

# **High-Level Conference on Tolerance and Non-Discrimination**

## **Session 3**

**Combating racism, xenophobia and discrimination, also  
focusing on intolerance and discrimination against  
Christians and members of other religions**

**Statement of the  
OSCE Office for Democratic Institutions and Human  
Rights (ODIHR)**



**Astana, 29 – 30 June 2010**

*Check against delivery!*

Racism, xenophobia, ethnic hatred and discrimination were mentioned as a matter of concern to the OSCE participating States as early as 1990, when the Conference on Security and Co-operation in Europe (CSCE) adopted two declarations – the document of the Copenhagen meeting of the Conference on the Human Dimension of the CSCE and the Charter of Paris for a New Europe.

In these two documents, CSCE participating States condemned racial and ethnic hatred and declared firm resolve to intensify their efforts to combat these phenomena through various means including legislation and education.

During the last ten years, these initial declarations were reaffirmed and further strengthened in a number of subsequent Ministerial Council Decisions and declarations in Bucharest (2001), Porto (2002), Maastricht (2003), Brussels (2006), Madrid (2007), and Athens (2009) in which OSCE participating States confirmed their commitment to tackle racism, xenophobia and discrimination by adopting series of concrete steps and measures. This comprehensive body of commitments called upon participating States to:

- Investigate promptly and impartially acts of violence motivated by aggressive nationalism, racism and xenophobia;
- Publicly condemn violent acts of discrimination and intolerance;
- Combat discrimination against migrant workers, asylum seekers and refugees;
- Take steps against discrimination, intolerance and xenophobia against migrants and migrant workers;
- Combat hate crimes fuelled by racist, xenophobic propaganda and denounce such crimes;
- Collect information and statistics on racism, xenophobia and related intolerance and report them periodically to the ODIHR;
- Investigate and prosecute violence or criminal threats of violence motivated by racist, xenophobic or other related bias on the Internet;
- Deplore racist, xenophobic and discriminatory public discourse;
- Develop professional training and capacity-building activities for law enforcement officials;

Despite all these commitments and continued efforts by participating States to combat these phenomena, racism, xenophobia and discrimination continue to present challenges to participating States in the OSCE region. Violent attacks targeting migrants, Roma and other visible minorities, asylum seekers, and refugees, sometimes fuelled by the use of derogatory language by public officials in public discourse as well as biased and stereotypical portrayal of these groups in the media, continue to present a threat to the security and safety of many communities in the OSCE region. Such incidents have been monitored and documented by ODIHR on an annual basis in the report *Hate Crimes in the OSCE Region: Incidents and Responses*.

There are also new, emerging trends in this regard – one of them is the issue of hate on the Internet and its potential to stimulate hate crimes. In recent years, the perception that there is a rise in the occurrence of hate-inciting material on the Internet has become more

salient. The fear that such material is unduly influencing public discourse and the general perception of visible minorities has meant that participating States have had to devise policies to address this problem.

In this regard, participating States tasked ODIHR at the Ministerial Council in Athens in 2009 “to explore, in consultations with the participating States and in co-operation with relevant international organizations and civil society partners, the potential link between the use of the Internet and bias-motivated violence and the harm it causes as well as eventual practical steps to be taken.” In order to implement this specific tasking, ODIHR decided to convene on 22 March 2010 an expert meeting on *Incitement to Hatred vs. Freedom of Expression: Challenges of combating hate crimes motivated by hate on the Internet* with the aim to explore the inherent challenges in investigating and prosecuting hate crimes motivated by hate on the Internet.

This meeting, which was the first OSCE meeting on this topic since 2004, generated considerable interest among various stakeholder groups and resulted in a high number of participants coming from 31 participating States and one OSCE Partner for Co-operation. Participants included representatives of governments, international organizations, law enforcement, prosecution, civil society organizations and minority groups.

As a direct follow up to the Warsaw meeting, where the need to involve the Internet industry was mentioned as one of the main conclusions, ODIHR organised another expert meeting in Amsterdam, in May 2010 on the *Role of Internet industry in addressing hate on the Internet* with the aim to discuss ways of increasing co-operation with the Internet industry and to identify realistic, practical recommendations formulated with the involvement of major Internet companies. Reports from these two meetings, including a comprehensive list of recommendations, were distributed recently to all OSCE participating States and are available also at this meeting.

Some of the main recommendations identified at both meetings include calls to:

- Ensure that laws prohibiting bias-motivated speech are not being enforced in a discriminatory or selective manner to impede or silence dissent, political criticism or alternative opinions;
- Support specialisation of law enforcement officers and prosecutors dealing with hate on the Internet and cybercrime;
- Strengthen and institutionalise the dialogue between law enforcement agencies, the Internet industry and the civil society;
- Develop and implement specialized training for law enforcement, prosecution;
- Enhance trans-national co-operation between law enforcement agencies on all Internet related issues;
- Employ comprehensive terms of service and other forms of self-regulatory mechanism by major Internet Service Providers;
- Equip young people with the skills which enable them to critically assess, analyse and process online information;
- Create and enhance mechanisms available to users of many Internet sites to flag inappropriate content;

- Evaluate existing empirical research, to identify the extent of hate material on the Internet, the impact of exposure to such hate material on young people and the materials' direct link to hate crimes

The substantial level of interest expressed by many participating States as well as other stakeholders at these meetings clearly demonstrates that the issue of hate on the Internet deserves further attention and follow up by the OSCE. In conclusion, I would like to assure you that ODIHR stands ready to support all efforts and initiatives of participating States addressing racism, xenophobia and discrimination.