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Xenophobia and Discrimination, also focusing on Intolerance and Discrimination
against Christians and Members of Other Religions**

**OSCE Chairmanship Conference on Intolerance and Discrimination against
Muslims.**

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**Fifth Plenary Session, Other Active Responses Against Intolerance and
Discrimination Against Muslims Including Experience From Other Communities.**

Introduction

In my last report to the Permanent Council I spoke to the privilege of the seeking to contribute within an OSCE framework wherein participating states have already signed up, through OSCE decisions and commitments striving towards freedom from racism, discrimination and Freedom of religion and belief. These are as I pointed out then universal human right which all participating states have committed formally to, as members of the United Nations and also as members of the Council of Europe. I have been impressed by some efforts to live up to these commitments, impressed by the work of State Officials, and particularly impressed by the contribution of Civil Society Organisations in sometimes life threatening circumstances. Yet even a cursory glance at reports, media coverage and analysis, indicates a growing concern about protection from discrimination and hate crime throughout the OSCE region.

Therein I believe lies the challenge for participating states and those who represent them at all levels, the challenge that is to bridge the gap between political discourse and defence of state laws, policies and practice and the lack of them on one hand, and the reality of the daily impact of discrimination for so many on the other. These issues as I have previously indicated are exasperated by ongoing confusion between political and religious ideological statements and the increased designation of religious overtones to what previously would have been (perhaps sometimes wrongly) considered cultural matters.

In my experience it is difficult but essential to persuade stakeholders and states that their single priority concern, while very important, cannot be the only one. It is for me crucial to link the parrells between areas of rights transgressions and discrimination, while at the same time maintaining the targeted approach essential if issues which could otherwise be buried in general goodwill (masking real resistance) are to be addressed. In effect I am integrated approach but with targeting which acknowledges the time limits of the need to

address some issues for example the current need to address discrimination experienced by European Muslims, but avoiding hierarchy of oppression, and single identifiers of groups. Hierarchies of oppression will invariably mean that politically strong voices will be heard excluding forever the persistent discrimination and racism experienced by Roma, Sinit and Travellers throughout all participating states in the OSCE. Single methods of identifying groups ignore the reality that groups are composed of men and women and that women experience racism and discrimination differently in some respects. There is in effect a crucial gender dimension in the way women from minorities are discriminated against by other groups in society which needs to be taken into consideration, as well as the reality that in the face of ongoing discrimination from others it can be very difficult to name or address internal problems. In Northern Ireland for example reported instances of domestic violence increased considerably after the Peace Process was firmly established.

It is within this framework that I want to welcome this conference, as providing an opportunity to further scrutinise the discrimination against Muslims, which as research indicates has very real impacts on lives and life chances, and I want to welcome also this session which seeks to inform responses through linking them with the experiences of other discriminated and excluded communities, I do so clearly recognising the common features of the racism experience by all, but also recognising the consequences of the democratisation of racism as spoken of by DouDou Diene, UN Special Commentator on Racism. By this I mean the ways in which some discourse and discrimination is normalised and justified, just as we women are blamed for the clothes we wear, or gay people for their sexual orientation.

Data Collection.

The complimentary elements identified for the detail of our discussion are crucial for example data collection. In other areas if you want to manage you have got to measure as any tailor could tell you. Cultural complexities and varying scientific traditions make data collection difficult and there is also the danger of blaming those states which collect data even on sensitive areas (for example the UK's data collection in the area of hate crime). However as the work of the EUMC now the Fundamental Rights Agency (FRA) which I also have the honour to Chair shows that it is very important tool to show the reality for peoples lives. For example the Fundamental Rights Agency study of last year on Muslims indicated clearly that in the areas of housing, employment, legal matters, and education Muslims are discriminated against throughout the member states of the European Union. Furthermore an associated qualitative study indicated clearly that the perceptions of Muslims, particularly of young Muslims are those of exclusion. Equally other data collected by FRA indicates that Roma and Travellers are the most discriminated against groups in the European Union across a number of indicators, again indicating the need to avoid hierarchies of oppression.

Legislation and Law Enforcement.

Data however cannot provide an answer in itself it needs to be reinforced but it is however an important tool in supporting the development of legislation and providing information about law enforcement. Transposition of legislation including of EU Directives on Discrimination and racism needs to go beyond mere compliance. Language which does not currently equate with the experience of rights holders on the ground needs to become a real reflection of that experience.

Key to the success of legislation is creating conditions which make real law enforcement possible. For this to happen a positive political climate needs to be created by national and regional leaders, a climate which give status and importance to the legislation concerned to address discrimination. Secondly training programmes to support front line staff and officers concerned with the enforcement of legislation need to take place and need to continue through new legal development. Thirdly participation by target groups at all stages in the development and implementation of legislation designed to meet their needs particularly when they are designed to eliminate the discrimination they experience is very important.

Good Practices.

With regard to good practices I have been heartened by accounts of some of the initiatives already spoken at this Conference. However I am also clear that confusion by states between good practice on one hand and compliance with international and national legislation on the other hand is a matter of considerable frustration for many stakeholders. Selective reporting which makes the exceptions sound like the rule is also confused with real overall impact. At a practical level in a variety of ways good practice is however being developed.

OSCE/ODIHR along with relevant partners in the Council of Europe, the Fundamental Rights Agency and the United Nations have already developed good working levels of cooperation across a variety of issues including data collection. The forthcoming OSCE Toledo Guidelines on teaching about religion to which I have had the honour to contribute to are an excellent pro-active example of a strategic and timely initiative for the future. At the national level openness to dialogue and follow up in the implementation of international conventions has rapidly improved. State Faiths dialogs and structures which also include a focus on the rights of those who hold no belief have become important fora for better relations between religions and also between states and religions.

NGOs from throughout Europe and including for an example the European Network Against Racism bring together a variety of different groups all experiencing their own form of racism but taking an integrated approach which acknowledges the realities of all, have been effective in supporting the development of European Directives and policies. The Muslim Jewish cooperation Project discussed at an earlier session is also a very useful example of how a targeted approach can bring groups together to look at their common concerns.

Community Organisations.

Participation of community organisations whether those of Muslims groups or others is a very important part of strengthening democratic frameworks of the societies of which they are part. The creative tension and critical dynamic thus generated needs to be valued for the positive contribution that it can make rather than issued as some states been useful is the most appropriate solution. In this context diversity within minority, migrant and other marginalised communities needs to be acknowledged and respected, there is more than one view among the participating states in the OSCE. An emphasis on participation rather than only on representation is also a good way of ensuring that new initiatives and new voices can emerge.

Conclusion.

I have tried in my remarks to articulate the need for an integrated approach to addressing intolerance and discrimination, which targets where necessary, but without creating hierarchies of oppression, and also work in ways which acknowledge and respond to women experience of racism. Religion, discrimination against religions and freedom of religion and belief are essential components in this process but need not and should not become a dominant element. All of the suggestions and comments I have made presuppose the need for a mindset of integration rather assimilation or accommodation of Muslims and minorities. This requires change and power sharing as a starting point if the rules of centuries which were made to keep “them” out even when they are effectively part of our reality or not to continue to dominate. States need to acknowledge shortcomings not as weaknesses but as an indication of work in progress. The OSCE is an important framework within which this work in progress can be honestly discussed and I look forward to participating in this dialogue.