

Joining forces against antisemitic and anti-Muslim hatred in the EU: outcomes of the first Annual Colloquium on Fundamental Rights

Brussels, 9 October 2015

On 1-2 October 2015, First Vice-President Frans **Timmermans** and Commissioner Věra **Jourová** hosted the European Commission's first [Annual Colloquium on Fundamental Rights](#)¹.

The high-level Colloquium brought together, in an **interactive roundtable discussion**, local, national and EU policy makers, international and civil society organisations, religious and community leaders, equality bodies, representatives from the worlds of education, work and media, and renowned academics and philosophers. Participants examined the underlying reasons behind the surge in antisemitic and anti-Muslim incidents in Europe; identified avenues to urgently address these phenomena; and **agreed to join forces to encourage a culture of inclusive tolerance and respect in the European Union**.

It was the first time that at EU level representatives from both Muslim and Jewish communities from across Europe have sat in the same room to discuss how to combat antisemitic and anti-Muslim hatred, an issue described by First Vice-President **Timmermans** as of "*existential importance to the future of Europe*". 25 Member States took part in the exchanges, listening and responding to concerns raised by individuals and grassroots organisations. Commissioner Věra **Jourová**, echoing several participants said, "*Combating anti-Muslim and antisemitic hatred is not an issue for the Muslim and Jewish communities alone. It is an issue about society as a whole. It is about basic principles and our core values*".

In the opening session, participants shared **testimonies, examples and data**, illustrating the speed at which antisemitic and anti-Muslim incidents have grown in recent years, both in numbers and level of violence. "*Europe has failed if its citizens live in fear. Fear is fuelled by ignorance and opens a wide door to violence*" one participant said, whose opinion was echoed by many others.

Action was called for to address antisemitic and anti-Muslim hatred, taking into account the specific features of each phenomenon. In this respect, the First Vice-President Timmermans announced the nomination, within the Commission, of **two coordinators**, one for antisemitism and one for Islamophobia, to help ensure coordination of European efforts on antisemitic and anti-Muslim hatred. "*I want to be in direct control of this*," First Vice-President Timmermans said. "*I will be your envoy if you want to call it that*".

¹ http://ec.europa.eu/justice/events/colloquium-fundamental-rights-2015/index_en.htm.

It was also made clear in the discussion that both phenomena presented commonalities and were **emblematic of other forms of hatred**. In the concluding discussions it was highlighted that "*the response to antisemitism and islamophobia should deal with both common and separate factors. They need to be addressed with equal attention and robustness, in order to avoid falling in the trap of an unhealthy and unproductive "victimisation competition" [...] all forms of racism and hatred are of concern to us all, to the whole of society*".

The discussion took place against the broader context of the current refugee crisis. Participants underlined that the inflow of a large number of persons from diverse backgrounds, cultures and religions, many of whom are Muslims, added a new element of **urgency to efforts to ensure tolerance and respect in European societies**. It was held that for everyone to be able to fully contribute to the society in which they live, **a mutual process of accommodation is essential**. This implies also building welcoming and inclusive communities where everyone can equally participate on the basis of shared values and in a tolerant and respectful environment. This is a joint responsibility. "*All actors must join forces, create networks and structure cooperation, to contribute towards a democratic, pluralistic, inclusive society*".

Building on the results of the first day, **concrete ways to step up collective action to prevent and combat antisemitic and anti-Muslim hatred were debated in four targeted roundtables**. Focus was put on how to support concrete projects on the ground, exchange best practices, reinforce networks and further promote policies and legislation designed to combat hate crime, hate speech, intolerance and discrimination.

The **crucial role of education** in preventing discrimination and hatred clearly emerged from the debate. Participants highlighted that schools offer a unique opportunity to transmit the values of tolerance and respect, since they reach out to all children from an early age. Teachers should be better equipped to address diversity in the classroom. The importance of supporting **young leaders** and **civil society** to foster exchanges between different communities and promote grass-root projects was also underlined: "*So much can be taught in books, but it is by doing things together that we get to know each other and eventually manage a better living together*".

Hate speech, which incites to violence and hatred, particularly online, was identified as increasingly worrying, and now constituting the main source of hate incidents. Participants underlined the importance of stepping up action to prosecute instances of online hate speech and **cooperating with IT companies and the media** to combat manifestly illegal hate speech and promote counter-narratives emanating from civil society. Social media companies stated their intentions to play their part and presented tools and initiatives to counter hate speech. "*Power must be balanced with responsibility*" many tweeted #NoPlace4Hate.

On **hate crimes**, participants underlined the need for appropriate **investigation, prosecution and sentencing**. Addressing the **lack of comparative data** on hate crimes, the better **recording** of incidents and the **underreporting** by victims were also seen as central. Concerns for the **security** and protection of both Jewish and Muslim individuals, institutions and infrastructures were raised by several participants, calling for a swift implementation of the **EU Agenda on Security**². In this context, participants underlined the importance of preventing **radicalisation**, by supporting **progressive views**, developing **counter-narratives** and fostering **common spaces where communities can meet and discuss**. The need to **avoid negative perceptions** was also stressed, in order to "*move away from demonisation*", as the roundtable's rapporteur pointed out.

Participants shared worrying data on **discrimination** on the basis of religion and/or belief in the workplace and beyond, particularly against Muslim women. This was confirmed by the findings of a very recent Eurobarometer survey on discrimination³. Fighting discrimination requires **better implementation of existing anti-discrimination law** and **filling existing legislative gaps**. Nonetheless, as underlined by Commissioner Marianne Thyssen, "*legislation is not enough; we*

² http://ec.europa.eu/dgs/home-affairs/e-library/documents/basic-documents/docs/eu_agenda_on_security_en.pdf

³ 2015 Eurobarometer on discrimination – published on 1 October 2015:

<http://ec.europa.eu/COMMFrontOffice/PublicOpinion/index.cfm/Survey/getSurveyDetail/instruments/SPECIAL/surveyKy/2077>

need commitment from all actors". The "business sector" was seen as a key driver to promote equality in the workplace, including through diversity charters. The need to raise awareness, exchange best practices and foster training of professionals was underlined. The role of equality bodies was seen as fundamental.

The following **key actions** can be drawn from these discussions. They concern all actors present and call for close **collaboration and ownership**:

- **Empower those active at local level to build a culture of tolerance and respect, in particular through education;**
- **Fight hate speech by working with IT companies, civil society and the media;**
- **Ensure implementation of hate crime laws and new EU rules on protecting the rights of victims of crime and improve recording and data collection of hate crime incidents;**
- **Promote diversity and enforce and strengthen non-discrimination rules.**

"The road to a society of tolerance is still long, but over these two days, I felt your strong determination to roll up your sleeves and get the work done together", said Commissioner Jourová in her concluding remarks. "This Colloquium was about more than words. It was about paving the way towards a more inclusive society, a society where we all feel respected and safe. A society that stands as a fierce defender of democracy, equality, and respect for fundamental rights."

Annex: Key actions on preventing and combating antisemitic and anti-Muslim hatred following the first Annual Colloquium on Fundamental Rights

Building on the results of the Colloquium and drawing on the outcomes of a public consultation⁴, the following actions were identified as key priorities:

1) Empower those active at local level to build a culture of tolerance and respect, in particular through education

Education, be it **at home, at school, through voluntary activities or culture**, plays a crucial role in the prevention of antisemitism, anti-Muslim behaviour and other forms of intolerance. It is essential to impart, at an early age, the fundamental values and principles that constitute the foundation of our societies. **Teachers and educators need to be trained** and given the tools to overcome their own prejudices; interact constructively with children from diverse backgrounds; develop creative ways to address sensitive topics; strengthen children's and young people's ability to think critically; and foster a culture of tolerance and respect amongst the children. **Young leaders** can also make a difference when it comes to developing counter-narratives and fostering a better sense of "living together".

Local authorities are best placed to grasp the challenges faced by their citizens and communities, foster dialogue and come up with solutions, in **cooperation** with national authorities, community leaders, civil society, schools and other local actors, and tailored to the challenges encountered. Examples include **awareness-raising and training** for local officials, **funding** for grass-root projects, and making **public spaces** available for interreligious and intercultural encounters. Such best practices should be exchanged amongst European cities. **Civil society organisations** play a key role. Common projects by and for young people bringing together youngsters with different origins and beliefs can have a positive impact. Best practices exchanged showed that shared activities, including through sports and cultural activities, contribute to better mutual understanding.

Key actions:

- Member States, including local authorities, should **foster inclusive education and mutual understanding amongst children and young people**, in line with the Paris Declaration of March 2015, through initiatives promoting European values and history including Holocaust remembrance, citizenship education and religious literacy, and support for youth, students' and civil society projects against discrimination and hatred. The European Commission will also **prioritise funds under EU programmes Erasmus+ and Europe for Citizens** in this perspective.
- The European Commission will set up a **user-friendly one-stop-shop website** to facilitate access to information about EU funding, projects and initiatives in the area of inclusive tolerance, racism, xenophobia and non-discrimination.
- Member States in cooperation with the Committee of the Regions, the European Commission and civil society should **support local authorities in exchanging, disseminating and replicating best practices** on promoting tolerance, anti-racism and inclusion.
- Member States, in cooperation with the EU Agency for Fundamental Rights, the Council of Europe, civil society and the European Commission, should **promote training and tools for teachers and educators** to help them overcome prejudices and foster a culture of inclusive tolerance in their everyday work.
- Local, national, European and international authorities, should, together with civil society, **support community leaders in the breaking of stereotypes and the developing of counter-narratives** reaching out beyond their own communities, including through the creation of networks and public spaces for dialogue.

⁴ http://ec.europa.eu/justice/events/colloquium-fundamental-rights-2015/contributions_en.htm

2) Fight hate speech by working with IT companies, civil society and the media

Hate speech online is considered the main contemporary manifestation of antisemitic, anti-Muslim and other racist and xenophobic behaviour. **Enforcement and implementation of EU legislation** obliging Member States to penalise hate speech inciting racist hatred or violence, including on ethnic, national or religious grounds, needs to be rigorously monitored. Reporting and investigating online hate speech is far from being straightforward (widespread use of anonymity online, difficulties in establishing jurisdiction, different definitions in the EU and US of what is illegal hate speech, etc.). The role of online intermediaries/platforms (e.g. Google, Facebook and Twitter) in removing hate speech is therefore seen as central. **Clearer procedures** are needed for the effective prosecution and taking down of hate speech on the internet. **Dialogue should be developed at EU level with IT companies on how to address hate speech online** more efficiently.

The media also plays an important role. The use of negative stereotypes by the media contributes to the increased acts of hatred against Jews and Muslims in Europe, including hate speech online. Developing **counter-narratives** and fostering **media literacy** is therefore of crucial importance as a means to contribute to inclusive and tolerant societies.

Key actions:

- The European Commission will rigorously monitor the transposition and implementation of **EU rules on hate speech inciting to violence and hatred by Member States**, in particular the Framework Decision on Racism and Xenophobia.
- In cooperation with Member States, the European Commission will **initiate dialogue at EU level with IT companies** and bring together businesses, national authorities and civil society to combat hate speech online, including by making it easier for users to report illegal content to companies.
- Member States should **support civil society in developing counter-narratives online**. The Commission will contribute to this endeavour, including by extending the work of the Radicalisation Awareness Network's Internet and social media working group and by funding civil society monitoring of incidents and exchanges.
- Member States should **ensure take down of hate speech sites**, while fully respecting the right to freedom of expression. To support Member States' efforts, the European Commission will assess the need of reviewing or clarifying EU rules regulating intermediary liability in the context of the Digital Single Market Strategy and by developing dialogue with the United States.
- The EU Agency for Fundamental Rights in cooperation with the European Broadcasting Union should **support media literacy** through training and data dissemination and sensitise the media to promote diversity and tolerance. The European Commission will set up, in this context, **an annual journalist award for those engaged in promoting these values**.

3) Ensure implementation of hate crime laws and new EU rules on protecting the rights of victims of crime and improve recording and data collection of hate crime incidents

There is an urgency to fully **implement the EU Framework Decision on combating racism and xenophobia**⁵ under which Member States must penalise incitement to racist hatred or violence, including Holocaust denial (hate speech) and take into consideration racist motivation behind all crimes (hate crime). **Hate motives behind crimes must be better investigated and recorded to ensure appropriate prosecution and sentencing.** Targeted **training of authorities** is essential in this context as well as the **exchange of best practices.**

While the ultimate aim should be a society in which all communities can walk to their places of worship or bring their children to school without any need for specific security measures, support is needed from national authorities in ensuring **improved security and protection** for Jewish and Muslim individuals, institutions and infrastructures. There is also a need to urgently address the growing phenomenon of **radicalisation, ensuring at the same time that misleading generalisations and incorrect negative perceptions** specifically targeting Muslim communities are firmly countered.

Better support to victims and the ability of national authorities to interact and communicate with victims is essential to ensure an effective response to hate crimes. **Underreporting** of hate speech and hate crime is particularly widespread. Victims often do not report to the police because they do not trust judicial and enforcement authorities' willingness to investigate and sanction hate crime accordingly, or because they fear further victimisation or having their situation exposed. Victims should be better informed about their rights and about existing criminal law provisions on combating hate crime. Ensuring full transposition and effective implementation of the **EU directive on the rights of victims of crime**, which Member States have to transpose by 16 November 2015, will be essential. Victims of hate crimes deserve particular attention and have specific needs. The vulnerability of certain victims, such as women and victims with a migrant background, should also be taken into account at all stages of the procedure.

Data collection on hate crimes is also an area which requires urgent attention. Reliable and comparable data is essential for an accurate analysis of trends and for evidence based policy-making to prevent such phenomena.

All in all, **increased cooperation is needed** among national and law enforcement authorities and civil society. Synergies should be found between EU institutions and agencies, the Office for Democratic Institutions and Human Rights (ODIHR) and the European Commission against Racism and Intolerance (ECRI) from the Council of Europe to assist Member State authorities.

Key actions:

- The European Commission will rigorously monitor transposition and implementation of **EU rules to combat racism and xenophobia.**
- The Member States' Working Group on the Framework Decision on Racism and Xenophobia will be turned into a **European Union High-level group on racism, xenophobia and other forms of intolerance.** This group will bring together Member States, civil society and community representatives to step up cooperation and improve coordination, exchange best practices and identify gaps, including to evaluate the added value and feasibility of setting up dedicated national strategies.
- Member States should carry out specific projects aimed at **better implementing legislation on racism and xenophobia**, including through **training** of judges, prosecutors and police. The European Commission will make targeted funding available for this purpose.
- The European Commission will **compile best practice guidance for Member States** contributing to effective implementation of EU legislation on combating hate crime at national level, as a complement to and in synergy with the work done by the EU Agency for Fundamental Rights and international organisations such as ODIHR and ECRI.
- The European Commission will rigorously monitor the transposition and implementation of **new EU rules to protect victims**, including those who suffer hate crimes and hate speech, followed by the launch of infringement procedures where relevant.
- Member States, in cooperation with civil society, should step up action to **address underreporting of hate crimes** by raising awareness amongst citizens on their rights as victims of hate crimes and by carrying out projects aimed at increasing victims' trust and facilitate reporting.
- The EU Agency for Fundamental Rights should support Member States **in improving recording and identifying a methodology for data collection of hate crimes**, including by building on successful national models and civil society experience.
- Member States should lead efforts to **address the root-causes of radicalisation through targeted preventive measures** and ensure the implementation of the EU Agenda on Security.

⁵ Council Framework Decision 2008/913/JHA on combating certain forms and expressions of racism and xenophobia by means of criminal law.

4) Promote diversity and enforce and strengthen non-discrimination rules

Discrimination on the basis of religion and/or belief is currently prohibited in the field of employment. Nonetheless, reports and recent data⁶ show that such discrimination persists, especially against Muslim people and in particular against **women**. Existing **EU anti-discrimination legislation**⁷ needs to be **better monitored** and **further implemented**. Implementation needs to be accompanied by **exchange of best practices** between Member States and **training of national authorities**. The **business sector** plays a very important role and **diversity charters** are a relevant tool to prevent discrimination in the workplace. Business companies do not currently sufficiently share and apply best practices in fighting discrimination on access to employment and promoting a culture of tolerance and respect in the workplace. More **training of managerial employees** is needed to enhance diversity and engagement.

Underreporting from victims needs to be tackled, including through **raising awareness** of their rights and the existing remedies. **Efficient monitoring and improving data collection** is crucial to effectively combatting discrimination on the basis of religion, belief and/or ethnic origin⁸. In this framework, **strengthening the equality bodies** in all Member States is crucial given the increasing number of complaints and the important tasks they fulfil. **Regular and structured cooperation** with other actors is also central: **trade unions, civil society organisations and local and national authorities** should also be engaged, which would enable best practices to be exported outside the world of employment (e.g. to education or housing).

Several participants advocated the need for **a comprehensive legal framework on discrimination to urgently address discrimination beyond employment** – such as in social protection, education and access to goods and services, currently left unprotected by existing EU legislation, with the sole exception of racial and ethnic origin⁹.

The principle of reasonable accommodation in the area of employment and beyond was underlined by a number of participants with a view to fostering inclusion, preventing conflict and achieving higher performance and productivity.

Key actions:

- The European Commission will rigorously monitor and ensure the correct implementation of the **Race Equality Directive** and the **Employment Equality Directive**.
- **Member States should step-up efforts in implementing equality legislation.** The European Commission will support them through funding, training, exchanges of best practices and guidance.
- The Council of the EU should **adopt the Equal Treatment Directive**, in order to strengthen the fight against discrimination on ground of religion in the area of social protection, education and access to goods and services.
- Member States should **strengthen the role and capacities of national equality bodies** allowing them to reach their full potential in fighting against discrimination and protecting victims of discrimination. The Commission will support Member States and equality bodies in this endeavour.
- Member States, including equality bodies, should **combat underreporting of discrimination cases** by raising awareness amongst citizens on the role of the equality bodies and the rights of victims of discrimination.
- Businesses should further **promote diversity in the workplace including during the recruitment process, and tackle prejudice and stereotypes among workers**, share **best practices, increase training** on mutual understanding, tolerance and respect on the basis of religion and endorse **diversity charters** at national level.
- Member States should **tackle gaps in monitoring discrimination at national and local level** through cooperation between all relevant actors (national and local authorities in charge of equality, businesses, trade unions, equality bodies and civil society) **and provide tools, guidance and encourage peer learning to support** Member States' efforts in the **collection of equality data** (Commission, FRA, Member States, civil society).
- National authorities and businesses should examine the implementation of the "**concept of reasonable accommodation**" in employment and beyond in order to take into account specific cultural and religious needs. Respecting freedom of religion, belief and conscience will allow to find tailor-made solutions on the ground allowing businesses to fully benefit from the labour force available in the market.

⁶ 2015 Eurobarometer on discrimination –

<http://ec.europa.eu/COMMFrontOffice/PublicOpinion/index.cfm/Survey/getSurveyDetail/instruments/SPECIAL/surveyKy/2077>

⁷ Race Equality Directive 2000/43/EC and Employment Equality Directive 2000/78/EC.

⁸ Reference was made to several reports, such as the ENAR Shadow Report 2012 – 2013 on Racism and discrimination in employment in Europe.

⁹ Race Equality Directive 2000/43/EC, Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin