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OSCE MEETING ON THE RELATIONSHIP BETWEEN RACIST, XENOPHOBIC AND ANTI-SEMITIC PROPAGANDA ON THE INTERNET AND HATE CRIMES

Paris, 16 and 17 June 2004

Opening of the Meeting

Statement by Mr. Michel Barnier, Minister for Foreign Affairs

Ladies and Gentlemen,

In the first place, I wish to extend to you a very warm welcome. I wanted to open this special meeting of the OSCE for many reasons, because of the quality of the delegations present here and because the stakes are high. Every person of my generation has at some time or other had a dream, the same dream — that of the great African humanist, Léopold Sedar Senghor, who said: “I dreamed of a world flooded with sunshine in fraternity with my blue-eyed brothers”.

And yet this dream is rather far from being realized. The struggle is not at an end. Injustice and intolerance continue to strike, all about us and sometimes in our own homes.

Why conceal the truth? I am a citizen of a country which has just experienced, since 1 January this year, an unprecedented number of anti-Semitic acts. But I am also a minister of a government which is fighting to prevent, identify, sanction and combat such acts.

France wanted to host this special meeting of the OSCE, and I want to thank the Chairman-in-Office, the Bulgarian Minister for Foreign Affairs, Mr. Solomon Passy, the Secretary General of the Organization, the delegates representing your 55 participating States as well as six partner States, the civil society representatives, the Internet professionals and each and every one of you, men and women alike, for having accepted the invitation to attend.

This is a critical time for us, a key stage in our common struggle against intolerance, following the very important work done at the conference last April in Berlin on anti-Semitism, and preceding the Brussels conference in September this year which is to be devoted to racism and xenophobia.

Ladies and Gentlemen,

I should like to mention to you three convictions which prompt France's struggle against intolerance. The first conviction of France is that we must say, among ourselves and to all about us, what is the truth on this subject. It must not be disguised, minimized or treated as something commonplace.

In fact the truth is that, while intolerance may not have won the day, it has made progress almost everywhere in Europe during these last few years, relying in particular on an instrument which is at once new and extraordinary, namely the Internet. We naturally do not want to question in any way the existence of the Internet. We are all aware, moreover, of the exceptional contribution the Internet is making to the spread of knowledge, the understanding of identities and dialogue among people.

But it is our duty to stress that by virtue of its characteristics — immediacy and anonymity in particular — the Internet has had a seductive influence on networks of intolerance. It has placed at their disposal its formidable power of amplification, diffusion and connection. A study recently carried out in the United Kingdom and bearing on 15 participating States of the OSCE shows that in the course of four years, from 2000 to 2004, the number of violent and extremist sites has increased by 300 per cent. This means that the Internet has been taken hostage by the networks of intolerance and it requires a fully appropriate response from us.

Our second conviction is that we must take account of the harmfulness of acts of intolerance in their full scope, in other words the full reality that they represent. In France we feel that there must be a clear relationship, as is in fact indicated by the title of our meeting, between racist, anti-Semitic or xenophobic propaganda on the one hand and hate crimes on the other. That is why we are not here only to condemn insults or abject statements. We are here to fight against statements which, once uttered and sometimes repeated, may lead to crime; for this is the reality that we find, alas, in many cases.

What is at issue for us is not freedom of speech but appeals or incitement to commit particular acts. When an insult leads to crime it changes its nature; it becomes a veritable act of intellectual premeditation. I may observe in passing that our various nations guarantee freedom of speech, but without leaving it completely unlimited, on the understanding that such limits as are set must be clearly defined by law.

The third and final conviction that I want to express here, in the name of France, is that a single response will not be adequate in combating the new methods and the new paths of intolerance.

A response involving prevention is indispensable but not in itself adequate. It is not without its weaknesses. Acts of intolerance are on the increase. We must be capable of acting directly against them and, when required, against those who commit them. It is important then to seek an appropriate balance between prevention and action.

Who is to do this?

Each one of us, in the first instance, within the sphere of his own responsibility, wherever he may be, and above all within the national framework. This is the objective that has been pursued by the French Government during the last two years under the aegis of the President of the Republic and the Prime Minister. We sized up what was going on in our

country and responded, among other things, by making the sanctions applicable to racially-motivated crime, anti-Semitism and xenophobia more severe; by stressing the responsibility of website hosts; by focusing on a precise and systematic search for expressions of intolerance in the media — in sum, then, by providing methods and tools for exercising vigilance and constant surveillance, but also by seeking opportunities for dialogue with the industry and for applying sanctions to the authors of these crimes.

At the same time, since the French response is active and, as I believe, recognized as being so, I am in a good position to gauge the limits imposed on the actions of any single nation. The Internet has no frontiers. We need instruments. Some of these exist, and they are useful. France has signed the United Nations Convention on the Elimination of All Forms of Racial Discrimination. It has also signed the Council of Europe's Convention on Cybercrime together with its additional protocol.

By taking into consideration the growth of intolerance and giving thought to methods of curbing it, the OSCE is playing a role perfectly suited to it, particularly within the context of its mission to strengthen collective security. Thanks in particular to the work done in Berlin, to which our Secretary of State for Foreign Affairs, Mr. Renaud Muselier, made a valuable contribution, and thanks also the work being done in Paris today and to be done in Brussels tomorrow, the OSCE can help us to see the situation more clearly both as regards our objectives and the means most appropriate for combating intolerance on the Internet. As for the objectives, we must establish collectively a realistic level of ambition but a level which enables us to cope with statements marked by intolerance and the acts which they inspire. I have already expressed the wish that France should go well beyond simple prevention.

As for the means, the OSCE must become their observatory, or let's say their laboratory. As for the role of the observatory, it is essential to identify good practices and to improve our understanding of their value and means of operation. As for the laboratory role, the OSCE must, relying on the available expertise, consider the matter thoroughly and formulate proposals which might in the end lead to the drafting of, for example, a code of conduct.

However, at this stage let us concentrate less on instruments than on procedures. It is essential, if we wish to attain our goals, that our procedures should be truly rooted in partnership, bringing together States, non-governmental organizations, and those who can provide the access required.

Ladies and Gentlemen,

The state of urgency created by the rise of intolerance, the scope of the work to be accomplished, all these things are bound to make the OSCE's Ministerial Council in Sofia during the autumn a moment of truth. We must be in a position to propose to our citizens not only an analysis of intolerance but also concrete, active and operational responses which will curb intolerance. In keeping with its traditional values, France would like to emphasize the effectiveness of a response in keeping with the law and based on the collective efforts of nations. We must succeed, because for our societies intolerance is intolerable in whatever form it may appear — racism, xenophobia or anti-Semitism. These are three distinct forms of intolerance, but they must be fought together. This is a great challenge to which the OSCE has resolved to address itself; but at the same time it is a splendid opportunity for the Organization and for an effective display of multilateralism in general.