conference  
against Racism**

11 October 2000

## Introduction

We, some 250 representatives of non-governmental organisations, met on 10 and 11 October 2000 in Strasbourg to discuss the issue of racism, racial discrimination, xenophobia and intolerance, including anti-Semitism and islamophobia and all forms of religious intolerance in Europe.

In the course of these two days, we reaffirmed our determination and commitment to combat all forms of racism, racial discrimination, xenophobia and intolerance, including anti-Semitism and islamophobia and all forms of religious intolerance, whether in their institutionalised form, resulting from doctrines and practices of so-called 'racial superiority' or exclusivity or any other of the varied manifestations of such phenomena.

We deplore the resurgence of racism, racial discrimination, xenophobia and intolerance, including anti-Semitism and islamophobia and all forms of religious intolerance, and a persistent climate of intolerance and acts of violence. Efforts undertaken by the international community to combat these phenomena are inadequate and must be reinforced.

In particular, we are appalled by the recent electoral success in Europe of political parties disseminating and promoting racist and xenophobic ideology.

When considering the various forms of racism, racial discrimination, xenophobia and intolerance, including anti-Semitism and islamophobia and all forms of religious intolerance, and ways to remedy them, the history of Europe, in particular slave trade, colonialism, and the Holocaust, has to be borne in mind.

We strongly deplore the degrading treatment and the discriminatory practices accompanying acts of racism, racial discrimination, xenophobia and intolerance, including anti-Semitism and islamophobia and all forms of religious intolerance, throughout Europe and other regions of the world.

We are equally alarmed by the development and persistence of aggressive nationalism and ethnocentrism which constitute re-emerging expressions of xenophobia, thriving in particular in many Eastern and Central European countries and countries of the former Soviet Union. These phenomena have lead over recent years to serious and large-scale violations of human rights, hatred, discrimination and persecution targeting specific groups such as peoples from the Caucasus region in Russia, and in some cases to "ethnic cleansing" such as that perpetrated in the former Yugoslavia. We warn governments that ignoring these phenomena may lead to further tragic developments.

We are deeply concerned by institutionalised discrimination suffered by “third country nationals” in Europe. We particularly condemn laws and policies that create and perpetuate discrimination on the basis of nationality, and strongly urge governments to undertake a serious review of such laws and policies.

We are gravely concerned that the growth of often violent racism and xenophobia against migrants and refugees is fed by restrictive immigration policies; increasingly narrow interpretations of government obligations to protect refugees; the resulting reliance by all categories of migrants on clandestine means of entry; the consequent criminalisation of so-called illegal migrants; the stigmatisation of refugees as “bogus asylum seekers” and the scapegoating of migrants and refugees as criminals and a cause of unemployment.

We have recognised the significance of the current debate in Europe regarding migration and its negative effect on migrants’ rights and refugee protection with the establishment of a Working Group on Immigration and Asylum. We note with disappointment, however, that the official European Conference has no such working group to discuss these critical issues and their relationship to xenophobia.

We urge the European Conference to address the issues of migrants rights and refugee protection as a cross-cutting theme in each of the established working groups and that the General Conclusions of the Conference strongly recommend that a Working Group on Migration and Refugee Protection be placed on the agenda of the World Conference.

In respect to the agenda of the World Conference, we also wish to draw attention to the discrimination based on occupation and descent, such as that practised against the Dalits of south Asia, against the Burakumin of Japan and in some parts of west Africa, which consists of a complex series of violations of human rights against a significant proportion of humanity. We call for explicit and systematic attention by the World Conference to this “hidden apartheid.”

We are also concerned by the current forms of globalisation and the policies of international financial and trade institutions which lead to a deterioration of the economic and social situation in many countries, pressure governments to adopt measures in violation of their obligations under international human rights instruments, deepen the social exclusion of the groups that are most at risk and marginalised<sup>1</sup>, and are likely to foster tensions and manifestations of racism, racial discrimination, xenophobia and intolerance, including anti-Semitism and islamophobia and all forms of religious intolerance.

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<sup>1</sup> These groups include members of racial, ethnic, national, religious, and linguistic minorities, indigenous peoples, refugees and asylum seekers, migrants, other non-citizens and undocumented persons and persons of immigrant origin.

All multilateral and governmental donors must actively address institutional discrimination in the administration of their aid programmes and take necessary measures to ensure the provision of appropriate and non-discriminatory forms of aid, including through emergency relief.

We condemn the role of European states in perpetuating or creating the abhorrent conditions in states from which migrants and refugees originate, and demand that they, by act or omission, put an end to this complicity.

We are convinced that racism, racial discrimination, xenophobia and intolerance, including anti-Semitism and islamophobia and all forms of religious intolerance, threaten democratic societies and their fundamental values. We believe that bringing about democracy and pluralism throughout Europe and all other regions of the world demands from all States renewed efforts to eradicate racism, racial discrimination, xenophobia and intolerance, including anti-Semitism and islamophobia and all forms of religious intolerance.

Conversely, we remind governments that any combat against racism and its diverse manifestations is only effective if it is done in the larger framework of respect, protection and realisation of all human rights, which are universal, indivisible, interrelated and interdependent, whether they be civil and political, or economic, social and cultural; economic, social and cultural rights are those that are the most often breached when persons and groups are discriminated against on the basis of racism, racial discrimination, xenophobia and intolerance, including anti-Semitism and islamophobia and all forms of religious intolerance.

We believe that intergovernmental organisations such as the United Nations, the OSCE, the Council of Europe and the European Union have a key role to play in combating racism and discrimination. The adoption of new instruments such as the 12th Additional Protocol to the European Convention for the Protection of Human Rights and Fundamental Freedoms on equality and non-discrimination and Directive 2000/43 "implementing the principle of equal treatment between persons irrespective of racial or ethnic origin," adopted by the Council of the European Union last June are steps in the right direction. No instrument, however, has any value if it is not duly implemented at all levels and in particular at the domestic level. The relevant UN and European bodies, in particular the European Commission against Racism and Intolerance, the European Union Monitoring Centre on Racism and Xenophobia, and the OSCE High Commissioner on National Minorities contribute usefully to combating racism, racial discrimination, xenophobia and intolerance, including anti-Semitism and islamophobia and all forms of religious intolerance throughout Europe, but should be provided with more adequate resources if States are truly committed to enhance their effectiveness.

The recommendations below were discussed and elaborated in five separate working groups and, following a set of general remarks and recommendations, are presented under the following headings:

- Legal protection against racism and related discrimination at national, regional and international levels;
- Policies and practices to combat racism and related discrimination at sub-national and national level;
- Education and awareness-raising to combat racism, related discrimination and extremism at local, national and international levels;
- Information, communication and the media;
- Immigration and asylum.

# RECOMMENDATIONS

## I. General remarks and recommendations

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When acting upon the recommendations presented below, all parties concerned must bear in mind the following general points and recommendations:

1. Racism, racial discrimination, xenophobia and related intolerance are among the most serious violations of human rights in the contemporary world and constitute a breach of international human rights norms; we urge governments to condemn them in the strongest possible terms, to combat them by all lawful means, and to take immediate steps to put an end to them and bring their perpetrators to justice;
2. All persons are equal before the law and are entitled to equal protection of the law, and as such, regardless of their origin, enjoy the same rights and opportunities;
3. We demand that all European governments condemn unequivocally and refrain from any collaboration with governments which include members of political parties disseminating and promoting racial and xenophobic ideology; in this respect, we deplore the easing of "sanctions" against the Austrian government;
4. Racism, racial discrimination, xenophobia and intolerance, including anti-Semitism and islamophobia and all forms of religious intolerance affect primarily members of racial, ethnic, national, religious, and linguistic minorities, indigenous peoples, refugees and asylum seekers, migrants, other non-citizens and undocumented persons and persons of immigrant origin;
5. Roma, Gypsies, Sinti and Travellers are in a unique position in Europe, in that they are particularly disadvantaged, subjected to discrimination, and denied redress; Roma, Gypsies, Sinti and Travellers as a whole, dispersed in a worldwide diaspora, should receive particular attention at the international and the European levels as a transnational minority group;

6. Some individuals and groups are the primary victims of discrimination owing to the interplay of discrimination based on racial or ethnic origin, and discrimination based on other grounds such as gender, sexual orientation, age, disability, religion, language, political or other opinion, birth or other status;
7. Women experience racism in ways which reinforce gender oppression. We call for the development of targeted actions to promote the inclusion of women from minority ethnic groups in their own right in all aspects of civil, political, economic, social and cultural life and to address the racism and discrimination they experience.
8. Migration is often caused by situations compelling individuals and groups of individuals to seek refuge from persecution and to flee places where their human rights, whether they be civil, political, economic, social or cultural, are grossly violated; yet, migrants and asylum seekers are often the primary targets of racism, racial discrimination, xenophobia and intolerance, including anti-Semitism and islamophobia and all forms of religious intolerance in their host State;
9. The legacy of slave trade and colonialism continues to have consequences in present times and remains at the root of some acts of racism, racial discrimination, xenophobia and intolerance. It is necessary, so that society can be reconciled with its own history, that the truth concerning slavery, slave trade and colonialism, be publicly acknowledged. Former colonial powers and other parties involved have the moral duty to grant reparation to victims of slave trade and colonialism. Such reparation may take the form of restitution, compensation, rehabilitation and satisfaction as well as measures which guarantee non-repetition. The World Conference against Racism in 2001 will constitute an important opportunity to publicly apologise to the victims and their descendants;
10. Lessons must be drawn from the experience of the Holocaust, for which no European country can disclaim responsibility. Indifference to the Holocaust, in particular to Holocaust denial, promotes racist attitudes and prejudices;
11. States must recognise the precarious situation of human rights and anti-racist NGOs in many countries and lift any barriers impeding their effective functioning;
12. All non-State actors, including business, social partners, and other private entities must ensure that they do not take part or encourage acts of racism, racial discrimination, xenophobia and intolerance, including anti-Semitism and islamophobia and all forms of religious

intolerance and should be held liable for such acts. Furthermore, we strongly urge that states fully and effectively address their international obligations in relation to the activities of non-state actors;

13. Commitments made by governments on the occasion of the European Conference must be followed by concrete action, and measures taken must be closely monitored with a view to assessing their impact and effectiveness. The World Conference will provide one suitable opportunity to assess progress in implementing these commitments.



## II. Legal protection against racism and related discrimination at national, regional and international levels

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At the international level, we urge all European states to:

14. Sign and ratify without delay and reservations all international instruments providing for equality and non-discrimination,<sup>2</sup> in particular:
  - the 12th Additional Protocol to the European Convention for the Protection of Human Rights and Fundamental Freedoms;<sup>3</sup>
  - the Framework Convention for the Protection of National Minorities;
  - the Revised European Social Charter and the 1995 Additional Protocol providing for a system of collective complaints;
  - the International Convention on the Elimination of All Forms of Racial Discrimination;
  - the International Covenant on Civil and Political Rights;
  - the International Covenant on Economic, Social and Cultural Rights;
  - the Convention on the Elimination of All Forms of Discrimination against Women;
  - the 1990 Convention on the Protection of the Rights of All Migrant Workers and Members of their Families;
15. Make the Declaration recognising the competence of the UN Committee on the Elimination of Racial Discrimination to consider communications from individuals or groups of individuals in accordance with Article 14 of the International Convention on the Elimination of All Forms of Racial Discrimination, and ratify the first Optional Protocol to the International Covenant on Civil and Political Rights and the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women, both allowing for the submission of individual and group complaints;
16. Ensure swift progress towards the adoption of the draft Optional Protocol to the International Covenant on Economic, Social and Cultural Rights providing for a system of individual and group complaints;

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<sup>2</sup> See Annex for a full list of binding universal and European instruments relevant to combating racism, racial discrimination, xenophobia and intolerance. Among other important instruments is the UN Declaration on the Rights of National, Ethnic, Religious and Linguistic Minorities.

<sup>3</sup> This protocol, broadening the scope of Article 14 on non-discrimination, was adopted on 26 June 2000 by the Committee of Ministers of the Council of Europe. It will be open for signature on 4 November 2000.

17. Bring their legislation and practice into compliance with the Council Directive "implementing the principle of equal treatment between persons irrespective of racial or ethnic origin," adopted by the Council of the European Union on 29 June, 2000<sup>4</sup>;
18. Ensure a speedy adoption of the Framework Directive on Discrimination in Employment and a plan of action which were also issued by the European Commission in November 1999 under Article 13 of the Amsterdam Treaty;<sup>5</sup>
19. Ensure that the EU Draft Charter of Fundamental Rights which should protect the rights of all persons, including third country nationals, contains provisions clearly prohibiting any form of racism, racial discrimination, xenophobia and intolerance, including anti-Semitism and islamophobia and all forms of religious intolerance and does not fall below relevant international human rights standards;
20. Protect the rights of all workers, in particular migrant workers, by complying with obligations under International Labour Organisation (ILO) conventions dealing with migrant workers' rights, freedom of association and the right to collective bargaining, discrimination in employment, and standards for child workers; and recognise the 1998 ILO Declaration on Fundamental Principles and Rights at Work which holds governments responsible for respecting and promoting a set of fundamental rights including freedom of association, the elimination of forced labour, the abolition of child labour, and the prohibition against discrimination in employment, even if they have not ratified the relevant ILO conventions;<sup>6</sup>
21. Review existing reservations to relevant human rights instruments with a view to withdrawing them;
22. Ensure the full and effective implementation of those instruments at the national level;
23. Duly and timely comply with reporting obligations provided by the relevant international human rights instruments and publicise and act upon the concluding observations and general recommendations/comments made by the relevant human rights treaty bodies and other supervisory mechanisms;

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<sup>4</sup> NGOs are of the opinion that all European governments, not only of the EU and EU-aspiring states, but continent-wide, should endeavour to meet the standards set by this important new instrument.

<sup>5</sup> This call for adoption is by nature limited to EU Member States. Once adopted, however, the Framework Directive should, similarly to the above-mentioned Race Directive, set the standard continent-wide.

<sup>6</sup> ILO Conventions 87, 97, 98, 138, 143 and 182.

24. Commit themselves to:
- involve relevant national institutions, including parliamentary institutions, in the elaboration of periodic reports and in the analysis of and follow up to conclusions and recommendations issued by human rights treaty bodies and other supervisory mechanisms, in particular by the Committee on the Elimination of Racial Discrimination;
  - encourage this Committee to further implement its early warning and urgent action procedure, establish a procedure for a formal exchange of views with NGOs during its sessions<sup>7</sup> and reinforce its procedure of examination of national situations even in the absence of a state report;
25. Cooperate with and invite shortly on their territory the Special Rapporteurs of the UN Commission on Human Rights, in particular the Special Rapporteur on Religious Intolerance, the Special Rapporteur on Contemporary Forms of Racism, Racial Discrimination, Xenophobia and Related Intolerance, and the Special Rapporteur on the Human Rights of Migrants; to reinforce their respective mandates and; to allocate them the necessary resources and support within the UN Office of High Commissioner for Human Rights;
26. Refrain from nominating government officials to positions of independent experts in UN treaty bodies and relevant European bodies;
27. Reaffirm their support to relevant European bodies, in particular the European Commission against Racism and Intolerance and the Advisory Committee of the Framework Convention for the Protection of National Minorities, and review promptly the resources available and all other means through which the action of these bodies can be reinforced;
28. Fully comply with international humanitarian law obligations and respect non-discrimination provisions binding on all parties to an armed conflict;
29. Reaffirm, in accordance with international law and with the Statute of the International Criminal Court, that the persecution of any identifiable group or collectivity on political, racial, national, ethnic, cultural, religious, gender or other grounds constitutes crimes against humanity and in view of the importance of combating impunity, sign and ratify, if they have not yet done so, the Statute of the International Criminal Court;
30. Ensure that, in accordance with universally recognised human rights norms, all groups and individuals who have fallen victim of human rights violations have the right to reparation, without any distinction based on

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<sup>7</sup> In this context, NGOs welcome the first ever Thematic Discussion in the Committee's history, devoted to the issue of discrimination against Roma and held in August this year.

race, colour, gender, sexual orientation, age, disability, language, religion, political or other opinion, ethnic, national or social origin, property, birth or other status;

31. Increase co-operation and co-ordination between relevant national, regional and international mechanisms and institutions combating racism, racial discrimination, xenophobia and intolerance, including anti-Semitism and islamophobia and all forms of religious intolerance.

At the national level, NGOs call on all European states to:

32. Adopt comprehensive legislation expressly prohibiting discrimination in all spheres of life, including but not limited to education, housing, employment, health care, social services, access to citizenship, access to public places and all other goods and services available to the public;
33. Ensure adequate sanctions against the perpetrators of racist acts and in particular increase sanctions applicable to violent assaults motivated by the actual or presumed racial, ethnic or national origin of the victim;
34. Adopt legislation in accordance with Article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination, declaring illegal and prohibiting organisations promoting and inciting racial discrimination, and recognising participation in such organisations or activities as an offence punishable by law, making hate-speech or other forms of expression which incite hatred, violence or discrimination punishable by law, including by allowing for the lifting of immunity of politicians who commit such crimes;
35. Make the offence of Holocaust denial, negationism, or revisionism punishable by law;
36. Review all existing legislation, rules and administrative procedures, to ensure that no provisions are discriminatory, paying particular attention to legislation, rules and procedures affecting target groups;
37. Ensure that all proposed legislation, rules and administrative procedures are in conformity with international standards on non-discrimination and that there is a mechanism overseeing and guaranteeing compliance with international law;
38. Guarantee effective judicial remedies for all victims of racism, racial discrimination, xenophobia and intolerance, including anti-Semitism and islamophobia and all forms of religious intolerance, in particular by:
  - ensuring that all remedies are accessible, well publicised, uncomplicated, efficient and expedient;

- ensuring that legal assistance, including legal aid, is available to all victims;
  - ensuring that interest groups as well as individuals are able to bring proceedings against the perpetrators of racist acts;
  - shifting the burden of proof to the defendant in certain circumstances, in particular in civil cases in which there is clear prima facie evidence of racial discrimination;
  - protecting witnesses or complainants against victimisation;
39. Provide reparation for victims such as compensation, rehabilitation or satisfaction and the guarantee that measures are taken to prevent the recurrence of violations.

### **III. Policies and practices to combat racism and related discrimination at sub-national and national level**

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We urge all European states to:

40. Involve representatives of target groups at all stages in designing, implementing, monitoring and evaluating policies to combat and prevent racism and related discrimination;
41. Mainstream the issue of combating racism into all national policies and practices and all spheres of public life, including all stages of decision-making. Mainstreaming involves the application of equality proofing, guidelines, participation of groups experiencing racism, positive actions, data collection, proactive monitoring and impact assessment;
42. Adopt, in consultation and collaboration with members of target groups, NGOs, trade unions, other groups of civil society and independent experts, comprehensive national policies and action plans to combat racism, racial discrimination, xenophobia and intolerance, including anti-Semitism and islamophobia and all forms of religious intolerance, and to promote cultural diversity and participation, with specific regard to multiple discrimination as experienced by women;
43. Pay particular attention to and adopt immediate measures to eradicate the widespread discrimination and persecution targeting Roma, Gypsies, Sinti and Travellers throughout much of Europe today, including through the establishment of structures and processes in partnership between public authorities and representatives of Roma, Gypsies and Travellers;
44. Put into effect, reinforce and strengthen the effectiveness of preventive measures to combat racism, racial discrimination, xenophobia and related intolerance, including anti-Semitism and islamophobia and all forms of religious intolerance such as:
  - promote respect for cultural diversity by officials in all spheres of public life, in particular the police, the judiciary and other agents of the administration of justice, agents of the armed forces, teachers and other educationalists, and officials working in the sphere of health and social welfare, including through codes of conduct and professional ethics, such as the Rotterdam Charter for policing in a multi-ethnic society and the MacPherson report;

- public officials speaking out against racism and discrimination;
  - increased intelligence in the area of policing on racist groups and pro-active measures to crack down on racist crimes;
  - ensure that public funds are not awarded to companies or other organisations not committed to non-discriminatory policies;
45. Gather reliable statistical data reflecting as accurately as possible the situation of groups that are the target or potential target of racial or other related forms of discrimination to show the racial impact of policies in the fields of, *inter alia*, employment, housing, education, and criminal justice;<sup>8</sup>
46. Adopt positive measures necessary in order to promote full and effective equality, in particular for those groups, including Roma, Gypsies and Travellers, which have historically suffered systematic discrimination;
47. Ensure that their criminal justice systems effectively combat racism, racial discrimination, xenophobia and intolerance, including anti-Semitism and islamophobia and all forms of religious intolerance. Offences with racist, xenophobic, anti-Semitic, or islamophobic nature must be thoroughly and speedily investigated, prosecuted and adequately sanctioned;
48. Undertake concrete measures to ensure that agents of the criminal justice system, in particular the police and other law enforcement officers, treat target groups and minorities in a fair and just manner without discrimination, and that they are perceived by these groups as doing so, in particular by:
- taking adequate measures to put an end to ill-treatment of persons belonging to target groups by law enforcement officers when in custody;
  - ensuring that mechanisms are set up to carry out independent enquiries when such ill-treatment is alleged;
  - ensuring that sanctions are imposed against the agents of the administration of justice who have perpetrated such ill-treatment;
  - ensuring that reparation, including compensation, is granted to victims of such ill-treatment;
  - providing specific training courses to promote awareness, cultural sensitivity and knowledge of legal aspects relating to discrimination for law enforcement personnel;
  - developing avenues for both formal and informal dialogue between the police and target groups;

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<sup>8</sup> Such information should be collected in compliance with human rights principles and protected against abuse for purposes other than reversing discrimination and improving the overall situation of target groups.

- ensuring that racial, ethnic and national minorities, in particular ethnic minority women, are duly represented in the staff of legal institutions and the criminal justice system, including the police, prosecutorial corps and the judiciary;
  - encouraging the drafting and promotion of codes of conduct on anti-discrimination for all professional groups involved in the administration of justice;
49. Establish independent specialised national institutions combating racism, racial discrimination, xenophobia and related intolerance, including anti-Semitism and islamophobia and all forms of religious intolerance; reinforce and review their independence, monitor their activities, and provide them with adequate resources to ensure their effective functioning;
50. Ensure that such institutions have the competence and capacity to provide alternative remedies, collect and publish data concerning racism, investigate, and provide legal assistance to victims of discrimination;
51. Ensure the full and effective participation of all members of the community, including members of groups that are the target or potential target of racial and related forms of discrimination, in particular ethnic minority women, in the decision-making process, cultural, social and economic life and public affairs, including through granting the right to vote in local elections to lawfully residing third country nationals;
52. Take specific measures to ensure non-discrimination and equality in employment including:
- actively recruit persons from minority groups in the public service;
  - train public officials and all those involved in promoting access to employment to raise their awareness of the barriers to equal opportunity and intercultural sensitivity;
  - ensure that persons belonging to minority groups and other groups who experience multiple discrimination have access to training, including vocational training, which meets their specific needs and improves their employability;
  - stimulate the development of mission statements, codes of conduct and policies on equal treatment at the workplace;
  - provide trade unions the means to represent in negotiations and in court workers discriminated against in the work place;
  - introduce anti-discrimination clauses into all public contracts;



53. Give special attention to protecting foreign domestic workers from discrimination, violence and physical abuse, as well as combating prejudice against them;
54. Ensure equal access of all to health care and to social security services without discrimination, and enable health counselling services in the mother tongue or provide interpretation in a manner consistent with the cultural background of such users;
55. Ensure equal access to housing without discrimination and abolish segregationist housing policies; encourage and set up initiatives which promote the positive and respectful cohabitation of different communities and which encourage the creation of partnerships within the local community.

We call on political parties to:

56. Promote understanding and respect between all persons and provide a clear message that racism has no place within their country;
57. Ensure full and effective representation of members of groups of all racial, ethnic or national origins, religions or beliefs, within their society and take concrete steps such as:
  - sign the Charter of European Political Parties for a Non-Racist Society and follow its principles in the administration of all party affairs;
  - ensure, through internal selection procedures, that all candidates for election are committed to anti-racist policies and that no candidates employ issues with racist or xenophobic connotations or issues which can be exploited by racist organisations in their election campaign;
  - create a unit within the party to promote and facilitate greater input from members of minority groups;
  - refuse support to or from any extremist political parties of a racist or xenophobic character in any form, either explicit or implicit.

## **IV. Education and awareness-raising to combat racism, related discrimination and extremism at local, national and international levels**

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We urge all European states to:

58. Continue studying the deep-rooted causes of racism, racial discrimination, xenophobia and related intolerance, including anti-Semitism and islamophobia and all forms of religious intolerance, focusing in particular on combating all ideologies, policies and practices which lead to or incite such discrimination;
59. Undertake and facilitate awareness-raising campaigns to inform the public at large about these phenomena;
60. Promote appropriate forms of Holocaust remembrance, including an annual Day of Holocaust Remembrance, such as, for example, the International Day against Fascism and Anti-Semitism in commemoration of the Kristallnacht pogrom against the Jews in Vienna on November 9, 1938;
61. Raise awareness of the contemporary phenomena of ethnic cleansing, modern forms of slavery and racial segregation, which result in serious international humanitarian crises and situations of gross and massive human rights violations, as recent manifestations of racism, racial discrimination and xenophobia demonstrate;
62. Acknowledge the catalytic role NGOs play in promoting human rights education and awareness-raising about racism, and encourage and support, including through funding, national and international projects combating racism, racial discrimination, xenophobia and intolerance, including anti-Semitism and islamophobia and all forms of religious intolerance;
63. Implement training programmes on the dangers of racism and intolerance, including sexist prejudices, stereotyping and multiple discrimination and promote respect for cultural diversity by officials in all spheres of public life, in particular the police, the judiciary and other agents of the administration of justice, agents of the armed forces,

teachers and other educationalists, and officials working in the sphere of health and social welfare;

64. Adopt immediate and effective measures in the area of education and youth services to combat prejudices which lead to racial discrimination and in particular:
  - promote knowledge and celebration of cultural diversity among children in order to prevent stereotyping, misinformation and stigmatisation, which can lead to racist and discriminatory behaviour;
  - promote and finance the provision of specific anti-racist education programmes aimed to prevent and combat racism and encourage young people to respect and benefit from cultural diversity;
  - include a human rights dimension in the national curriculum for primary and secondary schools aiming for all pupils to be aware of and understand their rights;
  - engage young people, in particular minority young people and those socially excluded, in the development, design and implementation of educational programmes;
  - incorporate human rights education in teacher-training programmes;
65. Take concrete measures and support intercultural education, with curricula open to all cultures and school materials based on diversity. Review school curricula and text books across all subjects, to ensure that they do not perpetuate stereotypes, prejudices or stigmatisation, convey hate and cause racist, sexist, ethnic or anti-Semitic animosity, with particular attention to teaching of history without bias; provide state support for education in the mother tongue; and ensure equal access to formal and informal education at all levels for all ages including people with special needs;
66. Ensure equal access to education at all levels, including higher education, without discrimination on any ground, for all persons in the territory, irrespective of their legal status and abolish policies and practices promoting or leading to racial segregation in education;
67. Draw lessons from history, including experiences of the past such as slavery, slave trade, colonialism and the Holocaust, allowing for a comprehensive reflection on these events in relation to the roots of racism, racial discrimination, xenophobia and intolerance, including anti-Semitism and islamophobia and all forms of religious intolerance in contemporary society, and ensure a widespread dissemination of this knowledge among young people as well as awareness of the contribution of other peoples to European countries;

68. Ensure that educational institutions implement an agreed policy on equal opportunities and anti-racism, prohibiting bullying and harassment as well as exclusion, to be regularly reviewed by all those working in schools, parents, pupils and students;
69. Ensure that pupils, parents and teachers are given information about how to deal with racist incidents in schools and the remedies available;
70. Take measures to increase the recruitment and promotion of members of minority groups as teachers, and guarantee effective equality of access to the teaching profession.

## V. Information, communication and the media

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We urge all European States to:

71. Organise and support networks of information in the combat against racism and related intolerance at local, national and regional level, and facilitate the key role of NGOs in combating racism and related intolerance, acknowledging their significant role in disseminating information and establishing networks among target groups;
72. Set up or facilitate the provision of free access to sources of information on the rights and remedies of victims of racism, racial discrimination, xenophobia and intolerance, including anti-Semitism and islamophobia and all forms of religious intolerance;
73. Recognise the importance of community media which give a voice to men and women from minority backgrounds, and provide adequate funding to those local grassroots media;
74. Assess compliance of media receiving public funding with professional norms on responsible journalism and promote the involvement of men and women with a minority background in all stages of production and; cut the funding of media which promote racism, racial discrimination, xenophobia, including anti-Semitism and islamophobia and all forms of religious intolerance or refuse to employ men and women with a minority background;
75. Facilitate the setting up of a database of cases brought before the courts about hate speech in the different European countries, to encourage the development of expertise on this matter;
76. Facilitate the setting up of a database of good practice in combating hate speech legally, morally and technically in all media of communication;
77. Supply adequate funding for coordination and networking of NGOs monitoring the media on issues of racism and non-discriminatory reporting;
78. Make it compulsory for all schools of journalism and media training institutes to introduce specific courses on the implications for professionals of working in multi-ethnic and multicultural societies and to include information on such issues in the curriculum;

79. Facilitate and encourage the development or reinforcement of continuous education for media professionals, especially on human rights and anti-racism;
80. Encourage advertisers to establish a code of conduct which prohibits discrimination and advertising messages which portray cultural, religious or ethnic difference in a negative manner, including by reinforcing sexist or other stereotypes and prejudices;
81. Encourage advertisers to make use of the vast possibilities of portraying cultural, religious or ethnic difference in a positive manner;
82. Take into account the specific vulnerability of children to racism in the media, both in cases when they are targeted as a result of their ethnicity, religious or cultural background and in cases when they are targeted for recruitment into neo-Nazi movements;
83. Examine ways in which the Internet can be used in a positive way in combating racism through its rapid and wide-reaching communication;
84. Combat hate speech or any language that induces or reinforces fears and tensions between different racial, ethnic, national, religious or social groups, *inter alia*, by making incitement to racial hatred a punishable offence, paying particular attention to the implementation of such legislation. Attention should be given as well to the rapidly evolving phenomenon of the dissemination of hate speech on the Internet and the specific problems posed by control and monitoring the Internet;
85. Co-ordinate a prompt international response to the dissemination of hate speech and racist material on the Internet and include the important issue of combating racism, racial discrimination, xenophobia and intolerance, including anti-Semitism and islamophobia and all forms of religious intolerance, in all current and future work at international level aimed at the suppression of illegal content on the Internet;
86. Create a dialogue with all providers, in order to discuss voluntary measures to counter racist sites such as blocking sites, installing a filtering system or refusing anonymity to the authors of sites;
87. Develop codes of conduct and self-regulatory measures among access and host providers;
88. Inform and make decision makers and the general public, in particular young Internet-users, more aware of the problem of dissemination of racist messages by the Internet as well as in other forms of public expression and communication such as music and computer games;

89. Include reference to the Internet in their State reports under the International Convention on the Elimination of All Forms of Racial Discrimination.

We call on the Media to:

90. Provide an inclusive coverage of society, by depicting society in its cultural, ethnic, and religious diversity in a balanced and objective manner and by using diverse sources of information, including from men and women with a minority background, reporting in a way which also reflects the perspectives and outlook of groups that are the target or potential target of racism, and in particular:
  - report factually and accurately on acts of racism and intolerance;
  - report objectively and in a sensitive manner on situations of tension between communities;
  - avoid derogatory stereotypical depiction of members of cultural, ethnic, or religious communities, in particular by refraining from irrelevant references to a person's membership in such communities;
  - present a view of cultural diversity and immigration as a structural and positive component of society, in particular by developing a multicultural approach to output specifically geared to children and young people so as to enable them to grow up with the understanding that cultural, religious and ethnic difference is an enriching factor in society;
  - alert public opinion to the dangers of intolerance as well as deepening public understanding and appreciation of all forms of diversity, in particular by challenging the assumptions underlying racist remarks made by speakers in the course of interviews, reports, discussion programmes, etc;
  - Use clear and precise terminology, and in particular, refrain from using the word 'tolerance' and instead, refer to 'understanding and respect;'
91. Promote the recruitment of journalists for print and broadcast media from groups targeted or potential targets of racism, as a reflection of multicultural society in mainstream media. Recognise the importance of equal representation of women of ethnic minority background in the media and in the media professions;
92. Develop self-regulatory codes of conduct with high ethical standard with regard to combat racism in the media;
93. In cooperation with NGOs, learn about and implement projects reflecting best practices, such as the development and wide distribution of video portraits of positive images of minorities and anti-racist work.

## VI. Immigration and asylum

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The rise of xenophobia and racist violence against asylum seekers, refugees and migrants in Europe over the last few years - and emergence of political movements founded on the manipulation of racist fears and the promotion of racist, exclusionary policies – make discrimination against refugees and migrants a serious area of concern. Therefore, we urge all European states to:

94. Comply with their existing refugee protection obligations and promote and protect the fundamental human rights of all migrants;
95. Review existing legislation and jurisprudence as well as asylum and immigration policies to ensure conformity with each state's obligations under universal and regional human rights standards;
96. Put an end to selective admissions policies that reinforce racist and xenophobic attitudes and practices;
97. Eliminate discriminatory treatment by public authorities, in particular police, other law enforcement officers, immigration officers as well as de facto immigration officials such as airport and airline employees, of persons from countries of emigration, asylum seekers and undocumented persons;
98. End custodial detention of asylum seekers who have committed no crime;
99. Facilitate the right of undocumented migrants to seek effective remedies for human rights violations (including police abuse, sexual assault and domestic violence) without fear of detention and summary deportation;
100. End physically abusive methods of restraint during deportations;
101. Grant access to asylum seekers, refugees and migrants to basic economic and social rights as provided in international law, including social security, health care, education, employment, and adequate housing;
102. Provide legal assistance and legal aid to asylum seekers, refugees and migrants;
103. Facilitate entry for purposes of family reunion and integrity and ensure that once admitted, family members enjoy secure and independent



- residence status, including the full enjoyment of all economic, social and cultural rights;
104. Recognise the precarious situation of migrant women and grant them their own independent status in all immigration matters;
  105. Recognise the particular vulnerability of migrant and refugee children, particularly unaccompanied children, and appoint qualified guardians to children separated from their parents or otherwise unaccompanied by a responsible adult;
  106. Review policies and regulations with the view to facilitating regularisation of undocumented persons, and in the meantime, ensure respect for their fundamental human rights and freedoms, including their right to education, health and housing;
  107. Provide human rights education and anti-racism training programmes for key professionals frequently in contact with immigrants and asylum seekers, including customs and immigration officers;
  108. Sign, ratify and implement the 1990 International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families, accept the mechanism of individual complaints provided by the Convention, and refrain from impeding ratification by other States and/or calling for standards explicitly less strict than the 1990 Convention;
  109. Ensure that the two protocols to the currently negotiated International Convention Against Transnational Organised Crime that are designed to combat trafficking in persons and to suppress smuggling of migrants take due account of and include provisions on witness protection and human rights protection, and comply with international human rights standards;
  110. Effectively keep and use disaggregated statistics (i.e. data broken down by race, sex, age, etc.) to assess the complexities of modern migration patterns (e.g. the difference between rights protection for women in low-paid domestic service and professionals in the computer industry or other high-tech fields) in order to allocate resources accordingly;
  111. In relation to refugees and asylum seekers, ensure that their legislation and policies:
    - be based on a full and inclusive application of the 1951 Convention and its 1967 Protocol relating to the Status of Refugees in light of its object and purpose, in particular the Convention's Article 3 on non-discrimination;

- ensure the right of everyone to “seek and to enjoy in other countries asylum from persecution,” as enshrined in the Universal Declaration of Human Rights;
  - not violate the ban on collective expulsions guaranteed under Article 4 of Protocol 4 of the European Convention of Human Rights and Fundamental Freedoms;
  - comply with the provisions of the Convention on the Rights of the Child, in particular articles 2 on non-discrimination and 22 on refugee children;
  - under no circumstances allow for “refoulement” of refugees to the frontiers of territories where their lives or freedom would be threatened;
  - guarantee that no-one will be expelled or extradited when there are reasons to believe that this person may be subject to acts of racism, racial discrimination, xenophobia and intolerance;
  - take due account of and abide by the legal interpretations, policy directives, guidelines and recommendations of the United Nations High Commissioner for Refugees (UNHCR) and recognise the role of this body as guarantor of the correct application of the 1951 Convention;
112. Refrain from an overly restrictive interpretation of the 1951 Convention’s definition of the term “refugee,” in particular by:
- recognising that persecution by non-state agents, combined with a lack of effective protection and remedy offered by the state, may justify a fear of persecution under Article 1 of the Convention, and by;
  - affirming that systematic discrimination on grounds of racial or ethnic origin constitutes persecution for the purposes of the 1951 Convention;
  - acknowledging that women are subject to specific forms of persecution due to their gender;
  - recognising that children are subject to specific forms of persecution such as forced recruitment into armed forces and armed opposition groups;
113. Ensure that any attempts to harmonise asylum policies in Europe be pursued with the view to achieving higher, rather than lower, standards of protection, both in substance and in procedure, in Europe as a whole, and that regardless of the level of harmonisation achieved, full respect for the 1951 Convention be strictly maintained;
114. Review current measures and refrain from introducing any further measures which may be contrary to the spirit of the 1951 Convention and prevent refugees from accessing protection, such as visa regimes, carriers’ sanctions and “safe third country” practices;

115. Abolish any measures designed to expedite the consideration of asylum applications or aimed at deterring asylum applicants from pursuing their claims, such as the excessive classification of asylum applications as “manifestly unfounded,” the separation of families, the detention of asylum seekers and their prosecution when they have entered or attempted to enter the country of destination by unlawful means;
116. Provide financial support to international, intergovernmental, and nongovernmental organisations such as UNHCR and NGOs working in the field of the reception and support of asylum seekers and migrants.

# APPENDIX I

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## European and International Instruments Relevant to Combating Racism, Racial Discrimination, Xenophobia and Intolerance

### (a) At European level:

- the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR) including its Protocols, in particular the newly adopted Protocol 12 broadening the scope of application of the Convention's Article 14 on non-discrimination;
- the Framework Convention for the Protection of National Minorities;
- the European Social Charter, the Revised European Social Charter and its Additional Protocol providing for a system of collective complaints;
- the European Charter for Regional or Minority Languages;
- the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment;
- the Convention on the Participation of Foreigners in Public Life at Local Level;
- the European Convention on Nationality;
- the European Convention on the Legal Status of Migrant Workers;
- the European Convention on Establishment.

### (b) At international level:

- the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) and its Article 14 allowing for the submission of individual complaints;
- the International Covenant on Civil and Political Rights (ICCPR) and its Optional Protocol allowing for the submission of individual complaints;
- the International Covenant on Economic, Social and Cultural Rights (ICESCR);
- the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment (CAT);
- the Convention on the Rights of the Child (CRC);
- the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and its optional protocol allowing for the submission of individual or collective complaints;
- the 1990 Convention on the Protection of the Rights of All Migrant Workers and Members of their Families;
- the ILO Convention No. 169 on Indigenous and Tribal Peoples;

- the ILO Convention No. 111 Concerning Discrimination (Employment and Occupation);
- the UNESCO Convention against Discrimination in Education;
- the 1951 Convention relating to the Status of Refugees and its 1967 Additional Protocol;
- the 1954 Convention relating to the Status of Stateless Persons;
- the Convention on the Prevention and Punishment of the Crime of Genocide;
- the Geneva Conventions and their Additional Protocols;
- the Rome Statute of the International Criminal Court.