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The Human Dimension Implementation Meeting (HDIM) of OSCE participating States is Europe's largest annual human rights and democracy conference. It is organized every year by the OSCE Office for Democratic Institutions and Human Rights (ODIHR) as a platform for the 57 OSCE participating States, the OSCE Partners for Co-operation, OSCE structures, civil society, international organizations and other relevant actors to take stock of the implementation of OSCE human dimension commitments, discuss associated challenges, share good practices and make recommendations for further improvement.

Working Session 6:
Tolerance and non-discrimination I, including combating anti-Semitism, combating intolerance and discrimination based on religion or belief, including against Christians, Muslims and members of other religions.

Dear representatives, members of the HDIM, and colleagues,

It is a true honor for me to be here today and I would like to thank the OSCE for inviting me to introduce the session 6 "Tolerance and non-discrimination I, including combating anti-Semitism, combating intolerance and discrimination based on religion or belief, including against Christians, Muslims and members of other religions."

Everywhere in Europe we see groups of people claiming entitlement to certain privileges and also claim the right to define the confines of European identity [examples, 1) Chemnitz, 2) Denouncing "the lack of courage of the public authorities", right-wings extremists called the GenerationIdentitaire movement blocked the Col de l'Echelle in the Alps with a fence and helicopters, 3) Members of Génération identitaire have erected a wall in front of a future reception centre for asylum seekers in Montpellier (Hérault) 30.9.2016]. Everywhere in Europe, we see old patterns resurfacing in society, be it in public discourses, social practices and interactions, media representations or state regulations. [example: In June 2018, Italian authorities planed to carry out a census of Roma people with a view to deporting those without papers, according to new Interior Minister Matteo Salvini, head of the anti-immigration League party]. We see that some fully belong and are entitled to participation and representation, and that others do not fully belong

and are merely tolerated [example, 45% of Roma children in education are placed in segregated schools or classrooms In Hungary, source: Rorke, B. (2016, May 30). Segregation in Hungary: The Long Road to Infringement.[1]].

I take this opportunity to express some thoughts about the word "tolerance". When speaking of participation, justice, equality and non-discrimination, using the words "tolerance" or "intolerance" should prompt us to ask some important questions: Who tolerates whom? Who has the political, cultural and economic power to tolerate? Are all people – religious, ethnic, cultural communities – on a level playing field?

On the one hand, tolerance is a positively connoted word, which conveys the idea of acceptance and community. According to the Oxford dictionary, tolerance describes „the ability or willingness to tolerate the existence of opinions or behaviour that one dislikes or disagrees with." Tolerance thus conveys the idea of a level playing field, where all communities should mutually accept each other. However, when we speak about discrimination, exclusion and marginalization, what is at play is oppression and power. It means that all communities are not on a level playing field, but that some enjoy more political, cultural and economic power than others. In other words, it means that even though intolerance can be experienced within and from all communities without exception, the social and political impact of this intolerance widely differs. Only groups who hold enough political power will have the ability to enforce their intolerance towards other groups. On the contrary, groups who do not hold enough political power will not be able to enforce their prejudice against other communities or groups of people. This is why the notion of "minority" is so crucial to understand these power dynamics and the effects they produce. For this reason, I prefer the terms "oppression" and "structural exclusion" to the term "intolerance" in a political context. Simply because intolerance overlooks the structural and systemic aspects of discrimination. And because what we are aiming for is a society where power is equally distributed among various groups of people and communities.

So: what can states do to combat intolerance and discrimination, including combating anti-Semitism, combating intolerance and discrimination based on religion or belief, including against Christians, Muslims and members of other religions. Before we can even think of answering this question, we need to understand what discrimination is in the first place. Too often, we take the word for granted and do not dig deeper.

Discrimination always has four dimensions: individual, structural, institutional and historical. In the current European legal anti-discrimination framework, an almost exclusive emphasis is put on the individual dimension of discrimination – intentional behavior and discriminatory opinions. It means

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[1] Hungary has been warned in the past to modify its policies and to ensure that Roma children have an equal access to education. In 2013, in the case Horvath and Kiss v. Hungary, the European Court of Human Rights ruled that the two applicants, placed in a special school for mentally disabled children, had been discriminated against, which was in violation of the European Convention on Human Rights (Horváth and Kiss v. Hungary, 2013).

that the wider context is all too often overlooked, including the role that institutions and the people within these institutions play, the unintended effects of certain laws and policies (indirect discrimination), the media representation of certain religious communities, etc. Discrimination thus presupposes three main elements: difference (mostly socially constructed), power and hierarchization. Similarly, we cannot analyze discrimination without considering the historical legacy of past systems which continue to mark our current political systems, norms, values and representations. Understanding antisemitism in Germany and Europe today without considering WWII would provide an incomplete analysis of this phenomenon.

Racism, discrimination, xenophobia, intolerance, nationalism are all sides of the same coin. Even though each has their own specificities, they share the same roots and rest on the same system meant to hierarchize people according to would-be races. Religions, like skin color, nationalities, languages and ethnicity. Religious minorities are undergoing a process of so-called racialization, meaning that members of certain religious groups are being constructed as a racial identity. This racialization processes started after the 9/11 Attacks throughout the world. Jewish and Roma communities underwent a long racialization process throughout the 19th and 20th centuries. The very historical, political and economic systems that uphold the idea that all people are not equal and some are intrinsically superior than others is the backbone of intolerance, discrimination and xenophobia. This is why it is absolutely crucial to adopt an intersectional approach to the fight against these societal plagues. It means we need to understand these phenomena as mutually reinforcing and intertwined. Discrimination and racism against Jews, Muslims, Blacks, Roma and Sinti, Asians and other minorities should always be fought at the same level, with the same intensity and at the same time creating inter-community solidarity. Pitting minorities against each other and suggesting that they are racist towards one another is a century-old strategy called "divide and rule". Conflicts, prejudice and racism does occur between the aforementioned communities. However, they rarely take on a systemic and structural form. These types of conflicts should be addressed with community programmes and awareness-raising campaigns meant to foster solidarity and understanding between these communities. However, it should not deflect the attention away from the fight against systemic discrimination, right-wing nationalism and structural racism. According to the German Federal Criminal Police Office, 20 times more crimes were committed against Jewish and Muslim people in 2017 than against Christian people. Of 2564 motivated crimes, 1495 were directed against Jews and 1069 had an islamophobic motive, but only 127 crimes were committed against Christians.

I would like to draw attention to one particular religious minority whose fundamental rights are particularly under threat: Muslim women wearing the Hijab. This is a typical case of indirect discrimination and intersectional discrimination.

Laws, local regulations and formal practices prohibiting the wearing of religious dress in employment, education, services and public space, result in Muslim women being

disproportionality prevented from exercising their rights. Analysis shows that these restrictions stem from openly racist and discriminatory political narratives coming from the far-right and mainstream political discourses. A report released in April 2018 by the Open Society Foundations entitled "Restrictions on Muslim Women's Dress in the 28 EU Member States: Current law, recent legal developments, and the state of play" identified that 8 member states have a variety of laws restricting Muslim women's dress. In EU countries that are known to have high standards against discrimination, and to promote pluralism and inclusion like Sweden, the Netherlands, the United Kingdom and others, there is now increasing pressure to introduce religious dress bans that restrict freedoms and exclude religious minorities from society. Campaigns for such laws and regulations have failed in many places, and where they have been adopted, they have faced political and legal resistance by Muslim women, grassroots civil society, national courts and even governments. Another report conducted in 2016 by the European Network Against Racism (ENAR) called "Forgotten Women" draws similar conclusions, stating that "In Belgium, 44% of employers agree that wearing a headscarf can negatively influence the selection of candidates."

The lack of protection of Muslim women's fundamental rights resulting from such bans should be addressed by member states on several grounds: 1) equal opportunity for women and men in all spheres of life, promotion of gender equality (working session 15) and 2) rights of persons belonging to national minorities (working session 8). Each thematic focus tends to invisibilise intersectional identities. Muslim women tend to disappear in the group "national minorities" as well as in the group "women". Similarly, it is difficult to prove that the discrimination they face occurs simultaneously on two or more grounds – gender, race, religion. This is why adopting an intersectional approach to anti-discrimination is absolutely crucial. To ensure that no one falls through the cracks.

To conclude I would say that all actions meant to combat anti-Semitism, intolerance and discrimination based on religion or belief, including against Christians, Muslims and members of other religions should be based on: 1) **Intersectionality**: combating each form of discrimination separately without considering the ways in which they are mutually reinforcing and intertwined will be detrimental to the overall fight against discrimination. More rights for some might lead to less rights for others. 2) A **structural analysis** of these phenomena: racism, discrimination and exclusionary practices and laws should always be analysed from a structural perspective, looking at the role and responsibility of societal structures and state institutions. 3) **Systemic understanding of racism**, whereby culprits and victims are no longer central to the fight against racism. It means moving away from an understanding of racism as intolerant opinions and intentional behavior towards an understanding of racism as a political, social and historical system embedded in each of us and in all areas of life and society. In order to combat it, we need to start with ourselves.

Thank you very much for your attention, I look forward to the discussion.