



Whose values? Upholding the rule of law and universal human rights for all and at any time

Brussels, 12th May 2016. All people are entitled to all the rights and freedoms set forth in the Universal Declaration of Human Rights, without distinction based on race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. On 24th May, the General Affairs Council of the European Union will discuss integration of migrants in a rule of law dialogue and our organisations want to recall the spirit of Article 2 of the Universal Declaration of Human Rights. This must be the basis of any discussion within the European Union regarding “fundamental values, integration and the rule of law”.

Over the past year, we have seen with growing alarm attempts to play out one group at risk of discrimination against another, using emotions to cultivate and justify a xenophobic political agenda. Women’s rights, LGBTI rights and the rights of certain religious or ethnic minority groups have in some instances been framed as ‘European values’ that need protection from ‘others’. This in turn has been used by some to justify xenophobic or islamophobic acts.

There can be no doubt that gender equality, protection of ethnic and religious minorities and LGBTI people’s rights are universal human rights that should be respected by everyone. State authorities have the duty to enforce the rule of law and human rights and to protect victims of violence. Public officials also have the responsibility to condemn any attempt at fuelling stigmatisation of specific communities and to denounce public discourse that sets one group against another and reinforces an “us” versus “them” division in our societies.

All EU Member States must live up to their obligations to promote human rights for all, to act for equality and the protection of all victims of bias violence.

Violence against women and girls exists in all cultures and societies and affects women of all social backgrounds. Male violence against women remains widespread and extremely prevalent everywhere in Europe, as data show. In the EU, according to the EU Agency for

Fundamental Rights (FRA), one in three women have experienced physical and/or sexual violence from the age of 15 and every second women has faced harassment.

The FRA survey on lesbian, gay, bisexual, transgender and intersex (LGBTI) people shows that a quarter (26 %) of all respondents indicate that they were physically or sexually attacked or threatened with violence for any reason at home or elsewhere in the previous five years in the EU. Transgender respondents are the most likely to say they were attacked or threatened with violence.

Antisemitism is deeply rooted in Europe's history and has taken different and insidious forms over the centuries. The persecution of Jews and the Holocaust remains an unprecedented horror and disgrace of Europe's recent history. Antisemitism is still structurally present today in Europe. Far-right and some far-left movements have continuously contributed to spreading antisemitic violence. Increasing acts of terrorism perpetrated in the name of political Islamist ideologies in Western Europe have also disproportionately targeted Jews as a specific community.

Violence against women, homophobic and transphobic crime are structural and endemic, rooted in exclusion, inequalities and patriarchal values. In Europe, men continue to be entitled to exert power over women in public and private life. Men and women all over Europe are exposed on a daily basis to a culture which sexualises and objectifies women's bodies, and which trivialises rape and sexual abuse.

The truth is that the rights of Jews, women and LGBTI people are sadly far from being promoted and protected across the board in Europe and the rest of the world. Accusations that certain ethnic or religious communities are solely responsible for bias violence amounts to a denial of the full scope of violence and discrimination faced at the hands of a diversity of perpetrators.

Further, this contributes to spreading impunity and the failure of our states to adequately address and eradicate violence in our societies. The division between "EU values" and the rest of the world, in particular the "Muslim world" is artificial. It is unacceptable that any government, political party or group pins the blame for discrimination and violence against women, LGBTI and Jewish people on refugees and Muslim communities alone, whilst they themselves have failed to protect these rights. A number of European countries still have wide margins of progress on equality laws.

No community or culture is immune from sexism, bigotry, racism and prejudice, nor from violence. Regardless of the identity of the perpetrators or the characteristics of victims, States should respond to all forms of discrimination and bias violence. And they need to establish clear legal frameworks against bias-motivated hate on any ground and male violence against women in order to change cultures of hate and violence.

Civil society organisations work together to fight hatred and to promote equality. We stand united for the indivisibility of human rights, and the recognition of people having multiple identities and facing multiple discrimination. There are existing good practices when it comes to dialogue between diverse communities and organisations. ILGA-Europe has worked increasingly on diversity within the community in the last years, focusing for example on women, elderly LGBTI people and on religion and faith. Many organisations in Europe bring together LGBTI persons with roots in the Maghreb, the Middle East, Turkey and sub-Saharan Africa. Some [Jewish communities](#) have also paid special attention to supporting integration policies and providing concrete [support to refugees](#), which can contribute to showing solidarity and debunking prejudices. CEJI – A Jewish Contribution to an Inclusive Europe has

also delivered training in integration centres. The European Women's Lobby has played a key role in the establishment of the European Network of Migrant Women, and is currently implementing the [#womensvoices project](#) on violence against refugee women and girls.

We believe that Member States have a duty to support such good practices and ensure that everyone feels safe in Europe.

- **We demand that the EU Framework Decision on Combating Racism and Xenophobia and the Victims of Crime Directive be implemented** in cases of racist and xenophobic speech and crime. Member States should ensure timely investigation, prosecution and sanctioning of violence or incitement to violence against migrants and asylum seekers, irrespective of their residence status.
- **The European Commission and the European Council should discuss how to finally close the legal gap regarding homophobic and transphobic hate crime across the EU.**
- **It is imperative that all victims of crime, including undocumented migrants and other vulnerable groups, should have access to justice** to ensure trust in European justice systems, and prevent under-reporting. Victims support centres should receive sufficient material and human resources. Particular attention should be paid to supporting victims and survivors of multiple forms of discrimination/violence.
- **We call on the EU to extend legislation to protect all grounds of discrimination.** It is time to adopt the Equal Treatment Directive and to close the protection gap when it comes to discrimination on the basis of sex/gender.
- **Extra efforts are needed to ensure that Existing EU equality laws are implemented.** There should be clear EU and national policy strategies to consistently and effectively address sexism, homophobia, transphobia, integration and all forms of racism.
- **Human rights education programmes** should be mandatory for all, part of education curricula and available in several languages. Modules on the positive contributions of Jews, Muslims and other groups to Europe should be developed, together with modules on understanding of all religions and beliefs. Such modules should include training on unconscious bias and discrimination, as well as gender equality and women's rights.
- **The EU should sign and ratify the Istanbul Convention** which provides protection from gender-based violence to migrant women and asylum seeking women.