

DELEGATION OF TURKEY

12 October 2006

**HUMAN DIMENSION IMPLEMENTATION MEETING
(Warsaw, 2-13 October 2006)**

Working Session 16 and 17: Promotion of tolerance and non-discrimination and mutual respect and understanding

STATEMENT

Mr. Moderator,

Having aligned ourselves with the EU statement, my statement intends to provide a contribution to the lively debate we are having today on topical issues of tolerance and non-discrimination. These topics deserve no less. Candid and powerful interventions by the NGO community confirm the fact that various forms of intolerance and discrimination continue to victimize targeted individuals or groups and undermine community cohesion.

The commitments that participating States have undertaken so far in the areas of legislation, education, media, data collection, law enforcement, migration and integration, religious freedom and inter-cultural and inter-religious dialogue, are indeed comprehensive. So what is the cause for such dissatisfaction and grievance, not least the ones that NGOs have expressed? In our view, a stronger political will is needed to implement commitments and further strengthening of the OSCE structures to assist participating States. Efforts should be redoubled to enhance the capability of civil society to monitor the implementation of these commitments by the States and report their findings to the OSCE. We believe that an Action Plan would be a significant instrument to achieve these goals as they have proved to be effective tools in other fields of the OSCE commitments and have helped in the process of accelerating implementation.

Furthermore, both the track records of the three Personal Representatives in the field of tolerance, proving their merit, as well as the evolving agenda of our organization and the need to bring the agenda to political attention lead us to recommend the incoming Spanish Chairmanship to extend their mandates next year.

This year participating States of the OSCE as well as the Organization itself have been caught unprepared as a controversy arising from a lack of

respect for religious values unfolded in a participating State and blown into an unprecedented crisis at the global level. Developments suggest that there is an alarming potential for such incidents to recur. The OSCE, an Organization which prides itself for its role in early warning, conflict prevention and crisis management, and given its competence and expertise, should be expected to define a niche for itself to deal with such crises stemming from acts of intolerance and discrimination. *We recommend that early warning functions of the OSCE and its institutions should be strengthened in this field.*

Mr. Moderator,

We are gravely concerned by the growing threat to democracy posed by the political and social trivialization of racism and xenophobia leading potentially to their admissibility. As several NGO representatives have already underlined, the use of racist, anti-Semitic, anti-Muslim or xenophobic discourse is no longer confined to the sphere of political extremism but is increasingly contaminating the mainstream. In this new political and ideological context, discrimination gains new dimensions. Individual acts are converted into collective responsibilities. In defining identities, race, culture and religion are amalgamated. Incitement to racial and religious hatred is progressively becoming socially and politically accepted. All these have a serious impact on the adoption of policies which disproportionately affect certain minority groups, in particular the Muslim community. Their enjoyment of human rights and fundamental freedoms is also negatively impacted and indeed hampered and curtailed. This climate justifies the initiation of a candid discussion on the line to be drawn between free speech and hate speech. Put differently, a through debate on whether our collective view the exercise of the right to free speech included and legitimizes hate speech. We note that the UN Human Rights Council has already taken the lead on this.

What is more worrying in this new ideological and political context is the selective interpretation of human rights. Universal Declaration on Human Rights stipulates that rights are indivisible in that all rights are of equal importance. UN High Commissioner for Human Rights confirmed in a recent report that "*the international human rights architecture is anchored on fundamental imperatives of equality and non-discrimination. Intolerance in general, xenophobia and incitement to racial and religious hatred and violence in particular, imperil this very foundation of human rights.*" Other human rights agencies such as ECRI or EUMC have also made similar statements. The effective implementation of the principle of equality requires adequate judicial protection against discrimination and victimization for all persons. Intolerance has deeper roots. Laws on their own cannot change hearts. They need to be complemented by a broader and reinforced equalities agenda, not simply to ensure fairness and social justice, but also as a means of promoting *a greater sense of commonality and a shared sense of belonging.*

Finally, as a general principle, we should acknowledge both of the singularity of each form of discrimination and that of the universality of their underlying causes and of the efforts to combat them. We should avoid any hierarchy between various forms of discrimination for this constitutes discrimination in and of itself. This will be the yardstick by which we will approach the formulation of the title and the agenda of a possible OSCE Conference on Tolerance next year and the determination of level of attendance.

Thank you.