

RECOMMENDATIONS TO THE OSCE CHAIRMANSHIP CONFERENCE ON TOLERANCE AND DIVERSITY, BERLIN, 20 OCTOBER 2016

On 19 October 2016, representatives of civil society groups and organizations met in Berlin for the Pre-Conference for Civil Society before the OSCE Chairmanship Conference on Tolerance and Diversity. The main purpose was to provide civil society with an opportunity to discuss current issues and priorities related to the topics of the Chairmanship Conference on Tolerance and Diversity across the OSCE region and to prepare recommendations to the OSCE participating States, the OSCE institutions and civil society on the development and implementation of OSCE commitments for the promotion of tolerance and diversity.

The following recommendations were submitted and presented by civil society:¹

On education for tolerance and diversity

OSCE participating States should:

- With the support of OSCE institutions, encourage co-operation between state actors and civil society in implementing projects in both formal and informal education.
- Foster a long-term structural commitment in facilitating dialogue between educational institutions and civil society groups and organizations working together in the field.
- Make inclusive teaching and non-discrimination education part of the professional development of future generations of teachers by making it mandatory during the initial teacher training. All teachers should gain the skills needed to be inclusive to all students and to respond to any form of exclusion or hate speech. A multi-dimensional approach to tolerance education should make diversity a positive experience.
- Within teacher training, give special attention to: the promotion of multi-perceptivity, for example in history and literature education; to the skills needed for dealing with sensitive topics; in pedagogy geared to developing critical thinking and empathy.
- Include tolerance education in many forms of education, for example in media education. This is of particular relevance for the outreach to many young people inside and outside of formal education and illustrates that there is a chance to recognize patterns of hate in the media and the power to oppose this.
- Ensure that the narratives of underrepresented minorities and diasporas are mainstreamed and integrated into school subjects across disciplines whether history, geography, media literacy education, civics.

OSCE institutions can play an important role in strengthening international co-operation and exchange of good practice, and should facilitate long-term coalition building between civil society groups and organizations. In particular, they should:

- Avoid fragmentation in education on intolerance and should mainstream non-discrimination approaches. Human rights abuses, hate speech and discrimination should be taken as a shared concern. Sharing both the common experiences of minority groups and acknowledging specific contemporary and historical specificities should be part of mainstreaming non-discrimination education.

1 Opinions and recommendations expressed in this document do not reflect the position of and / or recommendations of the OSCE Chairmanship or the OSCE.

- Encourage research on the effectiveness of both their own work and of projects run by governments and civil society groups and organizations: Which recommendations have had a positive influence in achieving the set goals; which projects are effective in relation to our goals?
- Encourage educational projects that have a common human rights framework and take account of intersectionality, but also take into account the specific regional contexts and the way in which contemporary developments are a threat to our societies.

On combating hatred in social media

OSCE participating States can play an important role in engaging civil society coalitions as a key tool for successful implementation of preventative measures in tackling hate speech. In particular, they should:

- Strengthen international co-operation and exchange of good practice while facilitating long-term coalition building between civil society groups and organizations.
- Address the needs in tackling hate speech based on the different contexts of each region.
- Educate and raise awareness on tackling hate speech within the formal and non-formal education systems.
- Have in place laws and legislations against hate speech.

Civil society groups and organizations should:

- Provide counter narrative in promoting positive, inclusive and cohesive messages promoting tolerance and non-discrimination.
- Work with the media developing ethical and self-regulatory standards to tackle hate speech and bring positive change while ensuring that the freedom of information and expression is preserved and maintained.

OSCE participating States should support civil society organizations to:

- Push social media companies / Internet providers to take a more responsible approach in tackling hate speech.
- Monitor the implementation of the laws / agreements that are in place with governments, taskforces.
- Hold them accountable for noncompliance to commitments.
- Support investigative journalism as a mean to expose online hate speech.
- Support academic research highlighting the impact of hatred policies.
- Push social media companies to invest in a social fund to run research on hate speech under their Corporate Social Responsibility programs.
- Work collectively locally and globally on a definition for hate speech.
- Work with public authorities and political leaders on tackling hate speech.
- Reinforce the need for social cohesion and respect for all faiths and minorities as a strength of democracy.

On effective safeguards against discrimination

OSCE participating States should, with special priority:

- Collect, maintain and make public, reliable data and statistics in sufficient detail on discriminatory acts.
- Promote a culture of non-discrimination that: raises awareness for intolerance and discrimination as an everyday experience and a social reality; provides people who have been discriminated against as well as people / organizations responsible for the discrimination with tools to constructively deal with discrimination and to drive change.

- Ensure participation of civil society groups and organizations in drafting and implementing legislations, national action plans and projects on preventing and responding to hate crime and fighting intolerance and discrimination.
- Ensure access to justice for victims of discrimination and hate crime by eliminating barriers and providing legal standing to civil society groups and organizations to file discrimination cases.
- Include sexual orientation, gender identity and disability to the list of discriminatory grounds recognized by Principle 13.7 of the *Concluding Document of the Vienna Meeting of Representatives of the Participating States of the Conference on Security and Co-operation in Europe* (1989).
- Develop and support an infrastructure of governmental and non-governmental groups and organizations within and outside the institutions enabling and empowering people to claim their rights when they encounter discrimination and / or to act on their behalf.

In addition, OSCE participating States should:

- Adopt stand-alone comprehensive national legislation prohibiting all forms of discriminatory acts, consulting civil society in the drafting procedure.
- Consider inaccessibility as a form of discrimination.
- Enhance national anti-discrimination mechanisms by providing them with effective investigative power into alleged acts of discrimination and mandating them to issue legally binding decisions.
- Provide for an independent complaints structure in cases where public and governmental institutions have performed their duties in a discriminatory way.
- Provide adequate public funding for measures aimed to prevent and respond to discrimination, including accessibility for disable people.
- Analyse the reasons of underreporting of cases of discrimination and hate crimes and implement practical solutions to this end.
- Compile and publish a national report on hate crimes.
- Consider how vulnerability is an attitude and barrier to seeing crime as crime, as in the case of hate crime where vulnerability is used to excuse the crimes committed to disabled people.
- Train law enforcement agencies and criminal justice personnel in taking into account the personal characteristics of the victims as well as the nature and circumstances of the alleged crime when assessing the victims' needs and responding to the report.
- Ensure safeguards in the form of effective monitoring and audit mechanisms, making observations and reports by visiting the places of the sources.
- Ensure that state sponsored media does not reinforce or promote negative stereotypes of any group.

Political parties and leaders should:

- Prioritize the active recruitment of minority candidates to overcome the lack of representation in political life of minorities and targeted groups.

The Personal Representatives of the OSCE Chairperson-in-Office on Combating Racism, Xenophobia and Discrimination should:

- Focus on, and adopt a standardized approach to, country visits and subsequent reports.
- Intervene when episodes of intolerance and discrimination occur, through public statements and engagement with authorities of relevant OSCE participating States.

OSCE structures should:

- Make sure that all events are accessible and disabled people are not treated differently.

On coalitions of civil society groups and organizations

OSCE participating States should engage civil society coalitions as a key tool for successful implementation of core commitments on tolerance and non-discrimination. In particular, they should:

- Craft funding opportunities that target initiatives by inclusive groups of organizations. The pooling of assets, skills, and experiences increases chances for greater reach and success and promotes multiculturalism, and emphasizes the intersectionality of discrimination and bigotry issues.
- Form national anti-discrimination bodies in which diverse civil society coalitions are full members together with officials responsible for victim support, or responding to hate violence and discrimination, including violence against women, and addressing consequences of armed conflicts.
- Create task forces on issues like hate crimes comprised of civil society coalitions can include national and local officials like ombudsmen or law enforcement authorities who are the first responders to hate crime and discrimination.
- Incentivize regularized and successful engagement with civil society a benchmark of success in public service careers. National Human Rights Institutions should be tasked with taking stock of civil society engagement by government agencies to elevate success and shine a light on this aspect of government responsibility.
- Create offices of civil society engagement within the bureaus of heads of state to bring the voices of the full range of civil society into policy making at the highest decision making level. This signals the priority of this engagement by officials in other ministries and at the local level. State officials should establish a regular roundtable or consultation with civil society coalitions broadly.
- Lead by example by: relating to diaspora communities as full constituents, not as representing a foreign nationality; enfranchising communities that, even within the human rights movement, are marginalized.

The OSCE Ministerial Council should:

- Adopt a decision about the essential role civil society plays, not just around the margins, but to affirm that civil society participation is at the heart of whether government efforts to implement commitments will succeed.
- Create a special mandate on civil society participation in the OSCE region.
- Note the commencement of the *UN Decade of People of African Descent* and urge the next OSCE Chairmanship to convene a high-level meeting of civil society networks across OSCE participating States to focus on broadening the diversity of communities the government partners with.
- Encourage and support cross-border networks and coalitions to ensure the widest possible inclusion of all actors, as well as areas where civil society activity is limited or restricted. Funding through multilateral bodies like OSCE can create safe space and opportunities for this network building.