

The Siena Recommendations on Contested Histories and National Minorities & Explanatory Note

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Organization for Security and
Co-operation in Europe

Published and disseminated by the OSCE High Commissioner on National Minorities (HCNM).

Please feel free to copy any information from this booklet; reference to the source would be appreciated.

ISBN/EAN 978-90-75989-45-8

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Printed in the Netherlands

Also available electronically at:
<https://hcnm.osce.org/hcnm/thematic-recommendations-and-guidelines>

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Introduction

In its Helsinki Decision of July 1992, the Organization for Security and Co-operation in Europe (OSCE) established the position of High Commissioner on National Minorities (HCNM) to be an instrument of conflict prevention at the earliest possible stage in regard to tensions involving national minority issues. For more than 30 years, the seven successive High Commissioners have encountered a number of recurring issues in their work. In response, they have published ten thematic Recommendations and Guidelines providing insight and concrete advice for participating States facing such issues. These syntheses of accumulated experience and expertise provide comprehensive, detailed and nuanced overviews of their subject matter. In addition, they serve as a reference point for the High Commissioner when advising States on which measures are best suited for preventing conflicts involving national minorities in their context.

The first three sets of Recommendations – *The Hague Recommendations regarding the Education Rights of National Minorities*, *The Oslo Recommendations regarding the Linguistic Rights of National Minorities* and *The Lund Recommendations on the Effective Participation of National Minorities in Public Life* – are primarily concerned with clarifying minority-rights standards. The subsequent publications – *Guidelines on the use of Minority Languages in the Broadcast Media*, *Recommendations on Policing in Multi-Ethnic Societies*, *The Bolzano/Bozen Recommendations on National Minorities in Inter-State Relations*, *The Ljubljana Guidelines on Integration of Diverse Societies*, *The Graz Recommendations on Access to Justice and National Minorities*, *The Tallinn Guidelines on National Minorities and the Media in the Digital Age* and the *Recommendations on the Effective Participation of National Minorities in Social and Economic Life* – take a more thematic, cross-cutting approach.

The present Recommendations aim to provide insight and advice on the issue of contested histories, which has become increasingly important in the work of the HCNM^{1,2}. Contestations over history have the potential to cause considerable tensions within and between States. Statues have been toppled, memory sites have been desecrated and rifts have been torn between groups, threatening peace and security. Such tensions have the potential to undermine the very foundation upon which the OSCE is built. National minority issues are often part of these dynamics, making this an issue of direct concern for the HCNM's mandate of conflict prevention.

In this document, the term “contested histories” is understood broadly to encompass historical narratives that are disputed or interpreted differently by various groups. The focus of these contestations may manifest over monuments, statues and memorials, and the names of streets, squares and public buildings, and other symbols of historical legacies in public spaces. They may also arise in connection with remembrance activities conducted in public spaces. These comprise some of the flashpoints where authorities are confronted with tensions that they have to resolve, sometimes urgently. Historical narratives are accounts that explore past events in a way that connects them to human experiences and cultural contexts, and explain their causes and effects. While historical narratives are based on facts, the way that these facts are interpreted may differ from group to group, within groups, and over time. The concept of historical memory is also relevant. It represents a collective understanding and interpretation of past events that is shared by a group or a society. It is closely connected to a group's identity, and can elicit strong emotions. In the HCNM's experience, certain historical events or individuals are so contentious and entangled with emotive matters related to identity that there is an enduring and heightened potential for tensions to erupt into conflict. Contestations can arise in societies that have experienced (collective) trauma in the past, such as war, colonization, displacement, massive human rights abuses, loss of territory, border changes, political transformation or other collective suffering by specific groups. When a specific historical event is seen as worthy of celebration by some and as traumatic by others, this is known as the “mirror of pain and pride”. The HCNM has observed that disputes over how to interpret the past often overlap with or reflect ethnic, linguistic, cultural and religious lines within a society.

1 “HCNM” in this document refers to the experience of the successive High Commissioners and represents the consolidated expertise of the institution.

2 The positive and negative impact that symbols can have on social relations was first mentioned in the 2012 *Ljubljana Guidelines on Integration of Diverse Societies*, Guideline 50.

States sometimes use legislation to prescribe or proscribe certain interpretations of history. This type of legislation is also known as memory laws.³ Although States sometimes justify such approaches as a way to protect what they consider to be their national security, the HCNM cautions that this may be counter-productive. In most cases, single narratives reflect how those in a dominant position remember the past and overlook the views and perceptions of other communities. If a State endorses a single narrative, some groups, including national minorities, can interpret this as imposed and exclusionary, thereby instilling a sense of marginalization or disenfranchisement. When different perspectives and experiences are not acknowledged or even prohibited, societies are less cohesive, which increases the risk of tensions. This is also true in inter-State relations. If historical achievements or grievances by one country are denied or not acknowledged by another State it can negatively affect bilateral relations and regional dynamics. This is a matter of direct relevance to the HCNM mandate because national minority issues are often invoked to justify such decisions.

These interconnected dynamics feed into a negative cycle in which unresolved disagreements over the past deepen existing divisions in society and contribute to ongoing disagreements in the future. To escape this cycle, the HCNM advises States to apply constructive, inclusive approaches to deal with contested histories. Indeed, the HCNM has observed the potential for history to act as a means for fostering dialogue, mutual understanding and co-operation within and between States. For instance, in situations where States have differing versions of a common past, bilateral commissions have proved effective in efforts to find common ground.

In the experience of the HCNM, these dynamics often play out in the legal and policy sphere, in public spaces and in education, and the present document is structured into three sections accordingly. The Recommendations aim to offer practical advice to the authorities of participating States when taking decisions on matters related to contested historical narratives, especially when they intersect with national minority issues. They offer a range of options on how to manage contestations in a manner that eases tensions in society and prevents them from escalating into conflict, both within and between States. Each Recommendation is intended to be read in conjunction with the relevant paragraphs of the Explanatory Note, and within the context of the document as a whole.

3 This is discussed in detail in Recommendation 1 of this document.

The General Principles section elaborates and builds on international legal norms that frame discussions on history, both within States and in inter-State relations. They underline the right to freedom of opinion and expression, as well as the importance of safeguarding academic freedoms, while reminding States to respect the principles of good neighbourly relations when discussions on history are taking place.

This section also offers guiding principles that States should strive to achieve when dealing with contestations over history, including promoting critical discussion of the past, acknowledging multiple historical narratives and perspectives, and consulting with affected groups. This involves fostering an enabling environment, ensuring the full and meaningful participation of all groups in society and striving for mutual accommodation. It is often not possible to come to an agreement on how the past is understood by everyone in a society, but the process of listening to different viewpoints and discussing such issues in an open, safe and sensitive environment can help alleviate potential tensions.

The HCNM recognizes that State authorities, at all levels, may find themselves in a position where they have to take decisions related to historical memory and historical narratives, such as whether or not to build or remove a monument, choose a public holiday, or name or rename a street, as well as when they are setting policy related to (history) education.

Dealing with representations of historical events and individuals in public spaces, and the use of public spaces to commemorate past events, present specific challenges for authorities at the national and local levels. Physical reminders of disagreements over interpretations of history can serve as focal points for groups to express their views. These focal points can become triggers that expose underlying tensions between communities. The section on History in Public Spaces provides practical and actionable strategies to deal with contestations over tangible and intangible representations of history in public spaces. Strategies include creating inclusive public spaces, actions that can be taken to calm tensions, options to consider when deciding on the fate of contested physical objects or names of public places, principles and approaches that support the holding of peaceful and inclusive remembrance activities in public spaces, and the role of museums and memory sites.

In making these decisions, States have the opportunity to strengthen mutual respect and understanding between different communities by fostering inclusive dialogue about interpretations of history and its representations, taking decisions

through a participatory process, and by recognizing and accommodating different views, including in the outcomes of such decisions. States should also take root causes into consideration and address underlying grievances.

Finally, the education system, and especially history education, is an area where contestations can emerge. It is also an area where such issues can be dealt with in constructive ways that help build the resilience of society in a broad manner. Education has the potential to play an important role in promoting tolerance in diverse societies. The History Education section describes how to develop education policies that help build the capacities of future citizens to deal with disagreements over history and thereby avoid polarization. It outlines the skills students should acquire to be able to recognize the uncertainty present in historical inquiry, make well-informed judgements and learn how to recognize stereotypes, avoid exclusionary language and critically evaluate information. It explains how to create inclusive teaching environments that present multiple perspectives, and how to ensure that teachers are equipped to apply these principles.

These skills are especially important as societies move increasingly online and artificial intelligence becomes more prevalent. Hate speech, inflammatory rhetoric and disinformation are becoming very convincing and widespread, and disagreements over historical narratives can be manipulated to deliberately widen divisions and destabilize societies. Through education, States can foster the critical thinking skills that citizens will need to be able to recognize disinformation and bias, assess content and sources, and even combat disinformation and contribute multiple perspectives themselves. At the same time, States should be aware of digital divides and seek ways to overcome them.⁴ Given that this is a wide and rapidly evolving topic, the present Recommendations do not deal with this subject in detail.

The term “national minority”, as used in the Recommendations, refers to a wide range of persons belonging to national minorities, including ethnic, linguistic, cultural and religious communities, regardless of whether these groups are recognized as such by the States where they reside and irrespective of the designation applied to or claimed by them. In addition, “national minority” is often used as a shorthand term for “persons belonging to national minorities”. While the HCNM’s focus is on national minorities, the HCNM also advocates for approaches that promote the integration of diverse societies, and thus the issues elaborated on in this document

⁴ Section IV of the *Recommendations on the Effective Participation of National Minorities in Social and Economic Life* offers advice on how States can increase digital inclusion in their societies.

also apply to other under-represented groups, such as traditional, historical and indigenous minorities, and Roma and Sinti. This may also include women, girls and youth from all communities. It is also useful to acknowledge the fact that many individuals have multiple identities that may be asserted in different ways, contexts and time.

While these Recommendations may be relevant for all these groups, this does not imply that all principles and practical solutions presented in the document apply to every situation in the same way. The Recommendations are not intended to be exhaustive and need to be contextualized. They are meant to serve as a general framework that can assist States in the process of deliberating on historical narratives and their representations, based on concrete practices collected across the OSCE area that have proved successful in addressing sensitive and potentially divisive questions.

The present Recommendations are based on concrete provisions in, and contemporary and forward-looking interpretations of, international human and minority rights and policy standards. The overall range of international standards drawn on in the Explanatory Note seeks to be representative rather than exhaustive. The Recommendations not only follow those standards, but necessarily also build on them.

At this point it should also be noted that while these Recommendations undoubtedly benefitted from the input and advice of an extensive multidisciplinary team of experts, the Recommendations themselves are grounded in specific experiences of the HCNM and do not reflect the views of any single expert. The institution of the HCNM is grateful to a number of external experts and practitioners for their contribution to this set of thematic Recommendations. Marie-Louise Jansen in particular is to be commended and thanked for her exceptional work on elaborating the Explanatory Note of these Recommendations and for lending her expertise and support from the early stages. The office of the HCNM is also grateful to Uladzislau Belavusau for his role in the drafting process through the initial legal review. Gratitude is additionally extended to Steven Stegers and Timothy Ryback for providing their advice on this subject over the years, as well as for the close co-operation through EuroClio – European Association of History Educators and the Institute for Historical Justice and Reconciliation (IHJR) on Contested Histories.

We also are grateful for the expertise shared with us by (in alphabetical order) Agnieszka Legucka, Aleksandra Gliszczyńska-Grabias, Ana Milošević, Antoon De Baets, Barbara Törnquist-Plewa, Bjorn Wansink, Diana T. Kudaibergen, Emma

Lantschner, Harriet F. Senie, Heiko Pääbo, Jan Marinus Wiersma, Jovana Mihajlović Trbovc, León Castellanos-Jankiewicz, Leonora Grcheva, Luisa Black, Maria Grever, Markus J. Prutsch, Mirosław Filipowicz, Nicole Fournier-Sylvester, Oxana Shevel, Petra Roter, Raul Cârstocea, Rok Zupančič, Snježana Koren, Vjeran Pavlaković and Yves Doutriaux.

Special recognition is deserved for several HCNM staff members, past and present (in alphabetical order) Alessandro Rotta†, Anuar Ayazbekov, Bob Deen, Elena Gjoreska, Eleonora Lotti, Iryna Ulasiuk, Jelena Nikolić Todoric, Marianne Mahaffey, Michelle Pirota, Natalya Mirmanova, Nataša Šakota, Peter Naderer, River Hustad, Theresa Stanton and William Romans who have provided input and guided the drafting of the Recommendations. We also note that the process to draft these Recommendations was the initiative of former High Commissioner Lamberto Zannier. The excellent institutional co-operation with the OSCE Gender Issues Programme also deserves credit. The support of the University of Siena, where these Recommendations have been launched, also deserves special mention.

These Recommendations aim to present concrete, technical solutions to contestations over history, while proposing mechanisms for dialogue, within States at the national and local levels, and at the bilateral and regional levels. The call to participating States is to make good use of them, acknowledge the risks inherent in issues related to historical narratives and memory, including in bilateral relations, and to handle related decisions and rhetoric in a responsible way, for the sake of peace and security.

Christophe Kamp
OSCE High Commissioner on National Minorities
Siena, 19 June 2026

† In memoriam

The Siena Recommendations on Contested Histories and National Minorities

I. General Principles

1. States should refrain from imposing a single historical narrative. They must protect freedom of opinion and expression and safeguard academic freedom, and should promote critical discussion of the past.
2. When developing laws and policies related to historical narratives, States should consult with affected groups, including persons belonging to national minorities. States should allow space for multiple historical narratives.
3. When States are framing laws and policies related to the past, they should be mindful to avoid causing or contributing to tensions involving national minority issues and inter-State relations. States shall ensure that they respect the principle of good neighbourly relations, and that they co-operate with other States in good faith to resolve disputes.
4. States should apply the principle of inclusivity in historical narratives. Representation of historical events and figures should foster a sense of belonging for as wide a spectrum of the population as possible, including for national minorities. Decision-making processes should be transparent and fully involve members of national minority communities to ensure their views are considered and reflected in the outcome.
5. States should acknowledge the presence of multiple perspectives on historical legacies, including those of persons belonging to national minorities, while safeguarding historical accuracy based on factual evidence and rigorous historical research in full respect of academic freedom and autonomy.

6. In addressing disputes over historical memory, States should be sensitive to the viewpoints of others and strive for mutual accommodation. Decisions should take into account the potential effects of their outcomes on different communities and on other States that share historical legacies. All sides should pursue a process of mutual accommodation that acknowledges the complexity and sensitivity of such matters, even if this may leave some questions unanswered.
7. States should take into consideration the root causes of disputes over historical memory and address the underlying grievances. States should take measures to promote understanding among communities, and combat discrimination and social exclusion.

II. History in public spaces

8. States should ensure that public spaces are inclusive and foster understanding among communities in society. When values and interpretations of history within a community evolve, States should reflect this in public spaces.
9. When contestations arise over historical symbols in public spaces, States should take action to calm tensions and initiate an inclusive, consultative and participatory decision-making process.
10. When deciding on the fate of contested monuments, statues, memorials or other physical objects, authorities should consider a range of options. Retaining the status quo or destruction are not the only options.
11. When deciding on names of public places and objects, such as streets, cities, regions, parks, squares, public buildings, landmarks and other topographical markers that refer to historical events or figures, authorities should aim for names that reflect diversity in society.
12. Remembrance activities in public spaces, including commemorations, national holidays, festivals, parades and other forms of intangible cultural heritage, are important expressions of cultural identity. States should respect, protect and fulfil the rights of all members of the population, including persons belonging to national minorities, to organize and participate in remembrance activities in public spaces.

13. Museums and memory sites play a significant role in how a society preserves its history. As such, they can have a powerful effect on how people perceive past events. Public museums and memory sites should curate their collections and public spaces with sensitivity to how different groups could interpret the display of artefacts and the accompanying narratives.

III. History Education

14. States should put education policies in place that provide the tools for societies to deal constructively with contested histories, build resilience against hate and avoid polarization. These policies should be developed and implemented through an inclusive process.
15. Students should be taught to recognize the uncertainty present in historical inquiry and to research and analyse evidence to make well-informed judgements about history. Students should be encouraged to develop critical, historical and inquisitive thinking skills, to recognize stereotypes and to avoid binary concepts of identity (us versus them) and exclusionary language. Students should also be taught media literacy skills so they can critically evaluate information and identify bias online and offline.
16. State and school policies should support an inclusive teaching environment and ensure that history curricula and classroom resources present multiple perspectives. This includes ensuring that assessment and testing support the acquisition of relevant competences, such as a critical understanding of history.
17. Professional development for teachers at every stage of their career should enable and support them to apply the principles and approach outlined above. Teachers should be provided with the tools to teach critical, historical and inquisitive thinking. Teachers should receive training to address sensitive, emotional and controversial matters.

The Siena Recommendations on Contested Histories and National Minorities & Explanatory Note

I. General Principles

1. States should refrain from imposing a single historical narrative. They must protect freedom of opinion and expression and safeguard academic freedom, and should promote critical discussion of the past.

States often use historical narratives as part of their efforts to build a collective identity. However, such an approach can fail to reflect the views of different communities on their territory. When States attempt to impose a single narrative, and prohibit or punish alternative views, this can lead to tensions within and between States.⁵ Conversely, State policies related to history and memory that embrace multiple viewpoints have the potential to promote the integration of diverse societies.⁶

While international legal norms do not circumscribe how States should interpret, present and validate facts and events related to historical narratives, the process employed should not conflict with international legal norms protecting fundamental human rights enshrined in the Universal Declaration of Human Rights (UDHR) and

⁵ For more on how laws and policies related to the past can affect inter-State relations, see Recommendations 3 and 6 in this document.

⁶ For more on including multiple perspectives in historical narratives, see Recommendations 2, 4, 5 and 6 in this document.

other international legal instruments.⁷ These inalienable rights are guaranteed for all persons, including persons belonging to national minorities, as articulated in the International Covenant on Civil and Political Rights (ICCPR) and the Council of Europe's (CoE) Framework Convention on National Minorities (FCNM).⁸

Furthermore, the United Nations Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities (UN Declaration on Minorities) stipulates that Member States "should encourage knowledge of the history, traditions, language and culture of the minorities existing in their territory."⁹ Whether and how their history and culture are included, interpreted and presented in historical narratives used by States can have a profound effect on the way persons belonging to a national minority, or any other minority group, feel included or disenfranchised from their wider society. Inclusive historical narratives have the potential to foster mutual respect and understanding among all persons in a society, irrespective of those persons' national, ethnic, cultural, linguistic or religious identity or other affiliation. On the other hand, historical narratives that exclude certain events or people can contribute to creating or increasing gaps between and within different groups in society. While there are no clear international legal norms or commitments governing States' choices when it comes to historical narratives, States do have to take into consideration their positive and negative rights and obligations towards both their populations and their neighbours when making decisions in this field.¹⁰

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- 7 Universal Declaration of Human Rights (UDHR) (1948); the International Covenant on Civil and Political Rights (1976) (ICCPR), article 2, obligates States to respect and ensure all human rights; the International Covenant on Economic, Social and Cultural Rights (ICESCR) (1976), article 5, guarantees fundamental human rights; and the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR) (2010), article 1, safeguards human rights.
 - 8 ICCPR, article 27: "In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practise their own religion, or to use their own language."; Council of Europe (CoE) Framework Convention for the Protection of National Minorities (FCNM), article 1, Section 1 (1995): "The protection of national minorities and of the rights and freedoms of persons belonging to those minorities forms an integral part of the international protection of human rights, and as such falls within the scope of international co-operation" (note that 39 OSCE participating States are parties to the FCNM). See also: European Court of Human Rights (ECtHR), *Gorzelik and Others v. Poland*, quoting the FCNM that "a pluralist and genuinely democratic society should not only respect the ethnic, cultural, linguistic and religious identity of each person belonging to a national minority, but also create appropriate conditions enabling them to express, preserve and develop this identity." See also: ECtHR, *The United Communist Party of Turkey and Others v. Turkey*, refraining from addressing the issue of a minority's "own national identity."
 - 9 United Nations Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities (UN Declaration on Minorities), article 4.4, UN General Assembly (UNGA) Resolution 47/135 (18 December 1992).
 - 10 For more on inter-State relations in the context of contested histories, see Recommendations 3 and 6 in this document. More broadly, see OSCE HCNM, *The Bolzano/Bozen Recommendations on National Minorities in Inter-State Relations* (June 2008) (Bolzano/Bozen Recommendations) and OSCE HCNM, *The Ljubljana Guidelines on Integration of Diverse Societies* (November 2012) (Ljubljana Guidelines), Guideline 1.

Some States — particularly those whose populations have experienced war, colonization, displacement, massive human rights abuses, loss of territory, border changes, political transformation or other collective suffering by specific groups — enact proscriptive legislation, known as memory laws, that governs the interpretation of historical memory in an attempt to strengthen a collective national identity. Although there is no universally accepted legal definition of “memory laws”, the term is often applied broadly to encompass different official means to support State-sponsored or State-approved interpretations of the past. These can prescribe or prohibit certain views of historical figures, symbols, dates and events. Memory laws can range from non-punitive legal acts in the form of government declarations and parliamentary resolutions at one end of the scale to punitive laws that prescribe specific interpretations of history at the other end. Prescriptive memory laws banning the denial or trivialization of genocides, crimes against humanity, or other acts of mass violence or gross violations of human rights represent an attempt to curb rising racism, anti-Semitism and xenophobia. The HCNM has noted that more recent memory laws have been of a proscriptive nature, designed to impose a specific interpretation of history by requiring the inclusion or exclusion of particular facts and historical interpretations or by banning historical interpretations considered offensive to the values of the State. Memory laws that restrict the right to freedom of opinion and expression in order to curb hate speech¹¹ need to be carefully circumscribed to comply with articles 19 and 20 of the ICCPR.¹²

Although the legal nature and application of memory laws can vary significantly, such laws are inherently sensitive due to the emotional impact that the remembrance of historical events – be they laudatory or traumatic – can have on affected communities. This is especially the case for persons belonging to national minorities who may have experienced tensions or conflict rooted in differing perspectives on historical events or whose residence in a particular State is due to border changes resulting from past conflicts.

11 Appendix to CoE Committee of Ministers Recommendation No. R (97)20 on “Hate Speech” adopted on 30 October 1997 stipulates: “For the purposes of the application of these principles, the term ‘hate speech’ shall be understood as covering all forms of expression which spread, incite, promote or justify racial hatred, xenophobia, anti-Semitism or other forms of hatred based on intolerance, including: intolerance expressed by aggressive nationalism and ethnocentrism, discrimination and hostility against minorities, migrants and people of immigrant origin.”, p.115. States should also note that the ECtHR does not accept arguments that certain measures limiting the right to freedom of expression are required to counteract threats to democracy based on speculation. See ECtHR *Vajnai v. Hungary*, application number 33629/06, Judgment 8 July 2008, paragraph 55: “In the Court’s view, the containment of a mere speculative danger, as a preventive measure for the protection of democracy, cannot be seen as a ‘pressing social need’.”

12 According to the UN Human Rights Committee (CCPR), laws that mandate certain historical views are incompatible with the rights stipulated in article 19 on freedoms of opinion and expression of the ICCPR. See paragraph 52 in the CCPR General Comment 34 (2011).

Protecting freedom of opinion and expression

When dealing with the past, States need to work within the parameters of their obligations to safeguard the foundational right to freedom of opinion and expression, including the right to hold opinions without interference. Freedom of opinion and expression is a cornerstone of democratic societies. This right is enshrined in numerous international legal instruments, *inter alia*, article 19 of the UDHR, article 19 of the ICCPR¹³, article 10 of the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR) and article 7 of the FCNM.

Freedom of opinion and expression is an essential component in discussions of the past. Such discussions should encourage open debate over differing perspectives regarding the interpretation of historical events, the analysis of factors leading to those events, assessment of historical figures, and any other relevant aspects, including paying attention to potentially gendered interpretations. Furthermore, members of the population, including persons belonging to national minorities, must not be coerced into accepting or supporting historical narratives in any manner, be it through written, oral or other forms of expression.¹⁴

13 The ICCPR clearly indicates in article 19, paragraph 3, that any restriction on free expression can only be imposed if the restriction meets three contemporaneous conditions: (1) the restriction must be prescribed by law; (2) it must relate directly to one or more of the interests circumscribed, namely the protection of the "rights or reputations of others", the "protection of national security or of public order, or of public health or morals", and (3) it must respect the test of proportionality – especially in regard to the necessity of any restrictive measure. The ECtHR also takes a strict position in regard to limitations on freedom of expression and has ruled that such measures can only be imposed when they meet all three criteria and are deemed necessary in a democratic society, which entails justification for the limitation being convincingly established and "necessary", as defined by ECtHR case law, requiring "a pressing social need". In this regard, see Paragraphs 58-78 in *The Sunday Times v. The United Kingdom* (1979), Application No. 6538/74.

14 ICCPR, article 18(2), stipulates: "No one shall be subject to coercion which would impair his freedom to have or to adopt a religion or belief of his choice." Note also that non-coercion is stipulated in paragraphs 5 and 8 in the CCPR General Comment 22 (1993) on article 18 on freedom of thought, conscience and religion. See also: paragraph 10 in the CCPR General Comment 34 (2011) on article 19 on freedoms of opinion and expression, as well as Recommendation 12 in this document.

The interpretation of historical events should be based on corroborated evidence. Events that have been judged by international courts and tribunals to be acts of genocide and/or crimes against humanity should not be presented in any way that could facilitate the denial of such events.¹⁵ Similarly, the way in which totalitarian regimes are presented should be carefully formulated to avoid attempts to advocate for or legitimize those regimes.

Freedom of opinion and expression does not extend to the promotion of violence, discrimination and other acts of hatred. Article 20 of the ICCPR explicitly prohibits advocacy of national, racial or religious hatred, which constitutes incitement to discrimination, hostility or violence.¹⁶ States Parties to the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) are obligated to condemn “all propaganda and all organizations which are based on ideas or theories of superiority of one race or group of persons of one colour or ethnic origin, or which attempt to justify or promote racial hatred and discrimination in any form.” States have a duty to take immediate and positive measures to address propaganda that promotes discrimination, hatred and violence.¹⁷ The HCNM has observed that when States fail to act or make insufficient efforts to combat hate speech, persons belonging to national minorities are often the targets. This also applies to other minorities, including ethnic, cultural, linguistic, religious and racial minorities, as well immigrant communities, and any combination thereof. Minority

15 For example, in regard to the Holocaust, the ECtHR has determined that the ECHR, in principle, does not protect Holocaust deniers under the right to freedom of expression. See paragraph 48 in the ECtHR's judgment in *Pastörs v. Germany* (2019), Application No. 55225/14: “Court [...] considers that the applicant's impugned statements affected the dignity of the Jews to the point that they justified a criminal-law response.” In addition, in paragraph 49 the Court held that the plaintiff's right to freedom of expression had not been violated under the ECHR: “[T]here is no appearance of a violation of article 10 of the Convention.”

16 ICCPR, article 20, stipulates: “1. Any propaganda for war shall be prohibited by law”; and “2. Any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law.”

17 International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) (1965), article 5 (c) (vii) and (viii), stipulates: “The right to freedom of thought, conscience and religion [and, respectively] the right to freedom of opinion and expression”; article 4 obligates States to: “[...] undertake to adopt immediate and positive measures designed to eradicate all incitement to, or acts of, such discrimination and, to this end, with due regard to the principles embodied in the Universal Declaration of Human Rights and the rights expressly set forth in article 5 of this Convention.” See also: Committee on the Elimination of Racial Discrimination, General Recommendation 35, paragraph 8: “The identification and combating of hate speech practices is integral to the achievement of the objectives of the Convention” (2013). See also: European Commission against Racism and Intolerance (ECRI) General Policy Recommendation 15 on Combatting Hate Speech (CRI(2016)15).

women and youth may be at increased risk of being targeted. In such situations, tensions can escalate to the point of conflict.¹⁸

Central to the remembrance of historical events is the right to the truth. The term “right to the truth” and the obligations included therewith are understood within international legal norms to refer to the obligation of States to provide information to a victim or victim’s family – and by extension, to the community – about the circumstances related to severe violations of human rights that the victim(s) suffered.¹⁹ Within human rights norms, the right to the truth is drawn from the ICCPR, article 2, on the right to effective remedy, and article 19, on the rights to freedom of opinion and expression.

The right to the truth is important to the larger community, especially in regions where past human rights abuses and crimes against humanity have been perpetrated against one or more groups. The HCNM has observed that in cases where victims’ families and communities have been unable to determine the details regarding the fate and loss of their members, anger, resentment and a sense of injustice among those affected have often led to tensions between groups in society. States should investigate complaints of gross human rights violations, including by opening their archives and acknowledging the constituent facts regarding those events.²⁰

While the subject of transitional justice is extremely important in the context of the right to the truth, as well as in this entire set of Recommendations, especially Recommendation 12, the issue is far too broad to be covered within the present document. Therefore, the authors have only included a brief mention of certain issues here and in other parts of the document.

18 Report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression to the UNGA, 30 January 2002, paragraph 62, submitted in accordance with UN Commission on Human Rights resolution 2001/47.

19 The right to the truth is referenced in Principles 2, 3, 4 and 5 in the Updated Principles for the Protection and Promotion of Human Rights through Action to Combat Impunity (2005) UN Doc. E/CN.4/2005/102/Add.1. See also: UNGA, Resolution 61/177 (12 January 2007), UN Doc. A/Res/61/177: Convention for the Protection of All Persons from Enforced Disappearance (ICPPED).

20 Information about the fate of a victim, victims or victimized group can only be withheld if doing so serves the privacy interests of surviving relatives of the victim(s). However, information related to gross human rights violations cannot be kept secret under national security pretexts. The Updated Set of Principles for the Protection and Promotion of Human Rights through Action to Combat Impunity, UN Doc. E/CN.4/2005/102/Add.1 (8 February 2005) Principle 2 reaffirms the inalienable right to know the truth vis-à-vis gross human rights violations and serious crimes under international law.

Safeguarding academic freedom

When discussing historical narratives, States have to safeguard academic freedom. Academics must have the freedom to conduct research and debate different viewpoints, as well as publish and disseminate scholarly books, articles, reviews and other academic resources, free of censorship.²¹ Attending national and international conferences, congresses, seminars, webinars and other gatherings are important for historians and other experts to disseminate and debate their research. These activities are inextricably linked to the rights of freedom to hold opinions and to express viewpoints, and the right to peaceful assembly, as stipulated in international legal norms.²²

In its definition of “academic freedom”, the UNESCO Recommendation Concerning the Status of Higher-Education Teaching Personnel (1997) underscores the need to safeguard the academic community from political pressures that could undermine essential components to academic freedom.²³

Scholars require access to sources in official archives, university libraries, public records, court records, or other depositories to conduct research into the past. In addition to their vital role as repositories of information, archives are also an important resource supporting democratic processes. Archives hold a wide range of historical information relevant to national minorities, including on voluntary and forced migrations, changing borders and other traumatic events. Records in archives can provide evidence for the protection of human rights, especially when those rights have been violated. Records held by government agencies, courts, prosecutors and lawyers, to give a few examples, can shed light on historical events and inform our contemporary understanding of those events. As a necessary resource to guarantee human rights, States are obligated to allow access to such information, as indicated in article 15, International Covenant on Economic, Social and Cultural Rights (ICESCR), which mandates States Parties “to respect the freedom indispensable for scientific research and creative activity”.²⁴ They

21 See UNESCO Recommendation concerning the Status of Higher-Education Teaching Personnel (1997), paragraph 12, pp. 6-7.

22 ECHR, article 11; UDHR, article 20; ICCPR, articles 21 and 22; ICERD, article 5c(ix) (on the right to freedom of peaceful assembly and association); and FCNM, article 7. See also: Recommendation 12 in this document.

23 Preamble to UNESCO Recommendation concerning the Status of Higher-Education Teaching Personnel (1997) and *ibid.* article 27 on academic freedom.

24 ICESCR, article 15 (3) & (4): “The States Parties to the present Covenant undertake to respect the freedom indispensable for scientific research and creative activity [and the States Parties] to the present Covenant recognize the benefits to be derived from the encouragement and development of international contacts and co-operation in the scientific and cultural fields.”

also have a duty to preserve archives covering periods of repression.²⁵ Access to archives can play a vital role as an educational tool against denial and revisionism.²⁶ While recognizing that access to some information may be restricted for reasons of national security,²⁷ policies should ensure that scholars and other relevant persons²⁸ have access to archives. Furthermore, States should take care to prevent the destruction, manipulation or concealment of documents, oral histories, images, digital records and other data.

2. When developing laws and policies related to historical narratives, States should consult with affected groups, including persons belonging to national minorities. States should allow space for multiple historical narratives.

When States are dealing with historical narratives; for instance, when they decide which historical people and events to commemorate, select topographical names, or set educational curricula, they should adopt an inclusive and consultative approach.

If States choose to develop laws and policies related to historical narratives, then they should ensure that the viewpoints of diverse communities, including persons belonging to national, ethnic, cultural, linguistic, religious and racial minorities, as well as immigrant communities, and the perspectives of women and youth, are taken into account in the process and outcome. They should also take into account the fact that identities can be multiple, multilayered, contextual and dynamic.²⁹ This underscores the democratic principle of effective participatory practices by all members of society in a State's cultural, religious, social, economic and public

25 Updated Principles for the Protection and Promotion of Human Rights Through Action to Combat Impunity, Principle 3, 8 February 2005, UN Doc. E/CN.4/2005/102/Add.1.

26 See Report of the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence to the UNGA, 7 September 2015, paragraph 96: "Archives containing records of mass violations can contribute to prevention. Access to well-preserved and protected archives is an educational tool against denial and revisionism, ensuring that future generations have access to primary sources, which is of direct relevance to history teaching."

27 See also: ICCPR, article 19 (3) (b): the exercise of the right to seek information may be subject to certain restrictions, which shall be only as "provided by law" and "necessary" "for the protection of national security."

28 Access to archives is also in conformity with the principle that States must preserve archives that enable societies to exercise their right to know the truth about past repression and has universal relevance. Updated Principles for the Protection and Promotion of Human Rights Through Action to Combat Impunity, Principle 3, 8 February 2005, UN Doc. E/CN.4/2005/102/Add.1.

29 Ljubljana Guidelines, Explanatory Note to Guideline 5.

life, as guaranteed by ICESCR and other human rights instruments.³⁰ The rights to effective participatory practices for persons belonging to minorities are affirmed in article 2.2 of the UN Declaration on Minorities and article 15 of the FCNM. These rights are an essential component of a peaceful and democratic society, as indicated in the first principle of *The Lund Recommendations on the Effective Participation of National Minorities in Public Life* (Lund Recommendations).³¹

States should encourage the effective participation of national minorities in the process of developing laws and policies related to the past or discussing historical narratives by proactively reaching out to persons belonging to minority groups, especially when the history in the narrative relates to their national, ethnic, cultural, linguistic, religious or racial heritage.³² States can facilitate effective consultation between and among affected groups and government authorities, at all levels, through advisory or consultative bodies that seek to promote diversity. States should also ensure that such processes are transparent, non-discriminatory and respect diversity within minority groups, also in terms of gender and age.³³

In the experience of the HCNM, persons belonging to minority groups express greater confidence in their local and national governments when they feel their interests are being taken into consideration. For persons belonging to minorities, having their culture and, by extension, their history recognized are important aspects

30 See UN Declaration on Minorities, article 2(2). See also: ICESCR, Preamble and articles 1, 3, 5, 6 and 15. For a provision guaranteeing the human rights of women, see Convention on the Elimination of All Forms of Discrimination against Women (1979), article 7.

31 OSCE HCNM, *The Lund Recommendations on the Effective Participation of National Minorities in Public Life* (Lund Recommendations), September 1999, p. 7, and explanatory note to Recommendation 12, p. 25: "Paragraph 24 of Part VI of the Helsinki Document [Conference on Security and Co-operation in Europe (CSCE) Helsinki Final Act (1975)] commits OSCE participating States 'to ensure the free exercise by persons belonging to national minorities, individually or in community with others, of their human rights and fundamental freedoms, including the right to participate fully [...] in the political [...] life of their countries including through democratic participation in [...] consultative bodies at the national, regional, and local level.'"

32 FCNM, article 15, obligates States Parties to "create the conditions necessary for the effective participation of persons belonging to national minorities in cultural, social and economic life and in public affairs, in particular those affecting them." See also: Report of the CSCE Meeting of Experts on National Minorities, Geneva (1991), paragraph III: "Respecting the right of persons belonging to national minorities to effective participation in public affairs, the participating States consider that when issues relating to the situation of national minorities are discussed within their countries, they themselves should have the effective opportunity to be involved."

33 A number of international legal norms express the non-discrimination principle, including UDHR, article 2; ICCPR, articles 2 and 26; and ICESCR, article 2. See also: ICERD, article 1; and ECHR, article 14.

in the process of integration.³⁴ At the same time, when the majority recognizes the contribution of the minority to a shared culture and history it facilitates the two-way process of mutual recognition that underpins integration, as described in *The Ljubljana Guidelines on Integration of Diverse Societies* (Ljubljana Guidelines).

Creating space for multiple perspectives

A participatory approach to historical narratives implies a multi-actor process of mutual engagement that requires dialogue and a willingness by all parties to consider differing viewpoints in good faith. Groups may hold conflicting perspectives of an established narrative relevant to their ethnicity, culture, traditions, language, religion, history and sense of identity. Views may also differ within a group. There is often no single, monolithic historical narrative that holds true for all time for any specific community or group. As referenced in Recommendation 1 of this document, States Parties to the ICCPR are obligated to safeguard the right to freedom of opinion and expression for all parties.³⁵ The right to freedom of opinion and expression implies that States should take a multi-perspective approach in dealing with historical narratives.³⁶ A multi-perspective approach accepts that historical narratives may evolve over time, and that events both prideful and shameful can be interpreted through different viewpoints and at different times. It should be noted that this does not imply that all viewpoints are valid. Furthermore, as historical narratives evolve, previous narratives are not necessarily invalidated. Rather, the evolution allows for additions, critical reinterpretations and reassessments.

A multi-perspective approach in dealing with historical narratives means a person is willing to listen to different perspectives; it does not imply that they must accept the narratives. No one should be coerced to have or adopt beliefs (and, by extension, views), as stipulated in article 18 of the ICCPR, nor should anyone be forced to participate in a consultative process.³⁷ Furthermore, policies, including those

34 FCNM, article 5 (1), stipulates that Parties “promote the conditions necessary for persons belonging to national minorities to maintain and develop their culture, and to preserve the essential elements of their identity, namely their religion, language, traditions and cultural heritage.” These interests are also anchored in paragraph 33 of the Copenhagen Document committing OSCE participating States to take measures to “protect the ethnic, cultural, linguistic and religious identity of national minorities on their territory and create conditions for the promotion of that identity [...]”

35 UDHR, article 19, also states, *inter alia*, that everyone has the right to hold opinions and to seek, receive and impart information and ideas. See also: ICCPR, article 19 on freedoms of opinion and expression, and limitations therein.

36 The FCNM Advisory Committee has encouraged authorities to take into account multiple perspectives in commemorations (4th Opinion on Ukraine, 2017, paragraph 81), and in historical research and the writing of history textbooks (3rd Opinion on Estonia, 2011, paragraph 131).

37 For more on remembrance activities and coercion, see Recommendation 12 in this document.

related to historical narratives, should never be used to force national minorities to assimilate.³⁸

Consultative processes are most effective when they take place in an enabling environment. An enabling environment ensures that all participants regardless of their background can express their opinions without fear of reprisal, taking into consideration limitations of the freedom of expression pertaining to hate speech. As indicated in *The Tallinn Guidelines on National Minorities and the Media in the Digital Age* (Tallinn Guidelines),³⁹ pluralistic deliberation must be facilitated, nurtured and defended with vigilance.

States may choose to impose a limited moratorium on public discussion or debate on a particular historic issue when sensitivities are too great or opinions too polarized. Such a moratorium should be framed with specific parameters and timeframes, with the express intention of permitting time for reflection and distancing from particularly painful historic episodes. Moratoria should not be misconstrued or perceived as a form of denialism or rejection of an historic event, and they should not be unduly prolonged with the intention of preventing discussion indefinitely.

3. When States are framing laws and policies related to the past, they should be mindful to avoid causing or contributing to tensions involving national minority issues and inter-State relations. States shall ensure that they respect the principle of good neighbourly relations, and that they co-operate with other States in good faith to resolve disputes.

While States might frame laws and policies related to historical narratives or memory intended to apply within national borders, there is the potential that they could have detrimental effects on inter-State relations and regional security. Another State might perceive laws that prescribe or proscribe interpretations of historical memory as offensive or hostile to their interests.⁴⁰ Such laws could be considered detrimental to national minorities within the State and, by extension, attract the interest of a State with ties to those minorities. The way a State frames such laws

38 FCNM, article 5(2): "the Parties shall refrain from policies or practices aimed at assimilation of persons belonging to national minorities against their will and shall protect these persons from any action aimed at such assimilation."

39 OSCE HCNM, *The Tallinn Guidelines on National Minorities and the Media in the Digital Age* (Tallinn Guidelines), February 2019, Introduction, and explanatory notes to Guidelines 2, 3 and 5.

40 For more on memory laws, see Recommendation 1 in this document.

can undermine the principles of good neighbourliness, friendly relations and co-operation, which are a cornerstone of co-operation and security.

Respect for the inalienable principle of territorial sovereignty, as stipulated in articles 1 and 2 of the UN Charter and in numerous international legal instruments,⁴¹ affirms good neighbourly relations between States and undergirds peaceful co-operation and security.

In framing laws and policies that affect minority communities, States must respect minority rights, as stipulated in the UN Declaration on Minorities, FCNM, multilateral treaties⁴² and other legal norms. The foundational principles of the UN and the OSCE recognize that respecting the rights of national minorities is a crucial factor in ensuring peace and stability between neighbours and within regions.⁴³ Recommendation 4 of *The Bolzano/Bozen Recommendations on National Minorities in Inter-State Relations* (Bolzano/Bozen Recommendations) notes that “a State may have an interest — even a constitutionally declared responsibility — to support persons belonging to national minorities residing in other States based on ethnic, cultural, linguistic, religious, historical or other ties. However, this does not imply, in any way, a right under international law to exercise jurisdiction over these persons on the territory of another State without that State’s consent.”⁴⁴ By protecting and promoting the human rights of all groups, including national minorities, within their territory States take affirmative measures to ensure good neighbourly relations and strengthen the integration of diverse societies.

States should take into consideration the potential effects of their policies on different communities on their territory and on other States that share historical legacies. This includes decisions about how history is represented in public spaces.⁴⁵

41 See, *inter alia*: UN Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations, UNGA Resolution 2625 XXV (24 October 1970); Helsinki Final Act, Principle IV; and Charter of Paris for a New Europe (1990), pages 5 and 8, paragraph 35. With particular regard to national minorities: Copenhagen Document (1990), paragraph 37; FCNM, Preamble and article 21; and, UN Declaration on Minorities, article 8 (4).

42 ECHR, articles 1-18, and relevant additional protocols.

43 UN Declaration on Minorities. In addition, FCNM, article 2, obligates States to apply the principles of the Convention “in a spirit of understanding and tolerance and in conformity with the principles of good neighbourliness, friendly relations and co-operation between States.”

44 Bolzano/Bozen Recommendations, Recommendation 4 and explanatory note.

45 For more practical guidance, also see in this document: Recommendation 6 on disputes over shared history, as well as Section II. History in public spaces, particularly Recommendation 8 on memorial sites and Recommendation 11 on names of public places and objects that refer to historical events or figures.

Disputes over historical narratives, and laws and policies related to the past, can have a negative effect on bilateral relations. This can complicate broader inter-State relations in areas such as trade, education, health, culture and other spheres of co-operation.

By recognizing the principle of good neighbourly relations, States can implement a number of mechanisms for addressing contestations when they arise, including negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement or other peaceful means, as outlined in the UN Charter.⁴⁶ The Bolzano/Bozen Recommendations underscore the point that States should attempt to avert conflicts over minority issues with neighbouring and other States by making a concerted effort to implement available domestic and international instruments.⁴⁷ The HCNM has observed that in the case of inter-State or regional contestations over historical memory, establishing official bilateral historical commissions, which may recommend the formation of bilateral textbook commissions, has been a successful mechanism that allows for peaceful, non-judicial settlement of disputes.⁴⁸ In such cases, education policies should also support the ability of teachers to select different textbooks, including, in relevant States, those that have been developed by bilateral historical commissions.⁴⁹ Given the sensitive nature of interpreting historical events, States agreeing to form bilateral commissions should select independent experts and engage professional mediators.⁵⁰ The process should allow for an enabling environment by accommodating linguistic and cultural differences, and ensuring teams on both bilateral historical commissions and bilateral textbook commissions are balanced in terms of ethnicity and gender.⁵¹

46 UN Charter, article 2 (3): "Members shall settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered." Also: article. 2 (4): "All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations." See also: OSCE Istanbul Document (1999), Charter for European Security, paragraph 47: "We reiterate that the principle of the peaceful settlement of disputes is at the core of OSCE commitments." In addition, the explanatory note to Recommendation 18 in the Bolzano/Bozen Recommendations encourages States to negotiate bilateral treaties to establish joint commissions in settling disputes.

47 Recommendation 19, Bolzano/Bozen Recommendations.

48 Such a recommendation would be in accordance with paragraph 27 of the Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE (1990).

49 See also: Recommendation 16 in this document.

50 OSCE. "Mediation and Dialogue Facilitation in the OSCE: Reference Guide", 13 November 2014. www.osce.org/secretariat/125143.

51 For more on an enabling environment, see Recommendations 2, 4, 5, 6 and 7 in this document.

4. States should apply the principle of inclusivity in historical narratives. Representation of historical events and figures should foster a sense of belonging for as wide a spectrum of the population as possible, including for national minorities. Decision-making processes should be transparent and fully involve members of national minority communities to ensure their views are considered and reflected in the outcome.

The HCNM has observed that fostering a sense of belonging to the State among all members of the population — irrespective of ethnicity, race, religion, or cultural identity — has a significant bearing on peace and security.⁵² Groups that feel recognized and respected in their societies are more inclined to reconcile differences and avoid conflict. Ties within society can be strengthened by including representatives of different groups in decision-making, especially on issues in which they are vested.

Many groups in society, and their individual members, have strong feelings about how certain historical events and figures are represented in narratives and public spaces, including events, museums, classrooms and the media. This relates to their own sense of identity and affects their sense of belonging to the State.

Participatory and transparent decision-making processes tend to produce results that promote inclusivity. If a desired outcome is supposed to have an inclusive effect, but the process has not actually included those affected, it can have an adverse effect, leading to resentment and feelings of disenfranchisement and marginalization. This means that the selected policymakers themselves and the strategy they follow to determine the policy directives or recommendations, as well as how the policy is implemented and communicated to the public, are vitally important considerations. For the process to be participatory and transparent, local officials, educators, academics, civil society and minority representatives should be brought into the decision-making process. The selection of persons consulted in the decision-making process can signal to the public that officials are committed to fostering a sense of inclusivity in society. This is especially evident when participants are selected from different community groups based on their expertise.⁵³ This

⁵² Ljubljana Guidelines, especially Introduction, p. 3, and Guidelines 8-12.

⁵³ In regard to the importance of including gender perspectives, see also: Report of the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence to the UNGA, 9 July 2020: "It is also essential to encourage new memory processes reflecting contemporary human rights perspectives, such as the gender perspective, and to review memory processes that have not taken account of it in order to ensure that it is properly incorporated."

may involve reaching out to persons belonging to national minorities and other under-represented minority groups, such as ethnic, religious or linguistic minorities, and any combination thereof, as well as including women and youth from all relevant groups.

An inclusive, participatory process can avert unintended or deliberate misunderstanding of interpretations of historical narratives and help bridge differences between groups. As indicated in Recommendation 2 of this document and in the Lund Recommendations, the effective participation of national minorities in policy-making is an essential component of a peaceful and democratic society.

Another benefit of developing policy through an inclusive process is that the outcomes will better reflect different voices. By working with local stakeholders when developing policy related to historical representations in public spaces or updating history curricula, for example, policymakers can anticipate the potential impact their recommendations or directives could have on particular, often under-represented, groups, such as women, youth, immigrant communities and minorities.

Public outreach aimed at informing affected groups and helping them understand the reasoning behind particular policy decisions is most effective when open discussion is encouraged, without fear of reprisal, taking into consideration limitations of the freedom of expression pertaining to hate speech. The HCNM has observed that language and cultural sensitivities need to be respected when communicating policy decisions, and a feedback mechanism that also operates without fear of reprisal can be very helpful to monitor the effect of policy on different communities.

5. States should acknowledge the presence of multiple perspectives on historical legacies, including those of persons belonging to national minorities, while safeguarding historical accuracy based on factual evidence and rigorous historical research in full respect of academic freedom and autonomy.

Interpretations of historical events and figures can differ significantly among different communities in pluralistic societies. In monitoring issues related to national minorities, the HCNM has observed that historical narratives can be a source of tension when different interpretations touch on sensitive issues from the past. This is especially true with regard to trauma resulting from war, colonization, displacement, massive human rights abuses, loss of territory, border changes, political transformations or other collective suffering by specific groups. In taking decisions regarding historical representations in public spaces or in school curricula and educational materials, policymakers should ensure that they present issues in a multi-perspective, non-discriminatory way.⁵⁴ Such an approach can help policymakers promote integration and reduce tensions in society more widely, thereby contributing to conflict prevention.

Allowing multiple perspectives to inform historical narratives enhances knowledge about specific historical events. It also undergirds fundamental democratic processes by respecting the voices of others and contributes to acknowledging historical grievances. However, this approach is not without its challenges or its limitations. Specific interests, differing perspectives on events, conflicting interpretations of factual evidence, unwillingness to engage in productive debate, and each and any combination thereof, can hamper the process. Nevertheless, the commitment to engage representatives from diverse groups in deliberations on historical narratives strengthens a sense of respect and recognition of different groups in society and thereby contributes to the integration of diverse societies and long-term conflict prevention. Viewing the past through a multi-perspective prism encourages discussion and a critical assessment of different opinions, which can contribute to building greater understanding and tolerance in diverse societies.

At the societal level, a multi-perspective approach necessitates measures that ensure that discussions about differing perspectives are inclusive, participatory and undertaken in ways that foster tolerance and understanding. In considering different perspectives on historical figures and events by various groups, a mutual

⁵⁴ See Section III on History Education in this document.

accommodation needs to be sought between conflicting interpretations. Viewpoints need to be based on verified, factual information.⁵⁵

Policymakers can face challenging situations when interpretations of past events are manipulated or “evidence” from different groups is contradictory. History has shown that political actors can use long-held value judgements and opinions steeped in biased perceptions of the past to promote ideological agendas. The instrumentalization of historical narratives can widen existing divisions within societies.

A multi-perspective narrative of historical events corroborated with evidence-based research has the potential to bring clarity to narratives about the past that have been based on incomplete, inaccurate or manipulated data, or a combination thereof. Engaging respected scholars who hold different perspectives and have a willingness to collaborate, share and debate their findings in a respectful and open manner can help substantiate multi-perspective historical narratives and challenge myths or misperceptions promoted for ideological reasons. Integral to the process is the need to safeguard academic freedom and autonomy, as discussed in Recommendation 1 of this document. Scholars have a responsibility to provide findings substantiated by rigorous, evidence-based historical research.

Interpreting events related to the history of a State’s national minorities is an especially sensitive process and can be difficult in societies where the root causes of disputes have not been sufficiently acknowledged and addressed. A consultative process through which representatives from national minority groups are able to express their understanding of the events can contribute to greater awareness of the various perspectives among those involved. It can also support efforts to address root causes of tensions by allowing the grievance to be acknowledged.⁵⁶ Consultation, however, does not necessitate concurrence; a consensual narrative will not necessarily emerge. As such, discussion and debate over historical memory and identity require a careful process in which participants agree to disagree. As stated in Recommendation 1 of this document, international legal norms stipulate that everyone has a right to freedom of opinion and expression.

⁵⁵ See Recommendation 6 in this document.

⁵⁶ For more on root causes, see Recommendation 7 in this document.

6. In addressing disputes over historical memory, States should be sensitive to the viewpoints of others and strive for mutual accommodation. Decisions should take into account the potential effects of their outcomes on different communities and on other States that share historical legacies. All sides should pursue a process of mutual accommodation that acknowledges the complexity and sensitivity of such matters, even if this may leave some questions unanswered.

History touches on sensitive issues related to self-identity and personal beliefs. In cases where specific groups have historically been in conflict, where one group has caused injury to another or where historical traumas remain unaddressed, discussions about these events can provoke heightened feelings of anger and resentment. Differing views on, for example, historical representations in public spaces, educational curricula or commemorative events can elicit strong emotional reactions, especially among persons belonging to groups affected by the historical events in question.

The HCNM has observed that decisions taken sensitively and with a willingness to accommodate the viewpoints of others are more likely to have positive outcomes. Such decisions should consider the potential effects on local perspectives, especially if physical representations are involved. Simply acknowledging the sensitivities and complexities inherent in debating historical narratives is often the first step in understanding differing perspectives. As discussed in Recommendations 2, 4 and 5 of this document, an inclusive, participatory process can enhance mutual understanding of the complexities of a specific issue, even when consensus cannot be achieved. It is also important to recognize that some historical narratives, by their nature, cannot encompass all viewpoints. Consequently, some questions may remain unanswered.

The HCNM has also observed that respecting the principle of sensitivity and striving for mutual accommodation when taking decisions over historical representations in the public sphere can contribute to good inter-State relations.⁵⁷ Decisions made at the local or national level that promote a specific historical viewpoint can affect not only different groups within a society but influence relations between States that share the same or similar historical legacies. Decision makers should therefore assess the potential effects of their decisions not only on persons belonging to different communities but on inter-State relations as well. A process

⁵⁷ See Recommendation 3 in this document.

of mutual accommodation in acknowledging the sensitive and complex nature of interpretations of historical narratives at hand can diffuse tensions, including among States, and thereby contribute to conflict prevention.

7. States should take into consideration the root causes of disputes over historical memory and address the underlying grievances. States should take measures to promote understanding among communities, and combat discrimination and social exclusion.

Physical representations of historical memory, such as monuments, statues and memorials, and the names of streets, squares and public buildings, and other symbols of historical legacies in public spaces, can become targets for disaffected groups seeking recognition of their grievances. In the HCNM's experience, such protests generally reflect deeper underlying tensions within and between States. Decision makers should work towards identifying and addressing these underlying grievances.

Root causes can relate to long-standing historical injustices, perceived by affected groups to have been unaddressed or poorly remedied. However, underlying causes may not always be apparent or seem inherently linked to historical memory, and can stem from a variety of sources. Certain individuals belonging to specific groups may experience discrimination or exclusion based on their national, ethnic, cultural, linguistic, religious or racial identity, as well as based on their gender, age or migration status, and any combination thereof. Persons belonging to minority groups may feel marginalized due to economic disparity, discriminatory employment or housing practices, or other forms of social injustice, as described in the *Recommendations on the Effective Participation of National Minorities in Social and Economic Life* (Socio-economic Recommendations). Others may sense that their viewpoints, identity or background are not respected or understood in their society. The trans-generational impacts of historical traumas, some reaching back hundreds of years, may also play a fundamental role.⁵⁸ In addition, because trans-generational trauma is often deeply gendered, gender should be taken into consideration when identifying root causes of disputes.

⁵⁸ FCNM, Advisory Committee Thematic Commentary 4, 2016, paragraph 42.

The HCNM has consistently observed that when persons belonging to national minorities believe their rights are not respected – be they access to justice⁵⁹, to education⁶⁰, to their own language or culture⁶¹, to effective participation in public life⁶² or in social and economic life⁶³, or to effectively express their own views and opinions⁶⁴ – there is the potential for them to resist the State's broader efforts to foster the integration of society as a whole. Contesting historical narratives is a visible and tangible measure of resistance. Conflict over historical narratives can be a rallying cry to disaffected communities. In States with long histories of conflict or with ongoing civil unrest, different groups can manipulate and promote divisive historical narratives for ideological purposes, provoking further tensions.

Attempting to understand the root causes of disputes over historical memory, while acknowledging that they themselves can also sometimes be a source of dispute, can help decision makers respond in ways that support conflict resolution and promote stability. When addressing contestations or developing policies related to the representation of historical legacies in public spaces or to history education, taking the larger view can help mitigate potential tensions. It is important to consider how proposed measures might affect intercommunity dialogue, tolerance and integration. In responding to contestations - or responding pre-emptively to potential disputes over historical legacies - making efforts to understand the root causes can spur broader efforts to combat social exclusion and discrimination. Underlying causes are generally not easily rectified; however, acknowledging that these are injurious to affected groups is a critical first step and underscores the inalienable right to human dignity for all.

In some cases, root causes are deeply entrenched, affecting multiple generations, and differing perspectives may be exceedingly difficult to bridge. In these cases, mechanisms such as inter-cultural historical commissions, bilateral commissions, contact groups, civil society dialogue, and other mediation techniques can help minimize or manage these differences.⁶⁵ As mentioned in Recommendation 3 in this document, such mechanisms should include representatives of persons

59 OSCE HCNM, *The Graz Recommendations on Access to Justice and National Minorities* (Graz Recommendations), November 2017.

60 OSCE HCNM, *The Hague Recommendations regarding the Education Rights of National Minorities* (The Hague Recommendations), October 1996.

61 OSCE HCNM, *The Oslo Recommendations regarding the Linguistic Rights of National Minorities* (Oslo Recommendations), February 1998.

62 Lund Recommendations.

63 OSCE HCNM, *Recommendations on the Effective Participation of National Minorities in Social and Economic Life* (Socio-economic Recommendations), October 2023.

64 Tallinn Guidelines.

65 See Recommendations 3 and 16 in this document.

belonging to national minorities, including ethnic, cultural, linguistic, religious and racial minorities, as well as minority women from these groups. Ongoing dialogue and engagement on deep-seated or intractable disputes can prevent them from escalating or being instrumentalized for partisan ends.

II. History in public spaces

8. States should ensure that public spaces are inclusive and foster understanding among communities in society. When values and interpretations of history within a community evolve, States should reflect this in public spaces.

Public spaces can play a central role in creating a shared sense of belonging. The monuments, statues and memorials, and the names of streets, cities, regions, parks, squares, public buildings, landmarks and other topographical markers, and other symbols of historical legacies in public spaces, signal a collective understanding of history, highlighting those events and personages to be celebrated and commemorated. As noted in the Ljubljana Guidelines and in Section I of this document, these manifestations of historical legacies have profound meanings related to identity, especially for persons belonging to national minorities, and can have a powerful impact on the relations between groups in society.⁶⁶

Commemorative landscapes and memory sites⁶⁷ have the power either to promote positive community relations and contribute to integration or to marginalize, polarize and divide groups in society. The Ljubljana Guidelines caution that: “[t]he inappropriate use of symbols can cause tensions and incidents that can escalate into conflict and intercommunity violence.”⁶⁸ The use of public spaces for remembrance activities, including commemorations, national holidays, festivals, parades, and other forms of intangible cultural heritage, can also divide or unify a society.

⁶⁶ Ljubljana Guidelines, Guideline 50 and explanatory note.

⁶⁷ “Memory sites”, a term first coined by Pierre Nora, include “any significant entity, whether material or non-material in nature, which by dint of human will or the work of time has become a symbolic element of the memorial heritage of any community”, Pierre Nora, *Realms of Memory* (1977), “Preface to English Language Edition”. Memory sites span a large range of places, which may include mass graves, graveyards, unmarked burial sites or war memorials, as well as former sites of terror, massacres, concentration camps or where other human rights abuses were perpetrated, or places of celebration. They may be related to controversial and divisive historical events. They may also include museums.

⁶⁸ Ljubljana Guidelines, Guideline 50 and explanatory note.

The way that a person responds to how historical events or individuals are represented and memorialized in public spaces is closely related to their perception of identity and their values. How historical narratives are interpreted by individual people, communities and society is a process that undergoes continuous revision and reinterpretation. Perceptions of symbols of historical legacies in public spaces can change in time as a result of social and political transformations. What one era considers heroic, another may consider questionable or offensive. As values change, so do perceptions of identity. Symbols of historical legacies in public spaces should reflect that process and the evolving dynamics within a society.

Urban planning policies, and other State and local policies that relate to memorialization, should ensure that historical markers in public spaces reflect the shared values within society in ways that promote mutual understanding among all the different communities in society.⁶⁹ The Ljubljana Guidelines recommend that in prohibiting, erecting or removing historical symbols “States [...] take due account of both historical and contemporary community relations. In this context, policies should aim to foster intercultural links and mutual recognition and the accommodation of all groups in society.”⁷⁰ A commemorative landscape that has significance to the greater community, including women and persons belonging to national minorities, as well as other under-represented minority groups, while ensuring physical safety for all, particularly women and children, can promote social integration.⁷¹

Perceptions of identity are especially sensitive in public debates over memorials and burial sites.⁷² Such public spaces are symbolic of suffering and loss and have strong emotive power to heal or divide. Burial sites and memorials related to controversial and divisive historical events are often tied to contemporary debates about historical narratives.⁷³ Under the 1949 Geneva Convention, States Parties have an obligation to protect and maintain the gravesites of the fallen on their soil permanently, even when the fallen were fighting for an enemy State. The Convention states that if a monument and a grave together form a single whole, the entire

69 For more on an enabling environment, see Recommendations 2, 4, 5, 6 and 7 in this document.

70 Ljubljana Guidelines, Guideline 50 and explanatory note.

71 See paragraph 30 in the Report of the Special Rapporteur in the Field of Cultural Rights to the UNGA, 30 July 2019, paragraph 30. Note that paragraphs 38–42 in the Report outline the obstacles women face in public spaces while paragraphs 49–51 discuss children and public spaces.

72 See also: Recommendation 12 in this document.

73 See also: Recommendation 3 in this document.

object must be treated as a grave.⁷⁴ In addressing disputes over memorials or burial sites, States should consult with affected parties, including those at the local level, and implement an inclusive, consultative approach to ensure that different perspectives are taken into consideration before taking action.

9. When contestations arise over historical symbols in public spaces, States should take action to calm tensions and initiate an inclusive, consultative and participatory decision-making process.

When contestations arise over existing monuments, statues or memorials; the erection of new monuments, statues or memorials; the naming or renaming of streets, cities, regions, parks, squares, public buildings, landmarks and other public places; the use of public spaces for commemorations, national holidays, festivals, parades and other forms of intangible cultural heritage, and other representations of historical legacies in public spaces, the authorities should take action to deter disputes from escalating. States can avoid or calm disputes through pre-emptive or ameliorative measures taken in a timely and effective manner. The Ljubljana Guidelines recommend that States, “avoid the divisive use of symbols and discourage such displays by non-State actors” and, when possible, identify “opportunities to promote inclusive symbols.”⁷⁵ In diverse societies, differing or conflicting interpretations of historical events or persons can lead to particularly acrimonious disputes.

Recommendation 2 of this document outlines the kind of consultative and participatory approach that States can employ to promote fundamentally democratic processes in which dialogue and debate can sensitize or promote understanding of differing perspectives on historical events or persons. This approach can provide an opportunity to address potentially problematic iconography on statues, monuments and other representations. It also offers an opportunity to consider measures for rebalancing commemorative landscapes in ways that make them more inclusive in terms of wider representation of ethnicity and gender.

⁷⁴ See Geneva Convention (IV) relative to the Protection of Civilian Persons in Time of War (Commentary of 2025), article 130 (3), “Graves”. See also: Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I), 8 June 1977, article 34 (2) (b). There are many examples of bilateral treaties that deal with war memorials and the treatment of burial grounds.

⁷⁵ Ljubljana Guidelines, Guideline 50.

When making decisions about public representations of history, it is important to assess the proportionality of potential measures and their outcomes and impacts. A thorough consultative approach that seeks viewpoints from members of different groups in society and also within communities can promote decision-making processes that compensate for under-represented groups, especially women and minorities, signalling respect and a desire to create a society that is more inclusive. Consultations should seek to hear the views of local stakeholders. It is essential to consider the effects that actions might have on members of specific groups, as well as on relations within and between States. Decision makers have an important opportunity to acknowledge the varied and changing values and perspectives within society.

As discussed in Recommendations 1 and 2 of this document, debates over public representations of history are more effective when they are conducted in an enabling environment in which the rights of all members of society to express their viewpoints openly without fear of retribution are respected taking into consideration limitations of the freedom of opinion and expression pertaining to hate speech. It is also important to safeguard academic freedom and provide sufficient resources to investigate the historical, political, societal, cultural and artistic aspects of the representation in question. Relevant data from a wide range of sources and evidence-based research presented by independent experts can support the consultation process and allow members to gain a clearer view of the nature of the contestation. Historical perspectives and the legacy of an individual or event change over time, and it is important that decision makers make efforts to understand the relevance of a public monument, statue, memorial, place name or other physical representations to the community today. Some physical representations of historical legacies may no longer be acceptable in communities that have undergone demographic shifts, political transitions or where previously marginalized voices have become empowered.

The Ljubljana Guidelines recommend States follow an inclusive process “to foster intercultural links and mutual recognition and accommodation of all groups of society” when erecting new public symbols or taking decisions on existing contested ones.⁷⁶ This requires a strategy that includes establishing a well-resourced consultative or advisory body with a balanced composition of experts that reflects the diversity in society.⁷⁷ This could include, as appropriate, representatives of national, ethnic,

⁷⁶ Ljubljana Guidelines, Guideline 50.

⁷⁷ For guidance regarding consultative bodies, see FCNM Advisory Committee, Thematic Commentary 3, paragraphs 106-119. Consultative bodies are also discussed in Recommendations 2 and 14 of this document.

cultural, linguistic, religious and racial minorities, as well as professional historians, artists and other independent experts knowledgeable in the history and culture of relevant different communities, and about the artistic value of the contested object. Due attention should be paid to the participation of other under-represented minorities, as well as women, youth and immigrants.

It is also important to consider relevant legal frameworks in the deliberation and decision-making processes. Municipal ordinances, State or national legislation, heritage protection laws, memory laws, and international conventions and treaties may have a bearing on the dispute in question.

When a final decision has been made, it is also advisable that relevant authorities issue a justification outlining the reasons for the decision and how it was taken. This transparency can help bring greater understanding to those most affected and potentially avert further protest over a specific symbol in the public space.

10. When deciding on the fate of contested monuments, statues, memorials or other physical objects, authorities should consider a range of options. Retaining the status quo or destruction are not the only options.

Decision makers faced with disputes over representations of historical legacies in public spaces may feel that the only effective solution is to remove the object in question. However, the HCNM has observed that eliminating the disputed object is often not enough to alleviate tensions if the underlying causes are not also addressed. Destruction can raise tensions in society when affected groups view the remedy as disrespectful to their culture or injurious to their identity. Taking no action can exacerbate hostilities. However, there are other options that may allow for more effective remedies. Compromise solutions can be found by engaging in a thorough, inclusive and participatory process. Acknowledging and protecting the historical and artistic value of a physical object while simultaneously accommodating the views of different groups in society can also have an educational value. Current and future generations will have the opportunity to better understand the changing nature of their societies and the complexities associated with contested historical figures or events.

States should consider different approaches and take lessons from similar situations, such as:

- **Re-contextualization:** When monuments, statues or memorials commemorating events or historical figures are contested re-contextualization can be an effective approach. Adding public information boards about the historical event or person depicted and its or their legacy, including the pride and pain felt by different groups in society, may help avoid tensions over the monument or memorial in question. Such an approach also signals to the public that memory can be viewed through a more balanced and multi-perspective lens. Contextualization is most effective before a contestation becomes heated. The wording and composition should be carefully considered to ensure that it respects the dignity of all groups. Where relevant, it is advisable to include versions of the text also in the language(s) of national minorities.
- **Adding another monument:** A monument, statue or memorial can represent one history for a majority population, another for minorities, and possibly yet other perspectives for persons belonging to either of those populations. In cases where a minority or marginalized narrative is suppressed or omitted from public spaces, the addition of another monument, statue or memorial can create a dialogue between the different historical narratives represented and support historical inquiry. A counter monument, statue or memorial also offers an opportunity to incorporate under-represented voices into the commemorative landscape, thereby creating more balance. In most societies, there is a lack of parity in regard to gender, race and ethnicity reflected in monuments, statues and memorials, and the names⁷⁸ of streets, squares, public buildings and other public spaces. When designing any public monument, including a counter monument, authorities should also consider its aesthetic compatibility with the contested object and the peripheral spaces.
- **Resignification:** Resignification can change the significance or meaning of a contested object. This could involve incorporating additional iconography or reconfiguring existing elements to adjust the public signage. In some instances, refraining from restoring a vandalized object can preserve the original meaning as well as subsequent protests or reinterpretations of the historical legacy. In cases where contested historical legacies are represented in a large site or structure, the site can be repurposed; for instance, as a documentation centre or museum. Repurposing acknowledges the historical legacy but transforms the original purpose of the site for educational use.

⁷⁸ For more on names, see Recommendation 11 in this document.

- **Restoration:** When objects with significant historic or artistic value are vandalized, they may need to be restored. Decision makers should consider why the object was vandalized and whether it might continue to be a source of protest if it is restored. If it is at risk of future controversy, a different approach from this list may be more successful in reducing tensions.
- **Relocation:** In situations where a monument, statue or memorial has become the target of unremitting protest, relocating the object to a place where contextualization can provide an educational component, like in a museum or a statue park, can be a solution. Contested memorials may provoke less controversy if they are relocated.
- **Removal:** When there is an immediate threat of violence, the contested object may be temporarily removed to neutralize the potential of further conflict. This can help calm tensions in the short term. Care should be taken that the object is not damaged during removal and that it is stored in an appropriate facility. Removal gives decision makers time to review the dispute, consider the historical importance of the object and determine appropriate next steps. It also creates time for an inclusive and participatory discussion among all relevant stakeholders.

Destruction of an object or erasure of a name⁷⁹ should only be considered as a last resort. In cases of destruction or erasure, documentation related to the history of the object or name, of the contestation and the reasons for the decision should be archived for future research.

Some of the most effective applications of these approaches have been through artistic remedies, especially via recontextualization, counter monuments, resignification and relocation. Artistic remedies, and newly created representations sensitive to inclusion of other groups, can contribute to promoting a greater sense of belonging among diverse segments of a society. Artistic remedies can also provide an educative function when the history of the object and the reasons for the artistic intervention are clearly visible to the public.

⁷⁹ For more on names, see Recommendation 11 in this document.

11. When deciding on names of public places and objects, such as streets, cities, regions, parks, squares, public buildings, landmarks and other topographical markers that refer to historical events or figures, authorities should aim for names that reflect diversity in society.

When authorities name and rename public spaces, such as streets, cities, regions, parks, squares, public buildings, landmarks and other topographical markers, they have an opportunity to strengthen the integration of society through processes that are sensitive to the diverse ethnic, religious, historical, cultural and linguistic legacies of the population. As stated in the Ljubljana Guidelines, States should assess the impact that the naming of streets, buildings and other public spaces can have on the integration of society. It is “essential that such decisions are made in an inclusive and participatory manner and that the outcome is not divisive among groups in society.”⁸⁰

Place names rendered in the language of a national minority can foster a sense of pride in heritage and “sharing” of space.⁸¹ The HCNM has noted that the interests of national minorities are not always taken into account during the process of naming and renaming places in areas traditionally inhabited by large minority populations, especially concerning signage. The Explanatory Note to Recommendation 3 of *The Oslo Recommendations Regarding the Linguistic Rights of National Minorities* (Oslo Recommendations) references article 11.3 of the FCNM in this regard, which stipulates that: “In areas traditionally inhabited by substantial numbers of persons belonging to a national minority, the Parties shall endeavour, in the framework of their legal system, including, where appropriate, agreements with other States, and taking into account their specific conditions, to display traditional local names, street names and other topographical indications intended for the public also in the minority language when there is a sufficient demand for such indications.” The Oslo Recommendations add that, “[r]efusal to recognise the validity of historic denominations of the kind described can constitute an attempt to revise history and to assimilate minorities, thus constituting a serious threat to the identity of persons belonging to minorities.”⁸²

80 Ljubljana Guidelines, Recommendation 50.

81 FCNM, Advisory Committee Thematic Commentary 3, paragraph 67 (related to the linguistic diversity reflected by street signs): “bilingualism in signposts should be promoted as it conveys the message that a given territory is shared in harmony by various population groups.”

82 Oslo Recommendations, explanatory note to Recommendation 3.

Tensions can arise when names of places and objects are selected that honour people or events whose contribution and role in history are a subject of dispute. In cases where the names cause tensions or conflict, one has to assess the historical nature of the names and wording, including by seeking the assessment of professional historians. It is important to pay attention to the significance of the names of historical figures or events in local communities, especially if they have great meaning for persons belonging to national, ethnic, cultural, linguistic, religious or racial minorities. Naming or renaming should aim to balance the commemorative landscape by including more women and more notable figures with relevance to under-represented minorities.

In cases where a decision is made to retain or replace a disputed name, contextualization with a plaque can provide historical background that incorporates a more nuanced perspective and indicate any previous names. Sometimes, in cases where a name signifies a legacy that contradicts the contemporary values in society, erasure may be the only option. In such cases, the reasons for the erasure should be documented for archival purposes.

As a result of significant political changes, post-war reconstruction and other events that may call for the naming or renaming of streets, squares, buildings and other public places, decision makers should consider whether there are valid concerns of a historical, cultural, social or political nature that might justify mass renaming in public spaces. When it comes to public spaces with the names of specific people, assessments need to be made on an individual basis to avoid causing a sense of collective guilt or guilt by association. There must be a proven link between an individual's biography and specific crimes and not to the general "criminal nature" of a previous regime as a whole.

In addition, when names are also the source of geopolitical tensions, policymakers should carefully consider the effects that retaining, replacing or erasing a disputed name could have on relations with neighbouring States.⁸³ Historical figures and events that evoke a sense of shame, injury or injustice to persons belonging to national minorities can provoke discord not only within the society but also between States.

⁸³ See also: Recommendation 3 in this document.

12. Remembrance activities in public spaces, including commemorations, national holidays, festivals, parades and other forms of intangible cultural heritage, are important expressions of cultural identity. States should respect, protect and fulfil the rights of all members of the population, including persons belonging to national minorities, to organize and participate in remembrance activities in public spaces.

Remembrance activities are intrinsically linked to the right to freedom of peaceful assembly, and can involve the public contestation of representations of history. Enshrined in Article 21 of the ICCPR and Article 11 of the ECHR, the right to the freedom of peaceful assembly enables individuals and groups to collectively express, promote, pursue and defend common interests in the public sphere, including those related to historical memory and commemoration. In contexts where historical narratives are contested, peaceful assemblies serve as vital platforms for communities to express their interpretations of the past, remember victims and challenge dominant historical narratives.

States have both negative and positive obligations regarding this right. They must refrain from unnecessary interference with peaceful assemblies and must also take measures to facilitate such gatherings and protect participants from harm. The European Court of Human Rights (ECtHR) has consistently held that authorities must show a certain degree of tolerance towards peaceful gatherings, even when these may cause some disruption to ordinary life or express views that offend, shock or disturb others.⁸⁴ In the view of the HCNM, this is particularly important in contexts where historical interpretations are contested. By safeguarding the right to peaceful assembly in commemorative contexts, States can create space for inclusive dialogue about the past, which can contribute to calming potential tensions within society.

84 The ECtHR has held that in creating a pluralistic, broadminded and tolerant society, “although individual interests must on occasion be subordinated to those of a group, democracy does not simply mean that the views of the majority must always prevail: A balance must be achieved which ensures the fair and proper treatment of minorities and avoids any abuse of a dominant position.” See, *inter alia*, *Bączkowski and Others v. Poland* (2007), Application No. 1543/06, paragraph 63; *Hyde Park and Others v. Moldova* (No.1) (2009), Application No. 33482/06, paragraph 28; *Hyde Park and Others v. Moldova* (No.2) (2009), Application No. 45094/06, paragraph 24; *Hyde Park and Others v. Moldova* (No.3) (2009), Application No. 45094/06, paragraph 24; *Chassagnou and Others v. France* (1999), Application Nos. 24088/94, 28331/95 & 28443/95, paragraph 112; *Christian Democratic People's Party v. Moldova* (2006), Application No. 28793/02, paragraph 64; and *Young, James and Webster v. The United Kingdom* (1981), Application Nos. 7601/76 & 7806/77, paragraph 63.

The representation of historical narratives and intangible forms of cultural heritage in public spaces, such as holidays, festivals, parades and related events, are part of living cultural heritage.⁸⁵ Recognition and respect for the intangible heritage of all members of the population are fundamental to supporting integration policies in pluralistic societies. The UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage (UNESCO ICH Convention) defines “intangible cultural heritage” as the “practices, representations, expressions, knowledge, skills, instruments, objects, artefacts and cultural spaces associated therewith.” Intangible cultural heritage is “recreated by communities and groups in response to their environment, their interaction with nature and their history, and provides them with a sense of identity and community.”⁸⁶

It should be noted that the FCNM obligates States Parties to promote conditions necessary for national minorities to preserve essential elements of their identity, including *inter alia* their traditions and cultural heritage,⁸⁷ of which commemorations, festivals, parades, national holidays, festivals and other forms of intangible cultural heritage, are visible expressions. Such commemorative activities marking historical events can be particularly sensitive if they are, for instance, both celebrated by one group in society and interpreted as offensive by others in that society. States should set policies stipulating fair rules for expression of intangible cultural heritage that respect the rights of all members of the population. Specifically, in policies regarding remembrance activities related to war, colonization, displacement, massive human rights abuses, loss of territory, border changes, political transformation or other collective suffering by specific groups, States should follow the guiding principle of sensitivity and mutual accommodation discussed in Recommendations 2 and 6 of this document.

When regulating commemorations, States must apply the general rules and interpretation governing the right to the freedom of peaceful assembly while recognizing their unique characteristics set out by the ICCPR and the ECHR.⁸⁸ Commemorations can present States with particular and sensitive dilemmas, as their significance is often intrinsically tied to specific dates, locations and forms of expression. Altering these elements can fundamentally change or diminish their

85 According to the UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage (UNESCO ICH Convention) (2003), article 2 (2), intangible cultural heritage “is manifested *inter alia* in the following domains: (a) oral traditions and expressions, including language as a vehicle of the intangible cultural heritage; (b) performing arts; (c) social practices, rituals and festive events;” etc.

86 *Id.* article 2 (1).

87 FCNM, article 5.

88 See ICCPR article 21 and ECHR article 11.

significance. Furthermore, commemorations may involve competing historical narratives and can serve as flashpoints for tensions to emerge. States should ensure that all groups are protected, including those expressing minority or unpopular views about historical events. In some contexts, minority women who publicly engage in expressing their opinions and exercising their right to peaceful assembly may be at risk of disproportionately harsh backlash. This may require nuanced, tailored and adequate policing so that participants can exercise their right to the freedom of peaceful assembly. Any restrictions on time, place or manner must be strictly necessary and proportionate to legitimate aims.⁸⁹

When managing any commemorative activity involving contested historical narratives, authorities should engage in prior consultation with all stakeholders and develop protocols that respect human dignity while preventing incitement to discrimination, hostility or violence. Rather than banning assemblies based solely on anticipated tensions, authorities should explore alternatives, such as spatial or temporal separation of opposing groups. Facilitating dialogue between groups can help prevent tensions while respecting each group's right to peaceful assembly. Authorities should also demonstrate respect for religious holidays and locations that hold specific meaning for minorities, ensuring that these considerations inform decisions on commemorative activities. Given the media attention that these events may attract, public communications by authorities should present multiple perspectives to help frame events in a nuanced manner.⁹⁰

Authorities must both resist and, to the extent possible, prevent political exploitation of commemorations. They should also resolutely address and condemn any attempts to rehabilitate war criminals or deny atrocities suffered by others in society. Particular care should be given to contexts where expression of historical narratives and intangible cultural heritage are clearly exploited to incite hatred and discrimination or infringe on the rights of others, limits should be imposed, as per ICCPR articles 19.3, 20.2 and 21.

89 Siracusa Principles on the Limitation and Derogation Provisions in the International Covenant on Civil and Political Rights (1985), UN Doc. E/CN.4/1985/4, annex.

90 These concepts are set out in greater detail in Section I, especially Recommendations 1, 2, 4, 5 and 6, in this document.

The right to conduct public remembrance activities is also a natural extension of the right to mourn through public gatherings, as guaranteed through the rights to freedom of opinion and expression and freedom of peaceful assembly.⁹¹ Denying the right to mourn can lead to resentment among members of communities who suffered during past traumas, such as war, colonization, displacement, massive human rights abuses, loss of territory, border changes, political transformation or other collective suffering by specific groups. Mourning is a process that helps heal the pain of loss, and affirms the dignity of the person(s) lost and those mourning them.⁹² When States officially recognize past traumas through commemorative actions, the establishment of memorials or public apologies, this acknowledgment of painful historical events can serve as a form of reparation, thereby fostering a process of reconciliation.^{93,94}

In the experience of the HCNM, commemorations related to past traumas have the potential to exacerbate tensions between groups in society when they mark events that are subject to contestation. This is also the case when commemorations are connected to certain memory sites, which may include mass graves, graveyards, unmarked burial sites or war memorials, as well as former sites of terror, massacres, concentration camps or where other human rights abuses were perpetrated. For instance, tensions might arise when one group perpetrated injustices against another group or one group interprets certain events as a liberation and another group considers it to be an occupation. States should follow an inclusive participatory approach that engages representatives from involved groups in seeking a mediated remedy to contestations over commemorations and other remembrance activities.⁹⁵

91 ICCPR, articles 19 and 21. See Recommendations 1 and 13 of this document. Within international human rights norms, the right to mourn is inherent in the right to privacy, as stipulated in article 17 of the ICCPR, as well as the rights to freedom of thought, conscience and religion and freedoms of opinion and expression provided in articles 18 and 19 of the Covenant. See also: ICCPR, Article 17: "1. No one shall be subjected to arbitrary or unlawful interference with his privacy, family, home or correspondence, nor to unlawful attacks on his honour and reputation. 2. Everyone has the right to the protection of the law against such interference or attacks."

92 Acknowledging the right to a dignified burial and respecting the right to mourn the loss of those who fell in conflict is referenced in article 17 of the 1949 Geneva Convention. See Convention (I) for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (Commentary of 2016), (1949 Geneva), article 17, paragraph 1645 (Prescriptions regarding the dead. Graves Registration Service).

93 CCPR, General Comment 31 (2004) on article 16 on the right to recognition everywhere as a person before the law: "The Committee notes that, where appropriate, reparation can involve restitution, rehabilitation and measures of satisfaction, such as public apologies, public memorials, guarantees of non-repetition and changes in relevant laws and practices..."

94 This paragraph touches on the subject of transitional justice, which is integral in the context of these Recommendations; however, as mentioned in Recommendation 1, the issue is far too broad to be covered within the present document.

95 See Recommendation 2 in this document.

It is also important to note that both the right to freedom of thought, conscience and religion, as well as the right to freedom of opinion and expression, as laid out in ICCPR articles 18 and 19 respectively, imply a prohibition of a State-imposed duty to remember. The UN Human Rights Committee (CCPR) established that “[a]ny form of effort to coerce the holding or not holding of any opinion is prohibited. Freedom to express one’s opinion necessarily includes freedom not to express one’s opinion.”⁹⁶ The HCNM has observed that when individuals are coerced to participate in remembrance activities that are designed to represent a set of beliefs that are treated as official ideology, in law or in practice, this can be a deeply alienating experience, in particular for persons belonging to a minority. Such experiences can sow the seeds of distrust towards the State and undermine the aim of remembrance activities. The CCPR states that any “official ideology [...] shall not result in [...] any discrimination against persons who do not accept the official ideology or who oppose it.”⁹⁷

13. Museums and memory sites play a significant role in how a society preserves its history. As such, they can have a powerful effect on how people perceive past events. Public museums and memory sites should curate their collections and public spaces with sensitivity to how different groups could interpret the display of artefacts and the accompanying narratives.

History museums and memory sites⁹⁸ (which may include mass graves, graveyards, unmarked burial sites or war memorials, as well as former sites of terror, massacres, concentration camps or where other human rights abuses were perpetrated, or places of celebration), offer opportunities to learn about a country’s history. They curate artefacts and relics, along with documentation, and audio and visual materials, to present certain narratives of the past. How those narratives are curated and presented can have profound effects on a visitor’s sense of pride, shame, inclusion or exclusion. In diverse societies, cultural policies that promote and support the presentation of multiple perspectives in museum exhibitions contribute to greater societal integration and intercommunity understanding.

96 CCPR, General Comment 34 (2011) on article 19 on freedom of opinion and expression.

97 CCPR, General Comment 22 (1993) on article 18 on freedom of thought, conscience and religion.

98 See also: Recommendation 8 and footnote 64 in this document.

Sometimes, States put pressure on publicly funded museums and memory sites to shape historical narratives in specific ways. Laws and policies that coerce museums, memory sites and curators to implement or omit a particular narrative infringe on the right to freedom of expression, as detailed in Recommendations 1 and 3 of this document.⁹⁹ These public spaces should display exhibitions that reflect multiple interpretations of the past. Through such engagement, museums foster public discussions about historical interpretations.

In pluralistic societies, managers of museums and memory sites, including directors and curators, have a special responsibility in their role as facilitators of memory to select and design exhibitions that promote understanding. They should apply a multi-perspective lens when curating exhibitions dealing with sensitive historical legacies. The selection of displays and accompanying descriptions, as well as the location within the museum of the exhibition, are important means to present information that promotes a balanced viewpoint. Policies should encourage curators to assess descriptive terminology, artefacts or relics that may be considered offensive, and, if necessary, remove or replace them, archiving the originals for historical purposes.

Exhibits dealing with complex, controversial and divisive legacies, such as historical injustices or mass human rights violations, should be based on evidence verified by recognized professional historians. Where possible, this should include experts from minority communities, those with expertise on national minorities, women and others from under-represented communities. When such exhibitions are curated with sensitivity through a multi-perspective lens, they send a message to their visitors that complex history should not be shunned or used as a means to divide societies. In so doing, they build greater awareness of the suffering of others and foster discussion that can lead to mutual understanding.

Museums and sites of memory, as inclusive public spaces, also have a responsibility to preserve both tangible and intangible artefacts of the past. The UNESCO ICH Convention includes “artefacts and cultural spaces” in its definition of intangible cultural heritage.¹⁰⁰ Conserving physical artefacts and preserving intangibles, such as oral histories, can contribute to fostering a sense of belonging.

Curators have the opportunity to use audio-visual technology, such as audio recordings, films and video clips from the past, to enrich historical objects on

99 Report of the Special Rapporteur in the field of cultural rights to the UNGA, “Memorialization processes”, paragraph 75, 23 January 2014.

100 UNESCO ICH Convention (2003), article 2 (1).

display and relay the same story from multiple perspectives. However, curators should be aware that enhancing visitors' emotive experience can also be triggering to some people and therefore such approaches need to be curated with particular sensitivity.

The choice of languages used for an exhibit plays an important role in presenting the narrative around physical and digital artefacts and relics. The languages in audio and video recordings, and the wording on the signage accompanying the exhibits, contribute to a narrative that visitors may interpret as either inclusive or exclusionary.

Museums and memory sites in diverse societies should take measures to include minority languages in the names of artefacts and signage, and provide translations of audio commentary and videos. Article 12 of the European Charter for Regional or Minority Languages (ECRML) obligates States “to ensure that the bodies responsible for organizing or supporting cultural activities of various kinds [including museums] make appropriate allowance for incorporating the knowledge and use of regional or minority languages and cultures in the undertakings which they initiate or for which they provide backing.”¹⁰¹

Cultural policies should require history museums and memory sites to follow a participatory and inclusive approach in their hiring and consultative practices. Including experts from minority communities, those with expertise on national minorities, women and others from under-represented communities can foster inclusivity and contribute to the museum's or site's knowledge. The ECRML stipulates that States should ensure that museums have members of staff who “have a full command of the regional or minority language concerned,” as well as of the language(s) of “the rest of the population.”¹⁰² Resources for professional advancement of personnel and guides of museums and memory sites are necessary to support training in building sensitivity towards different viewpoints when curating exhibits and in the preparation and implementation of programmes for the public, especially for the youth and school groups. A visit to a history museum or memory site can have a more profound effect on the historical understanding of a young person than texts in classroom materials.¹⁰³

101 European Charter for Regional or Minority Languages (ECRML) (1992), article 12, paragraph 1 (d).

102 ECRML, article 12, paragraph 1(e).

103 See Section III on History Education.

III. History Education

14. States should put education policies in place that provide the tools for societies to deal constructively with contested histories, build resilience against hate and avoid polarization. These policies should be developed and implemented through an inclusive process.

Education policies have the potential to either contribute to tensions or help overcome divisions in diverse societies. This is especially the case when members of different communities have different interpretations of historical events. The UN Special Rapporteur in the field of cultural rights cautions that the “homogenizing of narratives constricts the space for diverse perspectives and debates, foreclosing pupils’ ability to see the complex events in their country, region or the world in a more nuanced manner.”¹⁰⁴

The HCNM has observed that historical narratives that exclude certain events and people often result in stereotyping, stigmatization and intolerance, which can exacerbate polarization within and between communities. These tensions may become a divisive or destabilizing force that has the potential to foment hatred and threaten peace and security in society.

Education plays an important role in promoting tolerance

Education plays a crucial role in promoting understanding, tolerance and friendship among nations, and racial or religious groups, and contributes to the maintenance of peace, as underscored in article 26 of the UDHR. The FCNM endorses the importance of promoting tolerance and intercultural dialogue, in particular in the field of education.¹⁰⁵ The Ljubljana Guidelines advise States to develop policies, including initiatives in education, that encourage cross-community dialogue as a way to promote tolerance and mutual respect.¹⁰⁶

¹⁰⁴ Report of the Special Rapporteur in the field of cultural rights to the UNGA, 9 August 2013, paragraph 29 of the conclusions. See also: CoE Committee of Ministers Recommendation CM/Rec(2011)6 on intercultural dialogue and the image of the other in history teaching; and CoE, (1999), Seminar on Teaching Controversial and Sensitive Issues in History Education for Secondary Schools, <https://rm.coe.int/16806513e7>.

¹⁰⁵ FCNM, article 6.

¹⁰⁶ The Ljubljana Guidelines, Guideline 11.

The Hague Recommendations regarding the Education Rights of National Minorities (The Hague Recommendations) underscore the importance that the general compulsory curriculum includes the teaching of the histories, cultures and traditions of a State's national minorities.¹⁰⁷ Likewise, the FCNM advises that, where appropriate, State Parties should take measures in the fields of education and research to foster knowledge of the culture, history, language and religion of their national minorities and of the majority.¹⁰⁸ The HCNM has observed that when the entire education system is designed to reflect diversity, including by acknowledging the contributions of majority and minorities to a shared society, intercultural dialogue and integration are improved.

More specifically, the States Parties to the ICERD are obligated to undertake measures *inter alia* in the fields of teaching and education to counter prejudices, which lead to discrimination.¹⁰⁹

The 2013 report by the UN Special Rapporteur in the field of cultural rights to the UN General Assembly emphasized the need for history teaching to promote critical thinking skills and adopt a multi-perspective approach, "taking into account the right to freedom of opinion and expression, the right to information and education, academic freedoms and the rights of individuals and groups to have access to their cultural heritage and that of others."¹¹⁰

Inclusive education policies are best developed through inclusive processes

The HCNM has observed that when States take an inclusive approach to the development and implementation of both their wider education policy as well as their specific history education policy, this contributes to the integration of society. The principle of inclusivity, as described in Recommendation 4 of this document, is relevant not only to the process of setting policy but also in the definition of teaching standards, especially when related to sensitive issues.

An inclusive approach to developing education policy aims to engage education authorities, professional historians, teachers, civil society representatives, textbook writers and parents. An inclusive approach would facilitate co-operation among those responsible for implementing policies and training teachers, and those responsible for developing education reforms, textbooks and classroom tools. It

107 The Hague Recommendations, Recommendation 19. See also: UN Declaration on Minorities, UNGA Resolution 47/135 (8 December 1992), article 4.2.

108 FCNM, article 12.

109 ICERD, article 7.

110 Report of the Special Rapporteur in the field of cultural rights to the UNGA, 9 August 2013, paragraph 87.

may also include representatives of the various national, ethnic, cultural, linguistic, religious and racial minorities, as well as immigrant communities and other under-represented minorities in society, and incorporate the perspectives of women and youth.

When education policies promote an inclusive approach, this allows for multiple perspectives in curricula and classroom resources, especially in history teaching and other subjects that relate to historical events, such as geography, political science and civics. Such policies stimulate mutual understanding and tolerance, and support the integration of society, while helping to counter discrimination and intolerance.

Education policies should also reflect the linguistic diversity of society by respecting language rights, as described in the Oslo Recommendations. The Ljubljana Guidelines further indicate that States should formulate policies that “aim to foster common integrated and inclusive educational environments that recognize, value and respond to diversity and promote a culture of respect for others within the study body and beyond.”¹¹¹

Teaching the history of national minorities should not be restricted to schools in neighbourhoods with national minority populations. All students should learn how women and men from different cultures and affiliations have contributed to the evolution of their society.¹¹²

Specifically on history education, it can help to establish a consultative or advisory body that includes education authorities, teachers, civil society representatives, textbook writers and parents, as well as professional historians and other independent experts knowledgeable in the history and culture of different communities, including national minorities. Such a body can support policymakers by providing valuable insights into the choice of historical narratives and how these narratives could be presented to foster mutual understanding. The consultative body should be composed in an inclusive manner.

It is also important to consider the way courses and course materials are named and described. Consulting a wide range of stakeholders can help policymakers avoid potentially offensive wording in this regard.

¹¹¹ Ljubljana Guidelines, explanatory note to Guideline 45.

¹¹² CoE, *Quality History Education in the 21st Century: Principles and Guidelines*, 2018, Section IV, Guideline 2.3. See also: Recommendation 16 in this document.

In article 12 of its Thematic Commentary 4, the FCNM Advisory Committee strongly advises, *inter alia*, that “educational materials featuring content on minorities must be prepared in consultation with representatives of the respective groups” to avoid stereotyping.¹¹³ Engaging representatives from national minority communities enables the historical narratives relevant to those communities to be included in the curriculum, textbooks and other classroom materials, thereby reflecting the diversity of the population.

States should also be mindful of the effects that history education policies may have on different groups in society, including national minorities. The situation should be assessed prior to implementation and then monitored to mitigate any unforeseen effects on different groups that could lead to tensions. Policies should be flexible to allow for refinement if and when needed.

15. Students should be taught to recognize the uncertainty present in historical inquiry and to research and analyse evidence to make well-informed judgements about history. Students should be encouraged to develop critical, historical and inquisitive thinking skills, to recognize stereotypes and to avoid binary concepts of identity (us versus them) and exclusionary language. Students should also be taught media literacy skills so they can critically evaluate information and identify bias online and offline.

Education should aim to equip students with critical thinking skills. Young people should be provided with knowledge and understanding of historical events and people. This should include the histories, cultures and traditions of the State’s national, ethnic, cultural, linguistic, religious and racial minorities, as well as the contributions of women and other under-represented groups. At the same time, they should acquire the skills that will play a role in shaping their own beliefs, values and attitudes, and help them become responsible members of their communities and wider societies.

Students should learn to recognize the evolving nature of history, heritage and identity. This can occur in the light of new evidence, but also because beliefs and values are not static. For the younger generation, especially those from national, ethnic, religious, cultural or linguistic minorities or migrant communities, learning

¹¹³ FCNM Advisory Committee, Thematic Commentary 4 (2016) paragraph 60.

about their own culture's connection to the history of their State and how this relationship has developed over time, is important to their understanding of the common collective history of the society in which they live. Students from majority communities should also be taught about the contributions minorities have made to their shared history.¹¹⁴

Historical discourse is often at the heart of learning about the need to respect fundamental human rights. The OSCE, in co-operation with other organizations, has published several compendiums with guidelines that assist education authorities and practitioners from OSCE participating States to learn from the good practices that exist in other countries and to facilitate networking and the exchange of experiences among institutions and individuals working in human rights education.¹¹⁵ These publications include themes such as those dealing with historical narratives about war crimes, displacement of populations and other traumatic events.¹¹⁶

Critical thinking skills are important life skills. Students should be exposed to multiple sources of information in public spaces, museums, documentaries, news reports and other popular media, and taught to question their reliability and origins, and how to recognize and assess the ways in which stereotypes, bias and simplistic “us vs. them” distinctions can shape narratives. Learning how to distinguish stereotypical language, inaccurate information and fake news in traditional media, on the internet and on social media improves students’ critical thinking skills. Teaching plans should be versatile to respond to the fact that students’ impressions may differ based on their affiliations, levels of education and own sense of identity. Especially problematic is the use of misinformation allegedly grounded in historical “facts” and historical narratives, images and videos manipulated to promote hate speech, racism, xenophobia and similar forms of discrimination. As part of a well-rounded education, students should learn how to interpret internet sources critically, assess the reputability of different sources, corroborate information and differentiate

114 See Recommendation 15 in this document.

115 For a detailed discussion on standards, practices, ways to improve the learning environment, practical lessons, *inter alia*, see CoE, OSCE Office for Democratic Institutions and Human Rights (ODIHR), UNESCO, Office of the United Nations High Commissioner for Human Rights, *Human Rights Education in the School Systems of Europe, Central Asia and North America: A Compendium of Good Practice* (2009), www.osce.org/odihr/39006. See also, Copenhagen Document, paragraph 34: “In the context of the teaching of history and culture in educational establishments, they will also take account of the history and culture of national minorities.”

116 OSCE ODIHR, UNESCO, CoE, *Guidelines for Educators on Countering Intolerance and Discrimination against Muslims*, 2011, p. 33, www.osce.org/odihr/84495. See also: Recommendation 15 in this document.

credible historical fact from fake assertion.¹¹⁷ Educators should develop and use strategies that foster students' understanding of both the benefits and potential dangers of digital media.¹¹⁸

The Tallinn Guidelines advise States to ensure that public service media “avoid[s] negative stereotyping of individuals or groups, as well as other forms of prejudicial, biased or discriminatory reporting.”¹¹⁹ In conjunction with teaching media literacy and how to recognize and avoid stereotyping, following this approach can contribute to a more tolerant environment for debate.

16. State and school policies should support an inclusive teaching environment and ensure that history curricula and classroom resources present multiple perspectives. This includes ensuring that assessment and testing support the acquisition of relevant competences, such as a critical understanding of history.

Studying a wide range of notable individuals and past events that reflect the diversity of society, and doing that from multiple perspectives, helps students develop and refine their critical thinking skills.

An inclusive teaching environment, where students' opinions – whether in writing or verbal – are welcomed and respected, according to their fundamental right of freedom of opinion and expression, will promote a sense of mutual respect and dignity that can extend beyond the classroom. On the other hand, when these rights are not respected, students may feel a sense of exclusion or even rejection.

When students practise discussing difficult and complex histories in a mutually respectful classroom environment, they acquire the skills to explore different interpretations of historical events and the legacies of historical individuals, and how to differentiate evidence-based facts and well-grounded opinions from hyperbole and misinformation.

117 The CoE HISTOLAB offers resources that support educators in this regard: CoE, HISTOLAB, Tutorial Series, <https://histolab.coe.int/activities/tutorials>.

118 CoE, *Quality History Education in the 21st Century: Principles and Guidelines* (2018), section VI, Guideline 2.2.1. See also: Recommendation 16 in this document for more on fostering an open classroom environment and developing suitable teaching resources and Recommendation 17 in this document on teacher training.

119 Tallinn Guidelines, explanatory note to Guideline 19. See also: Guideline 31 on the danger of spreading propaganda via the media.

The learning environment should also teach students how to “agree to disagree”: to present sound arguments that do not resort to hostile tones or words, condescending language or dismissive attitudes. Such techniques create an environment that fosters the fundamental right to dignity and respect for all individuals and the importance of being willing to hear and understand differing viewpoints. A learning environment that allows students (and teachers) to question their own assumptions and cultural biases can promote mutual understanding. Where resources permit, opportunities for students to engage in national or international educational exchanges and to build networks with students from other cultures and countries can promote inter-cultural understanding and tolerance.

Teachers and teacher-trainers should receive support and training to help them manage emotional discussions over sensitive historical narratives.¹²⁰ This may include, *inter alia*, developing suitable resources and fostering the type of flexibility that enables them to adapt to the needs, interests and sensitivities of their students.

Teaching materials should be designed to include non-dominant narratives.¹²¹ Care should be taken to ensure that persons, including women and youth, belonging to national, ethnic, cultural, linguistic, religious and racial minorities, as well as immigrant communities, are not excluded or stereotypically portrayed.¹²² Textbooks and supplementary materials that support mutual understanding and dispel stereotyping based on gender, race, ethnicity or religion are more effective in providing an inclusive understanding of history. Materials must not include hostile language. It is important that classroom materials present evidence-based information and do not obscure or misrepresent problematic historical narratives to present a biased or whitewashed view of the past. Policies should support the development of textbooks and other teaching resources that present a multi-perspective approach to historical narratives and include previously under-represented groups; namely, national, ethnic, cultural, linguistic, religious and racial minorities, as well as immigrant communities. The perspectives of minority women and youth should be presented in a sensitive manner. State agencies mandated with setting history education policies should include the viewpoints of local stakeholders and educators charged with implementing those policies in the framing process.

¹²⁰ See Recommendation 17 in this document for more on teacher training.

¹²¹ See Recommendation 2 in this document.

¹²² FCNM Advisory Committee, Thematic Commentary 4, paragraph 60: “Education materials featuring content on minorities must further be prepared in close consultation with representatives of the respective groups and must not be limited to stereotyped images.”

Policies that support the ability of teachers to select different textbooks, including, in relevant States, those that have been developed by bilateral historical commissions, promote a nuanced understanding of complex historical events. The work of bilateral commissions can also have a positive effect on inter-State relations and regional stability, as discussed in Recommendation 3 in this document.

History teaching should also include field research as a way to encourage students to take an active role in investigating and debating the representation of historical legacies in their own communities. Visits to museums, documentation centres, memory sites, monuments, statues and memorials, as well as other locations, can augment classroom materials and bring a richer understanding of historical events, often leaving a more lasting impression.¹²³ Providing students with the opportunity to learn about their local histories allows them to discuss their own understanding of the historical narratives presented.

17. Professional development for teachers at every stage of their career should enable and support them to apply the principles and approach outlined above. Teachers should be provided with the tools to teach critical, historical and inquisitive thinking. Teachers should receive training to address sensitive, emotional and controversial matters.

In order for history education to contribute to students' acquisition of critical thinking skills and an understanding of multiple perspectives that can help society deal with tensions related to contested histories, educators need adequate resources, training and tools. This is especially the case in communities where resources are lacking. This should be included in a State's education policy.¹²⁴

Teachers of all subjects need the professional skills necessary to promote mutual understanding and the integration of society in the classroom. This includes the skills to teach sensitive or contested historical narratives. As part of their ongoing training, educators should also have opportunities to join professional associations, attend conferences and participate in professional development programmes.

¹²³ For more on public spaces and memory sites, see Recommendations 8 and 13, as well as footnote 64, in this document.

¹²⁴ See Recommendation 14 in this document.

History teachers may benefit from concrete support in developing lessons that deal with sensitive and controversial issues. Training for history teachers should place emphasis on cultural diversity training and convey the value of applying multiple perspectives to teaching about sensitive and complex histories. Training should be designed to enhance what the teachers already know and support them in delivering effective lessons. Teachers also require tools that help foster a sense of inclusivity among their students.

In addition, teachers may need training to build resilience in dealing with insensitivity and inappropriate responses so they can confidently manage these issues while also setting an example of how best to counter hate speech and disrespectful attitudes in front of their students. Teachers can be trained to sensitize students to language that is hateful, so that they understand the impact that such language can have on others, and how to effectively respond to it.

Teachers need ongoing training to help students navigate the increasing use of technology in how we interact, including maintaining respect for the right to freedom of opinion and expression. Teachers facilitating discussions, including online, with students should be mindful to take an inclusive approach and allow time for students to present their ideas, debate, and disagree, as well as to propose their own ideas for teamwork.

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Co-operation in Europe works for
stability, prosperity and democracy
in 57 States through political dialogue
about shared values and through practical
work that makes a lasting difference.



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