

PC.DEL/299/04  
28 April 2004

ENGLISH  
Original: GERMAN

**STATEMENT BY AMBASSADOR HANS WINKLER,  
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OSCE CONFERENCE ON ANTI-SEMITISM**

Berlin, 28 April 2004

First I should like, on behalf of the Austrian delegation, to thank the host country, Germany, for its initiative and for organizing this important Conference, whose relevance is unfortunately made apparent almost daily.

Every form of racism and intolerance is an offence to human dignity and an assault on the innate rights of all men and women without distinction, and must therefore be combated with persistence and determination.

Anti-Semitism is more than just a question of non-discrimination. In the OSCE participating States, equality of status between adherents of all religions and members of all ethnic groups is guaranteed under national laws and under international agreements — such as the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR) in the case of the members of the Council of Europe. Yet in many of our countries, perhaps the majority, there are worrying signs of an anti-Semitism that can be combated only with a wide range of strategies and measures. And one point must be made clear in this connection: none of our countries are immune to this phenomenon.

The normal situation in our societies, in my view, should be active coexistence between persons with a wide variety of characteristics and attributes on the basis of mutual respect. In our opinion, the main prerequisite for successfully fighting anti-Semitism, and other forms of racism, is therefore, first of all, the creation of a climate of tolerance in all areas of social life. This involves, for example, restraint in the language used in political debate, respect for the views of those with different ideas and consideration for the particular vulnerability of certain groups, such as minorities.

This requires, in particular, comprehensive education. Education takes place primarily, but certainly not only, in schools. Alongside the example-setting role of the family, of primary significance in the development of young people (“intolerance is acquired, not inborn”), the State is called upon to offer comprehensive human rights education in schools.

During the Austrian chairmanship of the “Human Security Network”, an informal mechanism bringing together a number of countries to promote the rights of the individual human being and concern for human needs, the subject of human rights education was the focus of attention. In a Manual on Human Rights Education, which has now been translated into several languages, the essential features of an education designed to promote tolerance

and non-discrimination are summarized. The Manual is excellently suited to use in schools and has already been very well received internationally.

One element in the strategy for the battle against anti-Semitism must consist in keeping alive the memory of the unique nature of the Holocaust as a warning to future generations. National and international efforts are both of great significance here.

I should like at this point to draw particular attention to two programmes that are being conducted in Austria with great success and have been in progress for quite a long time. Survivors of the Holocaust from Austria go regularly to Austrian schools as witnesses to the events, in order to help young people who are aware of the appalling genocide suffered by the Jews at the hands of the National Socialist regime only as a historical occurrence to better appreciate, with the help of descriptions of personal experiences, the full dimensions of the tragedy, and so to draw the attention of young people to the dangers that can arise from hatred and intolerance. This “contemporary witnesses” programme, which also includes training for teachers in the teaching of history and in political education, is today already an indispensable part of the educational system.

A second programme is the project “Remember” (“*Erinnern*”), which is intended for teachers and is concerned with intensifying and structuring efforts to learn the necessary lessons from the National Socialist period and the Holocaust, with a view to improving the way young people are taught about these topics.

Taking into account the recent history of Austria and with the aim of clarifying the question of moral responsibility for the events that took place under Nazi rule, the Government and Parliament established, in 1998, a Historical Commission with a mandate to “investigate and report on the whole complex of expropriation of property on the territory of the Republic of Austria during the National Socialist era and on restitution and/or compensation... after 1945”. This report, which covers 14,000 pages, is now complete and accessible to the public. The report makes clear the appalling injustice suffered, above all, by Austrian Jews, of whom 65,000 were murdered. As documentation concerning the greatest systematic robbery of recent times, this report is also a constant warning to succeeding generations to be vigilant in their relation with all fellow citizens and nip in the bud all signs of anti-Semitism, xenophobia and intolerance.

The development of a lively civil society, embracing all areas of life, also constitutes an important contribution to the creation, development and maintenance of a society characterized by overall tolerance, as free as possible from prejudice and stereotyped concepts. The role of non-governmental organizations that are active in the area of non-discrimination cannot be sufficiently stressed.

More than anything else, the dialogue between different religions and cultures must be strengthened, because a constructive encounter with what is important to persons of another group can make a great contribution to mutual understanding. This dialogue between civilizations has been given particular encouragement by the Austrian authorities in recent years.

Alongside national efforts to keep alive the memory of the past, I should also like to emphasize the importance of international co-operation. First and foremost in this regard, mention should be made of the Task Force for International Co-operation on Holocaust

Education, Remembrance and Research, which is doing valuable work and whose success can be seen, for example, in the fact that more and more countries are interested in becoming full members of the Task Force.

It is a sad fact that education in tolerance and the combating of stereotypes and clichés alone cannot completely eliminate anti-Semitic attitudes, any more than they can prevent outbreaks of physical violence and vandalism with an anti-Semitic background. Preventive measures alone are insufficient; as soon as acts have taken place, accompanying measures must, in any event, be adopted to stop and punish racist and anti-Semitic behaviour. Coercive intervention by the State is thus needed in many forms.

In this connection, it is of course also important to have reliable and complete data regarding acts of violence with a racist or anti-Semitic background. International co-operation must be especially promoted in this field. It is to be welcomed that, as one of the results of this Conference, the Office for Democratic Institutions and Human Rights is to be urged to play a more active role in this regard and to co-operate more intensively with other bodies such as the European Union's Monitoring Centre (EUMC) in Vienna, which is already collecting data of this kind.

Appropriate laws must ensure that discrimination, violence against particular groups in society and expressions of racist sentiment in all forms are regarded as criminal offences and, where necessary, subject to penalties, and that consequences under civil law are also foreseen for discriminatory conduct.

Austria, like most of the countries in the OSCE area, has long had an extensive apparatus of legal provisions, mainly criminal law provisions, aimed at ensuring equal treatment of all men and women irrespective of the religious, ethnic or other group to which they belong, and outlawing the public expression of racist or anti-Semitic sentiment.

Austria, in view of its particular experience, consciously accepts a limitation of freedom of speech in cases involving National Socialist "reactivation" (*Wiederbetätigung*), or constituting racist incitement. Consequently, anyone who urges or incites commission of a hostile act against a church or religious community or against those belonging to such bodies or to a particular race or ethnic group commits a punishable offence. It is also a punishable offence to publicly incite hatred against such groups or to insult or denigrate them in a manner offensive to human dignity. A general overview of the Austria legal situation in this area has been prepared and is available.

Austria also naturally accepts its obligation to incorporate in national law all legal provisions adopted in the framework of the European Union (EU) where they are not covered by legal provisions already in force. It must be admitted, however, that Austria is still in default regarding the full implementation of two EU anti-discrimination guidelines. Amendments to the Equal Treatment Act, which were determined after thorough examination to be the most suitable method of implementing these provisions, are being considered in Parliament and will be passed in the near future.

It is not enough, however, to try to combat anti-Semitic manifestations and insults, the scrawling of offensive slogans in public areas or the desecration of cemeteries, all the way to anti-Semitically motivated violence against Jews, through legislation alone. Where the mere existence of prohibitive legislation does not in practice suffice as a deterrent, the coercive

resources of the State must be brought into play to protect the citizens concerned and to help ensure the right of every person to security. This must take place without consideration of possible real or feigned motives that may lie behind anti-Semitic abuse.

Particularly important in this connection is the way in which State organs — meaning primarily the security and justice agencies in the widest sense — treat members of religious, ethnic and other minorities. Thorough training must be provided in this area. In Austria, this has been successfully ensured for several years, *inter alia*, through intensive co-operation with the Anti-Defamation League and its “A World of Difference” Institute. Thanks to an intensive “Train-the-Trainer” programme, it has already been possible to create a network of trainers for the basic and further training of Austrian law enforcement personnel in prejudice-free conduct. These efforts have undoubtedly led to greater sensitivity in contacts with members of vulnerable groups, but there are no grounds for resting on our laurels; there is still a great deal to be done in this sphere.

It is one of the most important functions of any State to see to it that its citizens can live in security and free from fear. In co-operation with civil society, an atmosphere of mutual respect and recognition of the rights of others must be created. Political debate, including foreign policy discussions concerning the conflict in the Middle East, for example, must never be a pretext for anti-Semitism. Appropriate laws must guarantee that the framework for permissible social conduct is marked out and that those who are unwilling to abide by the rules laid down by society and the State must expect to suffer consequences for their behaviour. In an ideal situation, the use of the coercive resources of the State will not be necessary and force of argument will suffice; in reality, as we are sadly reminded every day by ever more flagrant expressions of racist and anti-Semitic violence, rigorous steps to combat these pernicious phenomena are called for. This must obviously take place in accordance with the principle of proportionality and without detriment to the human rights of potential offenders, but always with the aim of arriving at a normal situation in which each person respects his or her fellow citizens. This may be a long-term goal, but conferences like this one help to bring us a little nearer to that goal.

Thank you for your attention.