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The Exploitation of Racism and Xenophobia in Politics

In recent years we have witnessed a disturbing trend in which racist and xenophobic discourse has been increasingly exploited in politics in the OSCE region. In a political climate where efforts to strengthen national security and protect national identity have become a main priority across the region, populist political parties on the fringes of the political spectrum have stepped up their verbal attacks on immigrants and minority members, in particular those of Muslim origin. At the same time, the views expressed by populist political parties have been increasingly tolerated by other political actors and their rhetoric and programs have, to varying degrees, been taken over by mainstream political parties. This development has resulted in an ever harsher political debate on immigration and integration issues and facilitated the adoption of new restrictive measures encroaching on the rights of immigrant and minority groups. It has also helped reinforce public prejudice against members of minority communities and enhanced their vulnerability to hostility, discrimination and violence.

There is no question that open debate is an essential characteristic of any democratic society and that the purpose of democratic elections is to enable the electorate to freely choose their political representatives. However, any true democratic culture also encompasses the values of tolerance, respect for diversity and non-discrimination. Political statements and action that refute these values are irresponsible and unethical and, in some cases, in violation of international human rights law. Advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence is explicitly prohibited by international human rights treaties,¹ and political programs or policies endorsing discriminatory treatment of minority groups are contrary to international standards prohibiting discrimination and guaranteeing the right to equal protection by the law.²

The International Helsinki Federation for Human Rights (IHF) is concerned that, in many OSCE countries, the growing appeal and influence of racist and xenophobic political platforms pose a real and serious threat to democracy, rule of law and human rights protection. The situation is particularly alarming in those cases where openly xenophobic political parties have been included in coalition governments or offered informal power-sharing agreements, which has served to legitimize their positions and granted them the opportunity to influence policy-making at the highest level. In this context, it is also a matter of concern that the success of a populist party pursuing a racist agenda in one country may embolden and help pave the way to power of such parties in other countries.

¹ See article 20 of the International Covenant for Civil and Political Rights (ICCPR).

² See article 7 of the Universal Declaration of Human Rights; articles 2 and 26 of the ICCPR; and article 14 of the European Convention for Human Rights.

The coalition between the conservative **Austrian** People's Party (ÖVP) and the far-right Freedom Party (FPÖ) that emerged in late 1999 survived new parliamentary elections held in November 2002. However, in April 2005, as a result of disagreements within the FPÖ, party leader Jörg Haider and all FPÖ ministers split off to form a new right-wing party called the Alliance for Austria's Future (BZÖ), which became the new government partner of the ÖVP. This constellation has since ruled the country.

The period of far right participation in the government has seen unprecedented exploitation of racist and xenophobic discourse in Austrian politics as mainstream politicians have increasingly embraced the sweeping, simplistic and stigmatizing language used by their populist colleagues on asylum, immigration and integration issues. As a result, discussions on such issues have increasingly evolved around the presence of foreigners in the country as a threat to security, economic stability and national identity.³ In its efforts to prevent a further influx of asylum seekers and immigrants and to ensure the integration of those who already reside in the country, the government has pushed through a number of problematic measures, which have further restricted the rights of non-citizens and enhanced their vulnerability to intolerance and discrimination. Among such measures are new restrictive asylum and citizenship laws.⁴

The campaign leading up to the early parliamentary elections held on 1 October 2006 was also largely characterized by a narrow focus on immigration and integration, with different political parties seeking to prove their toughness with respect to such issues.⁵ The ÖVP appointed interior minister attracted much attention when she claimed in May 2006 that a study commissioned by her had shown that 45% of all Muslims living in Austria are "not willing to integrate" and concluded that they "do no deserve" to be in the country.⁶ The BZÖ and the FPÖ both campaigned prominently with anti-immigrant and xenophobic messages without facing clear and unreserved denunciation by the political establishment. For example, BZÖ election posters called for a 30% reduction of the number of immigrants living in the country,⁷ while FPÖ placards featured slogans accusing asylum seekers

³ Compare European Commission against Racism and Intolerance (ECRI), *Third Report on Austria*, adopted on 25 June and made public on 15 February 2005,

http://www.coe.int/t/e/human_rights/ecri/1%2Decri/2%2Dcountry%2Dby%2Dcountry_approach/Austria/Austri a CBC_3.asp#TopOfPage; and ECRI, *Second Report on Austria*, adopted on 16 June 2000 and made public on 3 April 2001, http://www.coe.int/t/e/human_rights/ecri/5-Archives/1-ECRI's_work/5-CBC_Second_reports/Austria_CBC_2.asp.

⁴ See the chapter on Austria in IHF, *Human Rights in the OSCE Region. Report 2006 (Events of 2005)*, <u>http://www.ihf-hr.org/documents/doc_summary.php?sec_id=3&d_id=4255</u>. The new asylum law first entered into force in May 2004, but had to be revised after the Constitutional Court declared parts of it invalid before

into force in May 2004, but had to be revised after the Constitutional Court declared parts of it invalid before taking effect again as of January 2006.

⁵ Die Presse, "Marktgeschrei, wer 'bessere' Ausländerfeind ist," 7 June 2006; Die Presse, "Flut von Konzepten im Ausländer-Wahlkampf," 27 June 2006.

⁶ In making her claim, the interior minister referred to a study commissioned by her that had yet to be made public. When the study subsequently was published, it was broadly criticized for methodological flaws and its conclusions did not appear to warrant the sweeping statements made by the interior minister, who was accused of fostering racism and intolerance. *Die Presse*, "Prokop: Muslime oft nicht integrationswillig," 16 May 2006; Verein für Zivilcourage und Anti-Rassismus Arbeit (ZARA), "Die Biertisch-Integrationsdebatte der Regierung ist rassistisch," 16 May 2006, <u>http://www.zara.or.at/_doc/stellungnahmeZARA__integrationsdebatte.pdf</u>; *Vienna Online*, "Prokop präsentiert Integrationsstudie," 19 May 2006; *Der Standard*, "Auch Soziologen verreißen Moslem-Studie: 'Gröbste Mängel," 24 May 2006.

⁷ ÖVP dismissed the call for mass deportations of foreigners made by its coalition partner as "absurd" but was keen to emphasize that the policies of the government in office had resulted in a significant reduction of the number of immigrants, asylum seekers and naturalizations in the country. See Irene Brickner, *Der Standard*, "Prokops Zuzugsstopp," 21 July 2006; *Der Standard*, "Schüssel zu Westhenthaler: 'Absurd und indiskutabel," 7 September 2006.

and migrants of undermining social security and depicting Islam as a danger to the "Austrian home."⁸ At the time of writing, the election had yet to take place.

The ruling **Danish** center-right coalition, which is composed of the Liberal Party and the Conservative People's Party, does not control a majority of the seats in parliament and has been dependent on the support of the nationalist Danish People's Party (DF) ever since taking office in late 2001.⁹ For the DF, which is openly opposed to immigration and a multi-ethnic society, intolerant and xenophobic rhetoric is standard practice and its members have repeatedly made highly inflammatory statements targeting people of foreign origin, in particular Muslims. DF representatives have, for example, described Islam as a "terrorist organization," "a plague on Europe" and "a ticking bomb" and accused Muslims of "infiltrating" the Western world and spreading a "backward culture."¹⁰ While a number of DP politicians have been brought to court for their racist statements, only few have been found guilty, and authorities have generally been reluctant to prosecute hate speech by politicians, thus creating a sense of impunity that has further encouraged intolerant remarks.¹¹

More broadly, over the last few years, the tone of the debate on immigration and integration issues has hardened significantly in the country and a series of new, restrictive asylum and immigration measures have been adopted, as a result of which immigration legislation is now among the most stringent in Europe. Among these measures are lowered barriers for rejecting asylum applications, tightened regulations for family reunification, permanent residence and naturalization, and reduced levels of social benefits for refugees.¹² Many of the measures adopted give rise to serious concern in light of international human rights standards, including the prohibition against discrimination. Moreover, the policies of the current government have contributed to an increasingly negative public perception of immigrants, refugees and minority members and to an increasingly hostile social climate facing these groups.

⁸ See IHF, "Austria: Tactics in Election Campaign Raise Broader Concerns about Racist and Xenophobic Discourse in Politics," 20 September 2006, <u>http://www.ihf-hr.org/documents/doc_summary.php?sec_id=3&d_id=4305</u>.

⁹ The government was able to maintain its power after the February 2005 elections.

¹⁰ Politiken, "Politi afviser racismemesager mod DF," 26 October 2001; Politiken, "Camre: Islam truer Danmark," 16 September 2001; "Invandrerfjendsk polemic og propaganda: Jesper Langballe," <u>http://www.humanisme.dk</u>; Racism in Denmark, European Network Against Racism (ENAR) Shadow Report 2005, <u>http://www.enar-eu.org/en/national/denmark/Denmark_2005.pdf</u>.

¹¹ ECRI, *Third Report on Denmark*, adopted on 16 December 2005,

http://www.coe.int/t/e/human_rights/ecri/1%2Decri/2%2Dcountry%2Dby%2Dcountry_approach/Denmark/Denmark/Denmark_CBC_3.asp#TopOfPage. According to ECRI, "The police's reluctance to bring charges against those who incite racial hatred in accordance with article 266 b) of the Criminal Code and the fact that freedom of expression is placed above all else have contributed to giving free reign to some politicians to make derogatory statements in media about minority groups" (par. 104). See also the chapter on Hate Crimes and Discriminatory Policies in IHF, *Anti-Terrorism Measures, Security and Human Rights* (April 2003), <u>http://www.ihf-hr.org/documents/doc_summary.php?sec_id=3&d_id=4082</u>, and the chapter on Denmark in IHF, *Intolerance and Discrimination against Muslims in the EU* (March 2005), <u>http://www.ihf-hr.org/documents/doc_summary.php?sec_id=3&d_id=4029</u>.

¹² For more information about the measures adopted see the chapter on Denmark in IHF, *Human Rights in the* OSCE Region: Report 2006 (Events of 2005); the chapter on asylum, immigration and border control policies in IHF, Anti-Terrorism Measures, Security and Human Rights (April 2003). See also ECRI, Third Report on Denmark, adopted on 16 December 2005. ECRI notes that, "the fact that the [Danish] Government depends on the Danish People's Party to maintain its coalition has given this party considerable leverage, which enables it to push through an anti-immigration agenda and to pass laws which in effect disproportionately affect minority groups" (par. 104).

In **Poland**, two populist political parties were invited in May 2006 to join the government of the conservative Law and Justice Party (PiS), which came to power after the September 2005 parliamentary elections. These two parties, the rightist League of Polish Families (LPR) and the leftist Self-defense Party, have a history of encouraging intolerance and hostility toward minority groups.

Committed to ensuring respect for Catholic morality and defending national heritage, the LPR has repeatedly lashed out against homosexuals. High-ranking members of the party have, for example, called homosexuals "deviants" and accused them of having connections to "pedophile circles" and seeking to "penetrate" the Polish school system. Participants in tolerance marches have been violently attacked and pelted with stones and eggs by members of the All-Polish Youth, a movement closely affiliated with the LPR.¹³ Representatives of the LPR and the Self-defense Party have also made statements of an anti-Semitic character¹⁴ and the former has reportedly sought to promote youth activists with neo-Nazi sympathies into public positions.¹⁵ Polish anti-racist organizations have expressed concern about the lack of an effective response to the chauvinistic language used by political leaders and have criticized the PiS for adopting similar positions as its two minor coalition partners,¹⁶ despite pledges to combat discrimination and attempts to tone down previous anti-homosexual rhetoric.¹⁷

Most worrisome, leading members of the PiS, including Prime Minister Jaroslaw Kaczynski, regularly appear on *Radio Maryja*, which is notorious for broadcasting hate and anti-Semitic propaganda. By doing so, the PiS representatives lend credibility to the radio station and the hateful messages it communicates.¹⁸

In a concrete example of policy change following the inclusion of the two populist parties into the government, patriotism education was introduced into Polish schools at the beginning of the school year 2006-2007.¹⁹ This move, initiated by Education Minister Roman Giertych, who is the head of LPR, sparked fears that Polish students may be exposed to narrow and intolerant views in the name of fostering national pride and loyalty.

¹³ Human Rights Watch, "Poland: Official Homophobia Threatens Basic Freedoms," 5 June 2006,

http://hrw.org/english/docs/2006/06/05/poland13512.htm; *Deutsche Welle*, "Thousands Rally for Gay March in Warsaw," 10 June 2006, <u>http://www.dw-world.de/dw/article/0,2144,2051002,00.html</u>; *The Telegraph*, "Ghetto survivor warns of Polish 'fascism'," 24 June 2006, <u>http://www.telegraph.co.uk/news/</u>

main.jhtml?xml=/news/2006/06/24/wpoland24.xml; *BBC*, "Fears of Poland's Gay Community," 10 June 2006, http://news.bbc.co.uk/2/hi/europe/5068318.stm.

¹⁴ Anti-Defamation League (ALD), "ALD urges Polish prime minister to reject coalition government with extremist parties," 1 May 2006, <u>http://www.adl.org/PresRele/ASInt 13/4907 13.htm</u>; ALD, "Poland: Democracy and the Challenge of Extremism," 12 September 2006,

http://www.adl.org/main_International_Affairs/poland_challenge_of_extremism.htm.

¹⁵ Information from the Helsinki Committee in Poland to the IHF, September 2006.

¹⁶ Polish Anti-racism Association Never Again, "Far-right thinking permeates new government" and "The extreme right takes over Polish ministry of education," May 2006, <u>http://www.nigdywiecej.prh.pl/english/</u>

¹⁷ Before the parliamentary elections in September 2005 and the presidential elections in October 2005, PiS made statements opposing gay rights. Moreover, while previously mayor in Warsaw, current President Lech Kaczynski, who also represents PiS, twice banned the organization of equality events organized by sexual minorities, arguing that he did not wish to promote a "homosexual lifestyle." See "Gay marchers ignore ban in Warsaw," 11 June 2005, <u>http://news.bbc.co.uk/2/hi/europe/4084324.stm</u>.

¹⁸ Associated Press, "Media Watchdog Condemns Poland's Radio Maryja for 'Anti-Semitic' Broadcast," 5 April 2006; Nicholas Watt, *The Guardian*, "Polish rightwingers stroke Israeli concern," 5 June 2006, <u>http://www.guardian.co.uk</u>.

¹⁹ Paul Flückiger, *Der Standard*, "Mit Beginn des Schuljahres wird die Landesgeschichte ohne Kontext vermittelt," 5 September 2006.

In late September, a government crisis emerged in Poland when the leader of the Self-Defense Party was dismissed from the ruling coalition, and at the time of writing it remained unclear what political parties would continue to rule the country and under what arrangements.

Following the June 2006 parliamentary elections in **Slovakia**, the left-wing Smer party under Robert Fico formed a new coalition government together with two right-wing populist parties, the Slovak National Party (SNS) and the Movement for a Democratic Slovakia (HZDS) of former Prime Minister Vladimir Meciar. Both parties used anti-Roma and anti-Hungarian slogans in their election campaigns,²⁰ and in particular SNS Party Leader Jan Slota has a reputation of making fierce and hostile statements targeting the country's sizeable Roma and Hungarian minorities. Among other provocative statements, he has, for example, been quoted as saying that the Roma deserve "a small courtyard and a long whip" and that the best way to deal with ethnic Hungarians is to "send in tanks and flatten Budapest."²¹ The rule of Meciar in 1993-1998 was characterized by backsliding on democratic governance and the rule of law as well as illiberal minority policies.²²

The party leaders of the SNS and the HZDS do not hold any positions in the new coalition, but the records of the two parties raise serious questions about the government's commitment to minority protection. While it is yet to early to assess the minority policies of the new government, minority representatives have expressed concern that the inter-ethnic climate in the country has worsened since the coalition took office and that this development may have helped fuel a number of apparently ethnically motivated incidents that have been reported.²³ According to the chair of the Hungarian minority party SMK, nationalist extremists have become more courageous in their actions since the political situation changed.²⁴ Prime Minister Robert Fico has been criticized for failing to respond to racist incidents with sufficient resolve and for seeking to downplay their wider impact. Tensions between Slovakia and Hungary have also increased due to these developments, and a number of anti-Slovak incidents that have occurred in Hungary in the same period.²⁵

In the **Netherlands**, the inclusion in the government of the party founded by Pim Fortuyn in 2002 remained short-lived. However, the legacy of the murdered populist politician, who rose to fame on a strong anti-immigration platform in the wake of September 11, lives on in the political arena as other parties have adopted similar ideas. In the last few years, the political debate on immigration and integration issues has been characterized by new frankness and directness, but also increasingly by a fierce and hostile tone, and a predominantly negative focus on immigration. This trend was further reinforced after the November 2004 murder of film-maker Theo van Gogh by a Muslim with fundamentalist convictions.²⁶

²⁰ *Eurolang*, "Slovakia: National minorities wary as far-right parties join government," 5 July 2006, <u>http://www.eurolang.net</u>.

²¹ Robin Shepherd, *Financial Times*, "Slovakia sets extremist challenge for Europe," 7 July 2006; *Human Rights Watch World Report 1999*, <u>http://www.hrw.org/worldreport99/europe/slovakia.html</u>.

²² More information on this topic can be found in the chapters on Slovakia included in the IHF annual reports from the relevant years. These reports are available at <u>http://www.ihf-hr.org/cms/cms.php?sec_id=46</u>.

²³ For example, in late August, a young Hungarian woman was attached and had anti-Hungarian slogans marked on her t-shirt in the Western Slovak city of Nitra. Andras Szigetvari, *Der Standard*, "Ungarisch wird zum Tatmotiv," 5 September 2006.

²⁴ Christoph Hanei, *Die Presse*, "Ungarn. Slowaken und der Hass,"29 August 2006.

²⁵ Renata Goldirova, *EU Observer*, "Pressure mounts on Slovakia over Anti-Hungarian incidents," 28 August 2006; *APF*, "Slovak attacks on Hungarian minority fuel cross-Danube tension," 27 August 2006; *Country Watch*, "Slovak-Hungarian ties impaired by attacks on Hungarian minority in Slovakia," September 2006, <u>http://www.countrywatch.com/gnu_default.aspx</u>.

²⁶ For a lengthier discussion of the changes in the political climate see the chapter on the Netherlands in IHF, *Intolerance and Discrimination against Muslims in the EU* (March 2005).

Moreover, the coalition government of the Christian Democratic Party (CDA), the Liberal Party (VVD) and the Social Liberal Party (D66), which was in power from early 2003 until mid-2006, was criticized by human rights groups for initiating a number of ill-conceived immigration measures in violation of international human rights standards.²⁷ The government introduced, among others, measures of a compulsory nature aimed at ensuring that immigrants learn the Dutch language and respect Dutch values and customs, such as a so-called civic integration exam for those applying for residence permits for more than three months, including in the case of family reunification. This exam must be completed abroad prior to admission and is held only in Dutch.²⁸

After the ruling coalition collapsed in July 2006, a minority government was formed by the CDA and the VVD and is expected to stay in office until early elections scheduled for late November 2006.²⁹ As of mid-September, the election campaign had not yet begun in full, and immigration and integration issues had yet to develop into a major election issue. However, as many as four rightist parties with anti-immigration agendas had registered for the elections, the Pim Fortyn Party (LPF), the Netherlands Party (PVN), the One NL (EénNL) and the Liberty Party (PVV). All of these parties advocate measures that are highly problematic from a human rights perspective, including abolishing article 1 of the Dutch Constitution, which states that everyone living in the Netherlands should be treated equally.³⁰

Recommendations³¹

1. To political actors and political parties in the OSCE participating States:

- Demonstrate ethical and responsible leadership and openly reject all forms of racism, xenophobia and intolerance;
- Ensure that their platforms, programs and actions reflect the principles of nondiscrimination, tolerance and respect and refrain from making statements or, in other ways, endorsing views and positions that encourage or reinforce prejudices and hostility against immigrants, refugees and minority members;

²⁷ Compare Joanne van Selm, "The Netherlands: Tolerance under Pressure," Migration Policy Institute, September 2003, available at <u>http://migrationinformation.org</u>.

²⁸ EU citizens and the citizens of a number of other western countries are exempted from the exam as are those who come to the Netherlands for study, au pair work, exchange or a similar reason. For more information about the civic integration exam and other mandatory integration programs see the website of the immigration and naturalization department of the Ministry of Justice, <u>http://www.ind.nl/EN/</u>.

²⁹ *Yahoo News*, "Netherlands to get minority government until early elections," 5 July 2006; *Expatica*, "LPF lawmaker resigns, defects to Labour," 4 July 2006; "Dutch swing to left seen after government collapse," *Reuters*, 29 June 2006.

³⁰ Information from the Netherlands Helsinki Committee to the IHF Secretariat, September 2006.

³¹ Compare UN Human Rights Commission, "The incompatibility between democracy and racism," *Resolution* 2005/36, available at <u>http://ap.ohchr.org/documents/dpage_e.aspx?s=99</u>; Parliamentary Assembly of the Council of Europe, "Racist, xenophobic and intolerant discourse in politics," Resolution 1345 (2003); ECRI Declaration on the Use of Racist, Antisemitic and Xenophobic Elements in Political Discourse (2005), <u>http://assembly.coe.int/Documents/AdoptedText/ta03/ERES1345.htm</u>; Charter of European Political Parties for a Non-racist Society (1998), available at <u>http://www.lbr.nl/?node=2017</u>.

• Refuse to cooperate with political parties that subscribe to racist and xenophobic objectives, including in particular by forming government coalitions or parliamentary alliances with such parties.

2. To the governments of the OSCE participating States:

- Ensure that effective measures are adopted and implemented to prevent and punish the promotion of racism and xenophobia in political life. Such measures should correspond to and be proportionate to the gravity, nature and circumstances of each case and may, where appropriate in more serious cases, include withholding public funding of political parties, denying political parties access to state-controlled media and suspending or dismissing politicians from holding public office;
- Ensure that ordinary criminal law is consistent with relevant international human rights law and includes an appropriate range of offences and sanctions concerning the promotion of racism, xenophobia and intolerance. Such provisions should be fully and effectively implemented against politicians and political parties that encourage hatred, discrimination and violence against foreigners and minority members.

3. To media and civil society in the OSCE region:

- Remain vigilant and alert the public about incidents and patterns of political exploitation of racism, xenophobia and intolerance, including in particular the penetration of such ideas into the agendas and programs of mainstream political parties;
- Hold their governments accountable to their ethical, political and legal obligations with respect to fostering tolerance, solidarity and respect for diversity and to promoting a society without discrimination.