

**THE ROLE OF NATIONAL INSTITUTIONS AGAINST DISCRIMINATION IN
COMBATING RACISM AND XENOPHOBIA WITH A SPECIAL FOCUS ON PERSONS
BELONGING TO NATIONAL MINORITIES AND MIGRANTS**

**OSCE Supplementary Human Dimension Meeting
Vienna, 29 - 30 May 2008**

**Opening remarks by Ms Johanna Suurpää, Ombudsman for Minorities, Representative of the
Finnish OSCE Chairmanship**

Mr. Chair,
Excellencies,
Ladies and gentlemen,

It is a great pleasure to address this OSCE human dimension meeting on behalf of the Finnish OSCE Chairmanship of 2008. I would like to start with a word of thanks to Ambassador Strohal and his excellent staff at the Office for Democratic Institutions and Human Rights for the good co-operation in organising this meeting. And as this is Ambassador Strohal one of your last OSCE human dimension meetings as ODIHR director, I would like to extend a great thank you for your leadership and human rights vision.

This two-day meeting provides an opportunity to take OSCE's review of the implementation of existing commitments a step further, in particular in relation to the role of national institutions in combating racist and xenophobic acts faced by national minorities and migrants.

The Finnish OSCE Chairmanship highlights the importance of promoting human rights as well as combating all forms of intolerance and non-discrimination as a natural part of a broad concept of security. The participating States have committed themselves to a wide range of ambitious goals to ensure the promotion of tolerance and non-discrimination in the OSCE area. The principle of equality and non-discrimination was one of the building blocks of the CSCE process already in 1975 and this commitment has been repeatedly reaffirmed by the participating States. Racial and ethnic hatred, anti-Semitism and discrimination on any grounds have been explicitly condemned by the participating States – an inheritance not to be compromised.

The OSCE has an effective network of institutions and actors in promoting tolerance and non-discrimination. It is the complementarity of different kinds of expertise and actors, which helps the OSCE to make a difference. And, in practice, it is the participating States which bear the primary responsibility for realising the goals and priorities they have set for themselves, including within the OSCE framework but also with regard to other human rights standards. Political declarations need to be turned into targeted measures on the ground. This means that decision-makers as well as local authorities need to be sensitized to the different aspects of discrimination.

Mr Chairman,

The creation of national institutions to combat discrimination is a step forward. The mandates and structures of such national institutions may well vary from one country to another - surely there is

no perfect model for all. However, in order to be credible, the institutions must be equipped with a realistic set of tools to effectively combat discriminatory practices.

The experiences of my own country Finland firstly underline the importance of independence: an independent organisation or ombudsman can be relied upon by all to effectively supervise the legality of the actions of the authorities and others in the society. Secondly, the mandate of the institution should be broad enough and encompass both possibilities to promote tolerance through positive action and, if need be, also initiate legal proceedings in cases involving discrimination or incitement to racial hatred. Thirdly, the national institutions should have adequate resources to be able to investigate alleged cases of discrimination, and to ensure appropriate follow-up. A national institution can according to our experience also influence the attitudes prevailing in the society through raising issues related to equality and the human rights of all individuals.

No doubt, we can all further strengthen our tools and improve our performance in combating discrimination. For instance in Finland, the number of immigrants is on the increase, and the practice of the Ombudsman for Minorities has brought up cases including discrimination in the labour market and the service sector, for instance. The Finnish Equality Act is presently being revised from the point of view of further strengthening the anti-discriminatory measures. Also, we aim to bring the different grounds for discrimination - ethnic origin, gender, religion, sexual orientation or any other such grounds - more on an equal footing, and thus ensure adequate attention to cases involving multiple discrimination.

One test for how well a national institution is doing, I believe, is to consult the views of the civil society and especially organisations representing groups often falling victims of discrimination. Indeed, close co-operation between any national institution and the civil society is crucial - both from the point of view of detecting cases of racism and discrimination as well as from the point of view of enhancing mutual respect and understanding in our societies. Overall, the role of NGOs and Human Rights Defenders should never be under-estimated in the promotion and protection of human rights: practical experience shows to the contrary. Therefore, the Finnish Chairmanship highly values the active participation by NGOs in this meeting.

This meeting offers an excellent opportunity to exchange best practices and challenges in implementing OSCE commitments, and the role national institutions against discrimination can play in this regard. Indeed, we are here to learn from each other and I look forward to the contributions of all participants.

Thank you.