

United States Mission to the OSCE



**Session 8: Tolerance and
Non-Discrimination II**

*Tolerance and Non-Discrimination II including:
Promotion of Gender Balance and Implementation of the OSCE Action Plan
and relevant commitments
Prevention and response to hate crimes in the OSCE area
Combating intolerance and discrimination*

As prepared for delivery by Ambassador Michael Guest
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Moderator,

As governments, all of our countries have an obligation to combat prejudice, discrimination, and inequality of opportunity. These efforts must remain priorities of this forum.

Government and non-governmental monitors throughout the OSCE region have recorded increases in violent hate crimes in more than ten OSCE participating States, with Roma, Muslims, persons of Arab, African and Asian origins, and migrants often the targets. We have also witnessed increased manifestations of anti-Semitism, many linked broadly to Middle East tensions. During 2009, there were continuing incidents of harassment of Jewish children in their schools; attacks on Jewish individuals; desecration of Jewish institutions; increasingly violent and virulent rhetoric in graffiti, and in various media; as well as Holocaust denial, Holocaust glorification, and Holocaust relativism, which distorts history and diminishes the accountability, the understanding, and the Holocaust.

In the United States, the most recent U.S. Department of Justice hate crimes report found that the overall number of hate crimes has dropped. However, hate crimes concerning sexual orientation and those targeting Latinos and persons perceived to be immigrants have increased. To counter problems in this field, we have initiated numerous legislative, law enforcement, and data collection strategies in recent years, many of which we discussed at the Astana High Level Conference on Tolerance and Non-Discrimination in June.

With the persistence of hate crimes and other forms of intolerance in the OSCE region, all of us must work harder to implement commitments already undertaken. In particular, we urge OSCE participating States to implement Decision No 9/09 on Combating Hate Crimes, adopted in December at the Athens Ministerial. We urge that States honor commitments to collect and report data to the Office for Democratic Institutions and Human Rights (ODIHR), and adopt and implement hate crimes legislation. We regret that some OSCE participating States have sidestepped these commitments by claiming that privacy protections prevent them from collecting data necessary for documenting and combating discriminatory practices.

We support research such as the Fundamental Rights Agency EU-MIDIS study, taken from the perspective of vulnerable groups, as a useful tool to complement the collection of national hate crimes data. Victims and witnesses should also be encouraged to report hate crimes, especially when there has been tension between police and victim communities, such as discriminatory policing or racial profiling.

We urge participating States to make better use of ODIHR's Tolerance and non-Discrimination Unit's capacity-building and training programs for civil society and law enforcement, vital Annual Hate Crimes Report, and "Hate Crime Laws: A Practical Guide" to assist in the development and implementation of legislation and other measures to address the problem. Additionally, we urge participating States to make use of the reports, recommendations, and visits of the three Personal Representatives of the Chairmanship-in-Office, who respond to distinct and specific forms of intolerance at a political level, and similarly to seek practical help from the High Commissioner on National Minorities on these issues and in related areas.

In light of heightened levels of hate crimes and other forms of discrimination towards minorities, and the United Nations designation of 2011 as the International Year for People of African Descent, at the High Level Tolerance Conference we called for a Supplementary Human Dimension Meeting in 2011 on racism and discrimination and an increased focus by the ODIHR Tolerance Unit on this topic. Both would assist in building the capacity of participating States to combat racial and ethnic discrimination and we reiterate this call today.

We cannot underscore strongly enough the importance of political leaders raising their voices against bigotry. To that end, President Obama addressed anti-Muslim sentiments in response to mass opposition to the building of a mosque near the site of the September 11th attacks, stating, "Muslims have the

same right to practice their religion as everyone else in this country. And that includes the right to build a place of worship ... The principle that people of all faiths are welcome in this country and that they will not be treated differently by their government is essential to who we are.”

Unfortunately, in recent years there have been numerous unfortunate instances in which political leaders have contributed to the spreading of stereotypes and prejudice. In worst-case scenarios, these have led to support for discriminatory laws and policies in participating States, including the mass expulsion of Roma and migrants and bans on Islamic attire or building construction. Circumstances surrounding the 2009 fatal stabbing of a Muslim woman in a German courtroom and the stabbing of a Muslim cab driver in New York in August may differ; however, both cases demonstrate how escalating societal tensions can contribute to individual actions of hate if left unaddressed. While investigating and prosecuting hate crimes is essential, we must do more to reduce such tensions to prevent these crimes in the first place.

On the topic of gender, we appreciate the increasing number of gender-inclusive projects and programs conducted by OSCE field operations in all three dimensions. We also believe that additional attention could be paid to initiatives that boost the participation of women in conflict prevention, crisis management, and post-conflict rehabilitation efforts. This afternoon, we co-sponsored a side event to mark the 10th Anniversary of UN Resolution 1325, and discuss successful strategies for involving women in security, conflict resolution, and peace building.

We strongly encourage continued efforts to implement all gender-related OSCE commitments as part of broader efforts to improve implementation across the board. We also look forward to close cooperation with Special Representative of the Chairman-in-Office on Gender Issues, Wendy Patten, who has encouraged participating States to give the highest possible political priority to fulfilling OSCE gender-related commitments.

As Secretary Clinton said in marking International Women’s Day in March of this year: “...the United States is making women a cornerstone of foreign policy because we think it’s the right thing to do, but we also believe it’s the smart thing to do as well. Investing in the potential of the world’s women and girls is one of the surest ways to achieve global economic progress, political stability, and greater prosperity for women — and men — the world over.”

Thank you.