

**2nd day of the Eleventh Meeting**

MC(11) Journal No. 2, Agenda item 8

**DECISION No. 4/03  
TOLERANCE AND NON-DISCRIMINATION**

The Ministerial Council,

Recognizing that respect for human rights and fundamental freedoms, democracy and the rule of law are at the core of the OSCE's comprehensive concept of security,

Recalling its commitments in the field of the human dimension, enshrined in the Helsinki Final Act, the Charter of Paris for a New Europe, the Charter for European Security (Istanbul Summit, 1999) and all other relevant OSCE documents and decisions,

Recalling Decision No. 6 on Tolerance and Non-discrimination, adopted at the Tenth Meeting of the Ministerial Council in Porto on 7 December 2002,

Reaffirming its commitment to promote tolerance and combat discrimination, and its concern about all manifestations of aggressive nationalism, racism, chauvinism, xenophobia, anti-Semitism and violent extremism in all participating States, as well as discrimination based, *inter alia*, on race, color, sex, language, religion or belief, political or other opinion, national or social origin, property, birth or other status,

Urging the relevant authorities in all participating States to continue to condemn publicly, at the appropriate level and in the appropriate manner, violent acts motivated by discrimination and intolerance,

Affirming its commitment to increase its efforts for the promotion of tolerance and non-discrimination in all fields,

Welcoming the work done by the OSCE during 2003,

1. Commits itself to promote the implementation of the Action Plan on Improving the Situation of Roma and Sinti within the OSCE Area;
2. Decides to enhance the efforts being made to increase women's participation and the role of women in furthering democratization and economic development, and to consider integrating the provisions of the OSCE Action Plan on Gender Issues where applicable into national policies. Further decides to enhance its efforts to achieve gender balance at all levels within the OSCE, taking full account also in this respect of the principle of recruiting staff

from all participating States on a fair basis. Reiterates that the OSCE encourages female candidates to apply for OSCE positions;

3. Decides to follow up the work started at the OSCE Conference on Anti-Semitism, held in Vienna on 19 and 20 June 2003 and welcomes the offer by Germany to host a second OSCE conference on this subject in Berlin on 28 and 29 April 2004;

4. Decides to follow up the work started at the OSCE Conference on Racism, Xenophobia and Discrimination, held in Vienna on 4 and 5 September 2003 and welcomes the offer by Belgium to host a second OSCE conference on this subject in Brussels in autumn 2004;

5. Tasks the Permanent Council to further discuss, in addition to the two above-mentioned conferences, ways and means of increasing the efforts of the OSCE and the participating States for the promotion of tolerance and non-discrimination in all fields;

6. Encourages all participating States to collect and keep records on reliable information and statistics on hate crimes, including on forms of violent manifestations of racism, xenophobia, discrimination, and anti-Semitism, as discussed and recommended in the above-mentioned conferences. Recognizing the importance of legislation to combat hate crimes, participating States will inform the ODIHR about existing legislation regarding crimes fuelled by intolerance and discrimination, and, where appropriate, seek the ODIHR's assistance in the drafting and review of such legislation;

7. Tasks the ODIHR, in full co-operation, *inter alia*, with the United Nations Committee on the Elimination of Racial Discrimination (UNCERD), the European Commission against Racism and Intolerance (ECRI) and the European Monitoring Center on Racism and Xenophobia (EUMC), as well as relevant NGOs, with serving as a collection point for information and statistics collected by participating States, and with reporting regularly on these issues, including in the format of the Human Dimension Implementation Meeting, as a basis for deciding on priorities for future work. The ODIHR will, *inter alia*, promote best practices and disseminate lessons learned in the fight against intolerance and discrimination;

8. Recognizes the need to combat hate crimes, which can be fuelled by racist, xenophobic, and anti-Semitic propaganda on the internet. We welcome the offer by France to host in Paris in 2004 a forward-looking event, fully respecting the rights to freedom of information and expression, on the relationship between propaganda on the internet and hate crimes;

9. Affirms the importance of freedom of thought, conscience, religion or belief, and condemns all discrimination and violence, including against any religious group or individual believer. Commits to ensure and facilitate the freedom of the individual to profess and practice a religion or belief, alone or in community with others, where necessary through transparent and non-discriminatory laws, regulations, practices and policies. Encourages the participating States to seek the assistance of the ODIHR and its Panel of Experts on Freedom of Religion or Belief. Emphasizes the importance of a continued and strengthened interfaith and intercultural dialogue to promote greater tolerance, respect and mutual understanding;

10. Ensures the advancement of the implementation of the OSCE commitments on national minorities, and recognizes the importance of the recommendations of the High

Commissioner on National Minorities on education, public participation, and language, including on its use in broadcast media, and the relevant recommendations of the Representative on Freedom of the Media in this regard;

11. Undertakes to combat discrimination against migrant workers. Further undertakes to facilitate the integration of migrant workers into the societies in which they are legally residing. Calls on the ODIHR to reinforce its activities in this respect;
12. Undertakes, in this context, to combat, subject to national legislation and international commitments, discrimination, where existing, against asylum seekers and refugees, and calls on the ODIHR to reinforce its activities in this respect;
13. Takes into account the UN Guiding Principles on Internal Displacement as a useful framework for the work of the OSCE and the endeavors of participating States in dealing with internal displacement;
14. Decides that the OSCE in addressing the issues contained in this document will increase its efforts towards the younger generation in order to build up their understanding of the need for tolerance. Human rights education merits particular attention;
15. Decides to intensify the co-operation of the OSCE with relevant international organizations such as the United Nations, the Council of Europe and the European Union, as well as with civil society and relevant non-governmental organizations to promote tolerance and non-discrimination;
16. Tasks the Permanent Council, the ODIHR, the HCNM and the RFoM, in close co-operation with the Chairmanship-in-Office, with ensuring an effective follow-up to the relevant provisions of the present decision, and requests the Permanent Council to address the operational and funding modalities for the implementation of this decision.