



ENAR oral contribution

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Despite the efforts that were made over the past years in the UN, EU and in other inter-governmental organizations, racism, xenophobia, anti-Semitism and Islamophobia are in the raise. We believe that a concerted multi-level approach needs to be adopted to ensure that the OSCE countries do not constitute a safe heaven for racist individuals, organizations or political movements and their actions.

ENAR the largest EU NGO anti racist network in EU held a conference in Brussels this weekend to reflect on ways and strategies to be implemented in order to combat severe forms of racism and xenophobia, anti-Semitism and Islamophobia, as a crime. Our network wished to communicate conference's conclusions to this assembly. Since all EU member states are part of the OSCE, it is desirable that they set a positive example for other countries that are not or not yet members of the EU.

ENAR urges the OSCE members to consider the following recommendations:

We call upon the Dutch presidency to reopen negotiations on the Framework decision on Racism and xenophobia, the one instrument in the EU that could build the grounds for harmonized legal instruments against severe forms of racism.

It is our strong opinion that any effective instrument to fight racism, as a crime should as a minimum contain provisions that penalize the following activities:

- Incitement to racial violence and hatred
- Public insults on the ground of race, for a racist or xenophobic purpose
- The condoning of crimes of genocide, crimes against humanity and war crimes
- The denial or trivialisation of the Holocaust
- Public dissemination of racist or xenophobic material
- Directing, supporting or participating in the activities of a racist or xenophobic group.

Also, racist motivation in common crimes should be considered as an aggravating circumstance, and should be taken into account in determining the penalty.

In order to avoid perpetrators moving to other states where racist activities are not punishable, these crimes should be similarly liable for criminal prosecution in the whole of the EU.

2. collecting data and develop monitoring mechanisms

ENAR urges the OSCE members to build on experiences with existing systems for monitoring racist incidents and racist crimes. ENAR encourages the OSCE to collate efforts and cooperate with national and international bodies, both governmental and non-governmental, which collect data on racism. Similarly, more efforts need to be put by OSCE members to develop monitoring mechanisms at national levels. ODIHR and the EUMC should play a coordinating role in that matter.

3. implementing existing legislation

Lastly ENAR asks the OSCE members to encourage the effective implementation of existing domestic legislation combating racism throughout the OSCE region.

4. Working on preventive measures;

But the development of standards for the prosecution of racist acts is not enough. If we want racism to be eradicated, attitudes have to change. Education and human rights training needs to be part of any comprehensive strategy and action plan to combat racism and xenophobia. We are calling OSCE members state to ensure that adequate financial resources are allocated to promote tolerance and understanding throughout the formal school curriculum and by the means of teacher training.