

HDIM 2018

Working session 17, specially selected topic, Combating racism, xenophobia intolerance and discrimination

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Delegations 6

Civil Society 23

OSCE institutions 0

International organisations 1

Media 0

This second working session on combating racism, xenophobia intolerance and discrimination was opened by Mr. Andras Kovats, Director of Menedek, OSCE, ODIHR and Ms. Johnetta Elzie, US civil rights activist.

In his presentation, Mr. Andras Kovats referred to immigration in Europe, where people are increasingly anxious about the future of their communities, and in several countries politicians take advantage of this: rather than concentrating on solving the problems caused by the sudden arrival of many immigrants or the problems caused by the failed integration of some communities, they themselves fuel the fear and anxiety, often scapegoating whole ethnic or religious minority groups. Possible reasons for this negative attitudes toward immigrants and minorities, defined by researchers, are psychological factors, or sociological, cultural aspects behind negative inter-group attitudes. A recent study on a Eurobarometer survey concludes on a relatively positive tone: The majority of Europeans have direct contact with or regular interaction with non-EU immigrants and quite a few of them have close ties with them. Europeans are broadly tolerant and accepting of immigrants and positively inclined towards initiatives aiming at ensuring their successful integration. However, there are countries where two third or even three quarter of the respondents said that they would feel uncomfortable with social relations with immigrants, whereas in others this proportion is less than ten percent. Regarding the perceived impact of immigrants on society, there are countries where less than a quarter of the people see it positive, and there are others where the overwhelming majority – over three quarters are satisfied with it. There is an interesting tendency: the more often people encounter immigrants (or the more immigrants there are in their countries) the less likely that they will maintain negative attitudes toward them. Interpersonal contact is one of the most effective ways to reduce conflicts between members of a majority and minority group but it doesn't happen automatically when people meet. Only if certain conditions are met. Both groups should have similar social and economic status, they should work for the same goals, they should work for their goals together, without competition. Only then comes personal interaction – that members of the groups should physically meet and interact with each other. Most important is the support of the authorities and the legal and political system. Both groups should feel that the government, the public administration, the law, the police, the education, health and economic institutions are equally theirs – they are protected, represented and supported in their common endeavours.

The second introducer, Ms. Johnetta Elzie, highlighted that it is important to identify solutions to the problem of racism, xenophobia, intolerance and discrimination, especially of Black people in America. She stressed the need to protect fundamental rights of all people which is

a common charge and responsibility. She suggested two solutions, 1. Governments can provide resources to support people who are most likely to be victims of hate crimes in telling their story, in speaking truth to power. 2. Governments can also provide financial support and technical assistance to activists and protesters to sustain themselves outside of organizations, civil societies or non profit organizations. She added that too often the lack of resources or social support provided to people most likely to be negatively impacted by racism, xenophobia, intolerance and discrimination result in weakened relationships, fractured communities and countries that as a result don't optimize national economic, and social security. When people are stressed and do not feel connected to one another the conditions for racism, xenophobia, intolerance and discrimination are ripe.

The majority of interventions focused on the importance of implementation of existing tools on combating racism, xenophobia intolerance and discrimination and on respect on human rights. There is a need to develop best practices on effecting and promoting social inclusion of all members of society.

Recommendations made by participants during this session include, non/exhaustive list

Recommendations to the OSCE participating States

- for OSCE pS, notably for future Chairs to be ambitious and go beyond reactively responding to hate and discrimination, and to consciously and proactively foster inclusive approaches from the start.
- to eliminate laws and policies that discriminate against persons based on their sexual orientation, gender identity or expression, or sex characteristics, and to combat all acts of violence targeted towards LGBTI persons.
- to re-examine the Commitments that treat xenophobia, intolerance and discrimination as absolutes in light of the understanding that they are not.
- to ensure respect for cultural and national identities of countries in mutual relationships as a first condition of fight against xenophobia.
- to return to true and unrestricted freedom of expression and re-establish a marketplace of ideas rather than permitting "licensed speech".
- to cease prosecuting individuals, including members of the media, for holding dissenting views.
- to respect their commitments from the Ljubljana Ministerial Council Decision 10/05 on tolerance and non-discrimination.
- Representative of Media ensure that the truth cannot constitute "hate speech".
- to remove speech restrictions known as hate speech laws, deal with crimes according to the law, without singling out an emotion.
- to introduce a clear, unambiguous standard for separating unacceptable discrimination from acceptable discrimination.
- In secondary educational institutions work can be done to educate future human rights defenders, to raise their awareness and to raise level of legal culture of adolescents.
- Public organizations should encourage secondary educational institutions in the design of training program and encourage them to pay attention to aspects related to prejudices and hatred and to implement programs to promote tolerance.
- Governments to collect disaggregated data.
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- to take into account needs of migrants when creating policies that affects them.

- to integrate refugees of African descent in their states and follow up and implement its obligations, including national action plans.
- To include OSCE's Parliamentary Assembly in fighting xenophobia, intolerance and discrimination.
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- to develop strategies in order to combat hate crimes.

Recommendations to the OSCE institutions, executive structures and field operations:

- to continue their steady work to uproot racism, discrimination and exclusion of all kinds while also seeking and developing innovative and holistic approaches to prevent and tackle these issues.
- OSCE and its Institutions should focus on existing commitments, in line with the Organization's origin and nature, rather than delay the implementation of all commitments by attempting to cover too much ground.
- ODIHR to assist participating States to adopt anti-discrimination legislation, and also to include sexual orientation and gender identity as basis of discrimination. To conduct trainings of police and judiciary officials on this piece of legislation, and also on hate crimes, particularly hate crimes against Roma and Sinti.
- OSCE/ODIHR to oppose imposition of any sort of speech code or restriction – apart from immediate incitement to violence. To pledge commitment to oppose all efforts, all laws, all systems that would abridge the natural right of free people to speak their beliefs, convictions, opinions without restriction.
- OSCE/ODIHR to include representatives of national minorities in their structures/work of the organisation.