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Tolerance and respect: preventing and combating anti-Semitic and anti-Muslim hatred in Europe, Annual Colloquium on Fundamental Rights

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

EC (09.10.2015) - For more information and documents, see <http://bit.ly/1HnFY9e>

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".

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.

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 discrimination(3). 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 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 consultation(4), 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.

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.

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 data(6) 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 origin(8). 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 origin(9).

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.

(1) <http://bit.ly/1NPJMo9>

(2) <http://bit.ly/1Ij2116>

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

<http://bit.ly/1OOcPHr>

(4) <http://bit.ly/1USVgWE>

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

(6) 2015 Eurobarometer on discrimination - <http://bit.ly/1LSbFtQ>

(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

FoRB issues in Austria, France, Germany and Hungary raised at the OSCE/ODIHR in Warsaw



FOREF (04.10.2015) - On September 30, 2015, from 1 to 3 p.m., FOREF held a well-attended side event on FoRB issues in Austria, France, Germany and Hungary at the OSCE Human Dimension Implementation Meeting in Warsaw, Poland, moderated by the president of FOREF, Dr. Aaron Rhodes. Among the audience were state officials as well as representatives from persecuted minority religions, various NGOs and FECRIS.

The first speaker of the panel, Prof. David Baer, professor of Theology and Philosophy at the Texas Lutheran University and FOREF board member, discussed persistent difficulties with Hungary's church law (2011) that stripped 200 religious communities of their legal personality and reduced the number of recognized churches to 31.

Next, Dominic Zoehrer, a human rights activist and student of Religious Studies, spoke about the seizure of 42 children from the Christian community "Twelve Tribes" that occurred in September 2013 in Germany. The radical and disproportionate measures taken by the authorities are highly controversial: Three police raids, which removed the children and took them into state custody without prior communication with the parents, were conducted due to the instigation by so-called cult experts associated with the anti-cult lobby FECRIS.

The third speaker, Peter Zoehrer, co-founder of FOREF, addressed problematic policies on religion by the Austrian government. Those include the structural stigmatization of religious minority groups through the "Federal Agency for Sect Issues" (*Bundesstelle für Sektenfragen*) and 28 other anti-sect offices as well as the broadly criticized revision of the Law on Islam (*Islamgesetz 2015*).

The fourth and last panelist, Dr. Willy Fautre, executive director of Human Rights without Frontiers (HRWF) and member of FOREF's scientific advisory council, talked about the French state ideology of *laïcité* and how it translates into stigmatization of religious minorities labeled as "sects" or criminalization of Muslim women who are forced to dress in accordance with government-defined norms.

The presentations were followed by an engaging Q&A session where several government and NGO representatives commented on the issues raised. In his closing remark, Dr. Rhodes underlined that, as an NGO aimed at the protection of human rights, FOREF stands for the equal treatment of religious communities and criticizes the disturbance of equality through the interference of states through discriminatory legislation and stigmatizing actions. FOREF thus encourages state governments to uphold democracy, fundamental rights and the rule of law.

The statements and recommendations of the panelists have been published by the OSCE HDIM 2015 among the documents of Working Session 14 (on tolerance and non-discrimination):

- **Hungary:** [Amended Church Law Remains at Variance with OSCE Standards and the European Convention on Human Rights](#)
 - **Germany:** [Seizure of Children from Twelve Tribes Community at Variance with OSCE Standards](#)
 - **Austria:** [Policies on Religion at Variance with OSCE Standards and the European Convention on Human Rights](#)
 - **France:** [Laïcité, "Sects" and Muslim Women's Issues](#)
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Burqa Bans: Guide for the Perplexed

By Aaron Rhodes

Published in German in Die Zeit (15.08.2015) - <http://www.zeit.de/2015/31/burka-verbot-verschleierung-freiheit-grundrechte-menschenrechte> - As public debate in Germany again focuses on the question of restricting Islamic burqas and head scarfs, the proponents of such restrictions have found themselves in a stronger position. The rise of the Islamic State, with its avowed intention to envelop Europe within a Caliphate where the most severe and retrograde interpretations of Sharia law are violently enforced, and Islamist-motivated murders of journalists, free speech advocates and Jews in Europe, are sources of understandable "Islamophobia." There is a perception that "multiculturalism" has become dysfunctional, and has resulted in horrific crimes like honor killings and female genital mutilation, which threaten especially women in immigrant communities. Meanwhile waves of desperate immigrants, many Muslim, are crossing European borders; if history is any lesson, those refugees, who often flee Islamist terrorism, also include terrorists.

These threats are real and pose immense challenges to societies committed to upholding human rights and freedoms. It is not an exaggeration to say that these factors have led to a backlash against the invocation of human rights principles to protect the right to wear clothing that for many symbolizes values that are antithetical to those of Europe.

Another factor strengthening the hand of ban-promoters is last year's decision by the European Court of Human Rights to uphold a French law banning women from wearing the burqa. According to the Court's Registry, the judges "accepted that the barrier raised against others by a veil concealing the face in public could undermine the notion of 'living together.'" The full-face veil would "call into question the possibility of open interpersonal relationships," which are "an indispensable element of community life within the society in question." The Court thus accepted France's claim that veils concealing the face "breached the right of others to live in a space of socialization which made living together easier."

The Court's flimsy, psycho-babble rationale for denying a central human right sets a precedent for limiting anything that makes anyone else uncomfortable for being "anti-social," and bodes ill for the preservation of basic liberties. Across Europe, the ruling will protect existing burqa bans like that of Belgium, and encourage bans in Britain, Italy, the Netherlands, and Spain, Britain, and here in Germany.

While the Court's decision reveals its tendency to defer to French concerns, it also reflects use of the principle of "proportionality," which was first developed in German public law. Adjudication proceeds by balancing different and opposing interests. But upholding the French burqa ban on the basis of a balance of interests shows the danger

of applying proportionality to human rights questions. A typical objection to the presence of burqas is that they conflict with national values and integration. The Court found that protecting the vague goals of "social interaction" and "easier living together" was more important than upholding the freedom to manifest one's religious beliefs. As legal scholar Guglielmo Verdirame has shown, proportionality applied to human rights downgrades them into weak rights, while "the idea of fundamental rights is to protect, as far as possible, a select group of entitlements from other considerations."

Almost no human right is absolute. The UN Human Rights Committee affirmed that "the observance and practice of religion or believe may include...the wearing of distinctive clothing or head coverings." Restrictions are permitted "only if limitations are prescribed by law and are necessary to protect public safety, order, health or morals, or the fundamental rights and freedoms of others."

It is hard to see how balancing the freedom to wear a burqa against other interests should result in a burqa ban. There are repeated calls to ban burqas on the basis of national security interests, but the European Court's decision has been deeply painful to many in Muslim communities, and contributes to a victimization and martyrdom narrative promoting terrorism. The burqa ban has clearly done nothing to promote integration in France, and has had a role in increasing alienation and violence in the Muslim community.

No one would deny that burqas symbolize values that are inimical to gender equality; the Dutch government said that the burqa "does not fit into our open society" where "women must participate fully." But studies, including one by Human Rights Watch, have shown that most women who wear burqas do so voluntarily, and to deny them the right to manifest their religion would create more, not less inequality. For some who wish to wear burqas, a ban would keep them out of public, isolating and disadvantaging them.

Nor would anyone deny that some women and girls are forced to wear burqas or head scarves by their families; these people are victims of crimes and need protection by law enforcement and social service agencies. They are victims not only of coercive families and communities, but also of public authorities who, perhaps influenced by ideological multiculturalism, have neglected to enforce laws in an effort to be "tolerant" and avoid offending Muslims.

A law prohibiting women from wearing burqas is just as inconsistent with human rights as one forcing them to do so. Many Germans and other Europeans sometimes appear ready to trade their basic freedoms in an effort to secure social peace and stability. But especially when faced with challenges to human rights and freedoms, and to security, posed not only by Islamism, but by increasingly dictatorial Russia and China, we need to stay away from the slippery slope leading in their direction.

Aaron Rhodes is president of the Forum for Religious Freedom Europe, and a founder of the Freedom Rights Project. He was Executive Director of the International Helsinki Federation for Human Rights 1993-2007.

Intergroup welcomes the inclusion of FoRB action points in the adopted EU Action Plan on Human Rights

Intergroup's recommendation for specific FoRB action points were included in the Action Plan

EP Intergroup (20.07.2015) - The European Parliament Intergroup on Freedom of Religion or Belief and Religious Tolerance welcomes the adoption of the EU Action Plan on Human Rights. The Intergroup is particularly pleased by the inclusion of specific freedom of religion or belief (FoRB) action points. The Intergroup Co-Presidents, on behalf of the Intergroup, had written to the High Representative in May expressing their concern that the draft Action Plan failed to include FoRB action points.

Paragraph 12 which is dedicated to freedom of religion or belief reinforces the EU's commitment to protecting religious or belief minorities in the world. It includes the Intergroup's recommendations to the EU, in its Annual Reports 2013 and 2014, to raise FoRB violations with third countries, cooperate with international partners, deepen awareness of FoRB in the EU institutions and for greater dialogue with religious or belief leaders and organisations. Intergroup Co-President Dennis de Jong said *"I am pleased that the EU included FoRB action points and has taken on board some of our recommendations. Still the inclusion of the action points is not enough. The EU must now show political will to implement the action points by taking heed of other recommendations we made in our Annual Reports such as better policy coherence and EIDHR funding for religious or belief organisations."*

The Intergroup also expresses its disappointment that although Paragraph 31 focuses on the implementation of EU Guidelines, the EU failed to include a specific FoRB action point on the EU Guidelines on Freedom of Religion or Belief. The Intergroup believes that the Guidelines are an effective tool but that the EU should ensure it undertakes the actions it committed itself to in the Guidelines. Intergroup Co-President Peter van Dalen said *"At an event two years ago in the European Parliament to mark the adoption of the EU Guidelines on Freedom of Religion or Belief, we spoke about how important the Guidelines are and how they would enable the EU to better promote FoRB. However the Guidelines can only be effective if they are a live document. The EU should have taken the opportunity of the Action Plan to have a specific action point on the implementation of FoRB Guidelines and a commitment that diplomats in EU delegations, in countries where FoRB is most restricted, are informed of the Guidelines."*

ENAR calls on European Parliament to address anti-Semitism and Islamophobia in Europe

ENAR (29.06.2015) -

European Network Against Racism (ENAR) Chair Sarah Isal made the following statement at a hearing organised by the European Parliament's Civil Liberties Committee on Anti-Semitism, Islamophobia and Hate Speech. The hearing took place at the European Parliament on 29th June.

Anti-Semitism is deeply rooted in Europe, as its resurgence after the Holocaust proved. It is with great concern that we have seen a general increase over the last years. The Community Security Trust (CST) in the UK reported an increase of 60% of violence committed against Jews in the EU between 2008 and 2014. According to the FRA survey, Jews in Europe are increasingly afraid of being verbally harassed (46%) or physically attacked (33%). In Belgium, the equality body reports that complaints received for anti-Semitic incidents have increased from 83 in 2013 to 130 in 2014 (+56%).

In France, a 2013 report from the French National Human Rights Institution reveals that anti-Semitism is not always understood properly, is often seen either as a phenomenon

of the past or as isolated acts from either violent extremists or neo-Nazi groups, but is rarely seen as a structural phenomenon.

The extent of anti-Semitism in Hungary came to the forefront when, in November 2012 a Jobbik MP called in the Hungarian Parliament for a list of Jewish civil servants, after which there was no immediate outcry from other government officials. Similarly in Greece, extremely anti-Semitic rhetoric and literature have been associated with elected members of the Golden Dawn party. Understanding the complexity in which anti-Semitism manifests itself is key to combatting it. For instance, Hungary and Greece feature high levels of indigenous anti-Semitism and neo-Nazi activity, but lower levels of physical violence compared to countries such as France and Belgium in which anti-Semitism is much less socially acceptable, but violence is more common.

Bullying and prejudice at school are frequent for Jewish children. In Hungary, there are increasing reports of parents moving their child to Jewish schools following incidents in mainstream education. Jewish children also experience discrimination or segregation in education.

There has also been a worrying increase of Islamophobic incidents over the last years.

In France, the number of attacks against Muslims was multiplied by 6 following the Paris attacks compared to the same period in 2014, according to the Collective Against Islamophobia in France (CCIF). In Sweden, attacks on mosques have increased. In Italy, official Islamophobic reactions including by the Veneto educational authorities, are frequent.

Muslim women are particularly targeted by violence. Because public debates focus on Muslim women and the wearing of the headscarf, veiled women are reduced to their religious signs in the view of many and are thus becoming privileged targets of Islamophobia.

ENAR shadow reports and FRA reports also highlighted that the heightened security context since the events of 11 September 2001 has contributed to experiences of direct and indirect discrimination by ethnic and religious minorities in Europe. In particular Muslim communities, and those perceived as belonging to Muslim communities, have been amongst the most vulnerable, at times victims of backlash from wider society after terrorist attacks and then victims of policy responses to these attacks.

Muslim people tend to experience the most severe labour market discrimination, as evidenced ENAR Shadow Reports. Muslims, and in particular Muslim women, also face discrimination due to restrictions to the right of wearing religious symbols in national laws and practices, for example in France, Belgium, the Netherlands and Spain.

Anti-Semitism and Islamophobia are the products of different histories and ideologies; and they cover diverse realities and types of manifestations which are specific to each.

However, anti-Semitism and Islamophobia are both specific forms of discrimination and racism in which attitudes, behaviours, institutional patterns and policies reject, exclude, vilify, or deny equal treatment to people, based on their real or perceived Jewish or Muslim background. They have the same concrete implications on the physical, psychological or financial situation of individuals.

Despite the EU and national equality legislations, the specific direct and structural discrimination faced by Jews and Muslims imply that existing legal instruments and policy measures are not enough to ensure equality of outcome.

The response to anti-Semitism and Muslim hatred should therefore deal with these common and separate factors. ENAR calls the LIBE committee to include in its resolution (or resolutions) on anti-Semitism and Islamophobia that the European Commission should ask Member States to adopt specific national strategies with concrete policy goals, on the model of the National Roma Integration Strategies, to address anti-Semitism on the one hand, and islamophobia on the other. Policy goals should be specific to each national context and address each fields of life, in particular employment and education.

History has shown time again that there is a connection between hate speech and hate crime. hate speech, which is the topic of one of the panel today, creates a climate in which perpetrators of racist violence feel that the society condone their behaviour so it is imperative that hate speech should be addressed. In some cases, and in the respect of international human rights law, they should even result in criminal proceedings.

We also hope that racist, anti-Semitic and islamophobic violence feature in the European commission bilateral talks with member States on the enforcement of the EU's Framework Decision on combating racism and xenophobia.

There are many more issues that should be addressed, and we hope there will be in the context of the panel discussions. In particular in terms of larger context, we should keep in mind that to prevent discrimination and violence, more long-term social investment in education, housing, employment and health policies , as well as in intercultural dialogue and social cohesion programmes, are crucial to stop the massive disenfranchisement of sizeable parts of the population, which nurtures violent extremism.

It is important to tackle these forms of racism and hatred - as well as anti-Gypsyism and Afrophobia - jointly, so as to show all forms of racism and hatred are of concern to all, and are equally important to address. Now is time for cooperation and alliance building to keep in mind the greater cause, beyond attempts from some to pit communities against one another. In the context of the creation of a new group in this house which gathers those who would like to promote racist, xenophobic, islamophobic or anti-Semitic ideas, policies and practices, this is a matter of urgency.

Intergroup and United States Ambassador for Religious Freedom discuss freedom of religion or belief

Intergroup on FoRB & RT (16.06.2015) - European Parliament Intergroup on Freedom of Religion or Belief & Religious Tolerance Co-President Peter van Dalen MEP, on behalf of the Intergroup, met with the United States Ambassador for Religious Freedom Rabbi Dr Saperstein in the European Parliament. Intergroup Co-President Peter van Dalen and Ambassador Rabbi Dr Saperstein previously met when the Intergroup visited Washington in September 2014 to meet with US government agencies and Congress to discuss freedom of religion or belief.

At the meeting today, Peter van Dalen spoke about the Intergroup's activities and the upgrading of the former Working Group to an Intergroup. Ambassador Saperstein was heartened by the upgrading to an Intergroup and the Parliament's commitment to ensuring the European External Action Service promotes FoRB.

The primary focus of the meeting was to discuss efforts to protect and promote freedom of religion or belief. Both agreed that economic development, through economic

incentives, contribute to religious or belief tolerance and pluralism. However they stressed that the economic incentives need be balanced with human rights concerns.

Ambassador Saperstein also touched on his recent visits to Iraq, Burma, Pakistan and Vietnam and the State Department's latest Annual Report which covers 192 countries. The Annual Report is due to be released in the next six weeks.

At the end of the meeting Peter van Dalen gave Ambassador Saperstein the Intergroup's Annual Report on Freedom of Religion or Belief and spoke about the event held in the European Parliament in collaboration with the United States Commission on International Religious Freedom.

Ambassador Saperstein on receiving the report said *"to have so many members of the Parliament come together to enhance religious freedom across the globe is a source of hope and support for all those facing religious intolerance and restrictions on their religious liberty."*

European Parliament Intergroup welcomes the adoption of EP human rights report and Emergency Resolution on attacks against Assyrians

The report however neglects to mention a wider range of religious or belief groups

Intergroup on FoRB & RT (15.03.2015) - The European Parliament Intergroup on Freedom of Religion or Belief and Religious Tolerance welcomes the adoption by the European Parliament of its Annual Report on Human Rights and Democracy and the Emergency Resolution on 'Recent attacks and abductions by Daesh in the Middle East, notably of Assyrians' in the Strasbourg plenary session.

The chapter on freedom of religion or belief in the Annual Human Rights and Democracy report and the Emergency Resolution reinforces the Parliament's commitment to protecting religious or belief minorities in the world. Intergroup Co-President Dennis De Jong said 'I welcome the report and the emergency resolution which clearly set out the Parliament's position in regards to FoRB and contain recommendations for the European External Action Service (EEAS) on mainstreaming human rights and freedom of religion or belief in EU foreign policy.'

The report included for the third consecutive year a detailed section on freedom of religion or belief (FoRB). Although the Intergroup is pleased to see the inclusion of paragraphs on persecution of religious or belief minorities by ISIS, Christian persecution and the continued systemic human rights violations of Rohingya Muslims in Burma, the Intergroup is concerned by the omission of the persecution of other religious or belief minorities such as Baha'is, Hindus, atheists and other religious or belief minorities. The Intergroup reiterates that freedom of religion or belief is one and the same right for all.

The inclusion of the section on FoRB was in part due to the amendments tabled by the Intergroup which were supported by other Members of European Parliament. In particular the Intergroup amendments included calling for the 'High Representative/Vice President and the EEAS to engage in a permanent dialogue with NGOs, religious or belief groups and religious leaders' and for the European Union (EU) to promote 'freedom of religion or belief within international and regional fora including the United Nations, the Organisation for Security and Cooperation in Europe (OSCE), the Council of Europe (CoE) and other regional mechanisms.' Intergroup Co-President Peter van Dalen added 'The

inclusion of these important amendments highlight the importance of the Conference of Presidents decision to upgrade the Working Group to an Intergroup and the significant role the Intergroup can play in promoting FoRB from within the European Parliament.'

At the same the Intergroup expressed disappointment that two of its amendments were not accepted, notably an appeal for the 'the EEAS and Member States to involve representatives from the European Parliament and from civil society in FoRB trainings' and for 'the EEAS to establish a horizontal focal point for religion or belief matters.' Both amendments were recommended by the European Parliament Working Group on FoRB in its 2013 annual report.

Although these amendments were not approved, the Intergroup will continue to promote these recommendations in future reports and resolutions of the Parliament.

5 facts about religious hostilities in Europe

Pew Research Center (27.02.2015) - While Europe is not the region with the highest level of religious hostilities – that remains the Middle East-North Africa region – harassment and attacks against religious minorities continue in many European countries. Indeed, according to a new study by the Pew Research Center, hostilities against Jews in particular have been spreading.

Here are five facts about social hostilities – i.e., hostilities perpetrated by individuals or social groups rather than by governments – that tend to target religious minorities in Europe:

1In 2013, the most recent year covered by the study, harassment of Jews in Europe reached a seven-year high. Jews faced harassment in about three-quarters (34 of 45) of Europe's countries. In France, for instance, three men attacked a teenager who was wearing a traditional skullcap, or kippa, in Vitry-Sur-Seine, reportedly threatening to "kill all of you Jews." In Spain, vandals painted a large swastika on the side of a bull ring in the city of Pinto, along with the words "Hitler was right." And in the town of Komarno in southern Slovakia, metal tiles in the pavement honoring a local Jewish family killed in the Holocaust were destroyed when vandals poured tar over them.

2Muslims experienced harassment in nearly as many European countries (32 of 45) as Jews. By comparison, the Middle East and North Africa was the only region where Muslims faced more widespread harassment, dealing with hostility in 15 of that region's 20 countries. In Germany, bloody pig heads were found at a site where the Ahmadiyya Muslim community was planning to build Leipzig's first mosque. And in Ireland, several mosques and Muslim cultural centers received threatening letters, with one of the letters stating: "Muslims have no right to be in Ireland."

3In two-thirds of the countries in Europe, organized groups used force or coercion to try to impose their views on religion in 2013. Sometimes this activity is aimed at dominating a country's public life with the group's particular perspective on religion through means such as online intimidation of minority religious groups. Other times, it is focused on a particular religious group, such as anti-Semitic postings and anti-Muslim rhetoric on online forums. In Italy, for example, four men were sent to prison after they published lists of Jewish residents and businesses on neo-Nazi websites. This type of social hostility was more prevalent in Europe (30 of 45 countries, or 67%) than in any other region.

4Women were harassed over religious dress in about four-in-ten European countries (19 of 45) – about the same share as in the Middle East-North Africa region (where it

occurred in eight of 20 countries, or 40%). This includes cases in which women were harassed for either wearing religious dress or for perceived violations of religious dress codes. In France, for example, two men attacked a pregnant Muslim woman, kicking her in the stomach and attempting to remove her headscarf and cut her hair; she suffered a miscarriage in the days following the attack. And in Italy, two Moroccan men attacked a young Moroccan woman, beating her for "offending Islam" when she refused to wear a headscarf.

5 Individuals were assaulted or displaced from their homes or places of worship in retaliation for religious activities in roughly four-in-ten European countries. In Poland, for example, arsonists set fire to the door of a mosque in Gdansk. And in Greece, arsonists attacked Jehovah's Witnesses' houses of worship and several informal mosques in multiple cities during the year.

Defamation laws in the EU

<http://www.freemedia.at/ecpm/defamation-law-report.html>

HRWF (26.02.2015) – On 25th February, MEPs Sophie in 't Veld and Virgine Rozière, co-chairs of the European Parliament Platform for Secularism in Politics organized a conference at the Parliament on the issue "Freedom of speech: the right to blasphemy?".

The guest-speakers were Pierre Galand (President of the European Humanist Federation), Jean-Pierre Leguay (Freemason, Grand Orient de France), Jacob Mchangama (Director of the Copenhagen-based think tank Justitia), Fr. Patrick H. Daly, (General Secretary of the COMECE), Jonathan Romain (British Reform Rabbi) and Scott Griffen (Director of the Press Freedom Programmes at the International Press Institute in Vienna).

In the aftermath of the Charlie Hebdo attack, the purpose of this meeting was to have an open discussion on the unlimited right to freedom of speech on one hand, and the desire to prohibit blasphemous or religiously hurtful speech on the other hand. On this occasion, Scott Griffen, presented the report "Defamation laws in the EU."

In this report, the International Press Institute (IPI) presents the findings from its in-depth research into defamation law and practice in the European Union (EU). The findings are presented in the form of a comparative analysis of defamation law in the 28 EU member states and 5 of 6 official EU candidate countries. The report broadly evaluates the extent to which EU defamation laws meet international standards on freedom of expression and highlights key issues for future advocacy work.

The findings are based on IPI's analysis of data on defamation laws in each of these countries, in turn based on data collected in 2014 by IPI and by researchers at the School of Public Policy's Center for Media and Communications Studies (CMCS) at the Central European University in Budapest and their partners at the SHARE Foundation in Belgrade, and in consultation with a team of national legal experts.

This report is part of IPI's broader advocacy, training and capacity-building work on defamation in the EU, supported with co-funding from the European Commission under its European Centre for Press and Media Freedom pilot programme and the Open Society Foundation (OSF). The goal of IPI's work is to raise awareness among EU policymakers and the general public on defamation laws and their effect on press freedom, as well as to inform journalists about their rights under international principles and thereby empower them to continue delivering news in the public interest. In 2014, IPI held a

series of workshops for journalists and lawyers on defamation and international standards in selected EU and candidate countries.

This report is accompanied by two related IPI documents. The first of these presents the results of an IPI perceptions study that collected the personal views and experiences of EU journalists on defamation laws and their application. The results bear witness to the dangerous chilling effect that defamation laws can have on the free flow of information and offer a mandate for continued training of journalists on such laws.

The second document summarises relevant international standards on freedom of expression and defamation, as originally developed in 2000 by the London-based civil society organisation ARTICTLE 19. It also provides a briefing on the viewpoint on those standards expressed by leading international legal and intergovernmental bodies, with particular focus placed on the European Court of Human Rights (ECtHR).

Both documents are available online at IPI's project website: www.freemedia.at/ecpm.

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Citations

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