



United States Mission to the OSCE

Session 14

**Tolerance and nondiscrimination:
Prevention and responses to hate crimes in the OSCE area;
Combating racism, xenophobia and discrimination, also
focusing on intolerance and nondiscrimination against
Christians and members of other religions;
Combating anti-Semitism;
Combating intolerance and discrimination against Muslims**

As prepared for delivery by Ambassador Avis T. Bohlen
OSCE Human Dimension Implementation Meeting
Warsaw, October 3, 2012

Anti-Semitism is one of the oldest forms of intolerance and one that has had the most dire consequences, with millions of Europe's Jews slaughtered during the Holocaust. Sadly, more than six decades after the end of the Second World War, anti-Semitism is still alive and well, and evolving into new, contemporary forms of religious hatred, racism, and political, social and cultural bigotry. Despite the OSCE's decade-long fight against anti-Semitism, this insidious form of bigotry continues in the region. In the United States, anti-Semitic criminal incidents continue to outnumber the incidents of hate directed against other religious groups. Following the tragic deaths of three children and a Rabbi in Toulouse, France, there have been threats to the Chief Rabbi and Jewish community in Lyon and increased attacks on Jewish students throughout France. We appreciate that French government officials, including the Prime Minister, have made statements recently condemning anti-Semitism. In Hungary, Holocaust memorials and a Jewish cemetery have been defaced. We remain concerned that efforts by the Hungarian government to memorialize fascist ideologues and leaders of World War II who were responsible for crimes of the Holocaust in Hungary contribute to a climate in which anti-Semitism thrives. There have been a number of anti-Semitic incidents in Malmo, Sweden, including another incident just last week. We welcome the rejection of anti-Semitic incidents and language by Sweden's Minister of Integration, other cabinet-level ministers. Public condemnation of anti-Semitic remarks and actions by national political and religious leaders remains the single most important means of combating this old evil.

Anti-Semitism does not exist in isolation from other forms of intolerance and hatred. It is our experience that when one form of hatred goes unchecked, so do others. Our country continues to mourn the six Americans who senselessly lost their lives to a white supremacist at a Sikh Temple in Wisconsin in August. We are greatly alarmed by this tragedy and others in the OSCE region that have been driven by hate, including the murder of an Iraqi migrant in Greece, the death of two Senegalese migrants in Italy, and discovery of an underground neo-Nazi cell in Germany to which at least ten murders have been attributed over the course of a decade.

We remain deeply disturbed by the public beating of a gay rights activist in Ukraine and urge the authorities there to bring the perpetrators to justice. We are gravely concerned that increasing restrictions on fundamental freedoms and human rights across the OSCE region are especially directed at lesbian, gay, bisexual, and transgendered persons. In the United States, in 1998, a young man named Matthew Shepard was killed because he was gay. As a result, we passed comprehensive hate crimes legislation which increases the penalties for those who attack individuals on the basis of race, religion, sexual orientation, gender, and other such categories. As Secretary Clinton has clearly said, every individual deserves to live with dignity, and LGBT rights are human rights.

Several incidents during world sporting events underscore the need for concrete follow-up to the Supplementary Human Dimension Meeting on “Combating Racism, Intolerance, and Discrimination in Society Through Sport.” Despite anti-racism efforts by the Union of European Football Association, racial epithets and monkey noises accosted an Italian player of Ghanaian ancestry, a Czech player of Ethiopian ancestry, and others during Euro 2012. An Italian player also made homophobic remarks at a press conference and German fans displayed a neo-Nazi banner at a game. Football fans in the Netherlands, Poland, and Ukraine shouted anti-Semitic slogans and made Nazi salutes. Swiss and Greek athletes were expelled from the Olympics for tweeting racist remarks referring to Asians and African migrants, respectively. We urge participating States to work with sports organizers and team owners to implement diversity and inclusion measures as recommended by U.S. Ambassador to Ireland and Chair of the American National Football League’s diversity committee, Daniel Rooney, at a U.S.-sponsored side event during the Supplementary Meeting. For many children, sport remains a singular activity through which they mature and develop lifelong views. We should not underestimate either its negative potential if allowed to be a vessel for bigotry or its positive potential to foster tolerance.

Moderator, the fight against racism is a lot like the struggle to build a democracy – you are never really finished. In certain cases, a measure of justice is sometimes a long time coming. We welcome the convictions this year in the United Kingdom in the 1993 murder of Stephen Lawrence in a racially motivated attack. For our part, for more than 50 years, the Department of Justice has been instrumental in bringing justice to some of our country’s most horrific civil rights era crimes. These crimes occurred during a terrible time in our nation’s history when all too often crimes were not fully investigated or prosecuted or evidence was ignored by juries because of the color of the victims’ skin. The Department of Justice believes that racially motivated murders from the civil rights era constitute some of the greatest blemishes upon our history. Since 2006, the Department of Justice has intensified efforts to investigate and prosecute murders from our civil rights era. Although legal and other challenges have limited the number of prosecutions ultimately brought, these efforts have nevertheless resulted in important convictions, and they have also helped bring closure to many families.

We commend the work of ODIHR for its recent efforts to address racism in the region, including holding the OSCE’s first “Roundtable on the contemporary forms of racism and xenophobia affecting People of African Descent in the OSCE region,” and related capacity building training and HDIM side event. We also applaud the OSCE Parliamentary Assembly’s July 2012 adoption of the resolution “Addressing Racism and Xenophobia Affecting People of African Descent in the OSCE region.”

We commend Belgium's leadership on promoting tolerance towards LGBT persons. At the same time, we remain concerned by laws and policies biased against Muslims such as the ban on head coverings and the Flemish Integration Minister's "starter kit" for Moroccan migrants. We welcome the collaborative meetings with other multilateral organizations focused on implementing ODIHR's "Guidelines for Educators on Countering Intolerance and Discrimination" against Muslims and favorably note the United Kingdom's Measuring Anti-Muslim Attacks public online support service.

In light of the Wisconsin murders, we also remain concerned by the high number of hate crimes and discrimination against Sikhs, in our country and elsewhere. We encourage participating States to increase outreach to this and other vulnerable communities. We also bring your attention to a useful model in combating racial and religious profiling called 'FlyRights' – a mobile application released by a Sikh human rights organization in April that assists our government by allowing people to report real-time instances of racial profiling at airports. We also await the findings of the first French racial profiling lawsuit.

We are gravely concerned at the growing phenomena of legislation that severely restricts the fundamental freedoms of lesbian, gay, bisexual, and transgendered persons in the OSCE region, including laws in Russia and Moldova.

With the persistence of hate crimes and other forms of prejudice, we urge participating States to implement all the OSCE commitments and specifically Ministerial Decision 9/09 on Combating Hate Crimes. A single act of hate can cause devastation which reverberates through families, communities and places of worship, and throughout the entire nation. In 2009, the U.S. passed its hate crime statutes which offered powerful tools for combating hate and violence, so that all of our citizens can live free of fear from being targeted because of the color of their skin, the religion they practice, or who they love. The Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act of 2009 gave the United States, for the first time, a federal law that criminalizes violence motivated by the victim's sexual orientation, gender identity, gender, or disability. The United States is proud to be an ardent supporter of ODIHR's important work against hate crimes.

Finally, Moderator, we remain extremely concerned by violent extremists in Greece, the Netherlands, and Hungary, as well as in our own country and elsewhere in the region. We believe the potential for copycat crimes based on the massacre in Norway and the Sikh temple murders is high, as demonstrated by the recent arrest of a Breivik sympathizer in the Czech Republic. We welcome the Irish Chairmanship's plans for a tolerance Ministerial Decision and urge that it include a clear strategy for monitoring participating States' implementation of related commitments and boosting anti-discrimination and diversity training in government, civil society, and the private sector.