



Associazione culturale “**Giuseppe Dossetti: i Valori**”
TUTELA E SVILUPPO DEI DIRITTI

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Osservatorio per la Tolleranza e la Libertà Religiosa
Observatory for Religious Tolerance and Freedom

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Session 6: The role of political leadership, legislation, law enforcement, data collection, and civil society in combating and preventing intolerance and discrimination, including hate crimes

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Violence do not suddenly arise. It is a tragic final act of a slippery road which starts with mockery and social intolerance, then passes through discrimination, also established by law, and from there it ends up with the overt violence. If early warning and conflict prevention are crucial, attention should be paid to intolerant public discourse.

Freedom of religion or belief as such does not include the right for one’s religion or belief to be free from criticism or all adverse comment. But there is a big difference if a religion or belief is the target of critical analysis from a merely theological point of view or if there is an incitement to discrimination, hostility or violence against a religion or its members. Between these two extremes, one can find all sorts of expressions and there is no consensus about how and exactly where the frontiers of freedom of expression should be drawn.

If it is difficult to draw a legal limitation, anyway every person should be encouraged to exercise responsibly her or his freedom of expression, with due consideration for the believers’ feelings. In particular the media have the responsibility to give a fair and accurate account of religious beliefs and to ensure that members of religious communities are given the chance to express their own views. At this end, the ODIHR and the Representative on the Freedom of the Media may develop specific guidelines for voluntary professional standards and self-regulation of the media.

Primary responsibility in combating hate crimes rests with the participating States. In this respect they have a positive obligation to guarantee that commitments are not theoretical or illusory



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but are practical and effective: not only are they required not to commit acts of violence themselves but they should also adopt an appropriate legislation to prevent and punish such crimes. Moreover they should assume all the initiatives necessary to prevent such crimes, in accordance with a comprehensive approach (like, for example, educative programmes, awareness campaign and so on). At this regard let me mention the ODIHR TAHCLE Program that participating States could implement in order to improve police skills in preventing and responding to hate crimes, interacting effectively with victim communities, and building public confidence and co-operation with law-enforcement agencies.

Every time an hate crime occurs, we should ask whether the State has done its best not only to punish the crime *ex post* but also to prevent it *ex ante*.

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