

OSCE Conference on anti-Semitism, Berlin, 28 – 29 April 2004

**Session 1: Legislative and Institutional Mechanisms and Governmental Action
including Law Enforcement**

**Statement by State Secretary, Ambassador Carsten Søndergaard, Royal Danish
Ministry of Foreign Affairs**

Thank you Mr. Chairman.

We need to constantly watch out for the dangerous signs of racism, including anti-Semitism, and to vigorously combat this phenomenon by all legal means. Manifestations of racism and xenophobia exist in all parts of the world. Any such manifestation should never be taken lightly. In its extreme form, it may lead to ethnic cleansing and genocide as we have witnessed in the past.

The OSCE Copenhagen Document of 1990 clearly and unequivocally condemns racial and ethnic hatred, anti-semitism, xenophobia and discrimination against anyone as well as persecution on religious or ideological grounds. We must all endeavour to live up to the commitments contained in this document.

The fight against anti-Semitism requires action across the board. This was acknowledged in the recommendations agreed at the OSCE conference on anti-Semitism last year in Vienna. The approach of the Danish Government in seeking to eliminate racial discrimination and hate crimes consequently includes both ensuring adequate legislation and implementation of non-legislative policies.

Legislation is a natural and indispensable bulwark against anti-democratic forces and racial hatred and is indeed a powerful weapon. Danish legislation comprises a finely meshed set of

rules prohibiting discrimination, the expression of racist views etc. The Danish Constitution establishes the overall principle of equality by which it is prohibited to discriminate on grounds of religion or race. This general principle is specified in a number of area-specific laws prohibiting discrimination. The latest of these being the Act on Equal Treatment irrespective of ethnic origin which entered into force on 1 July 2003.

The primary national legal means in the combat against hate speech is the Danish Penal Code which prohibits the dissemination of expressions of racial prejudice. Persons making threatening, insulting or degrading statements of a racist or discriminatory nature are liable for imprisonment particularly if the conduct is characterised by the court as propaganda.

Legislative measures cannot stand alone. The mere fact that the necessary law is in place is not a guarantee for a successful outcome of our efforts against anti-Semitism. Legislation tends to focus on reacting to problems - to prevent them we must create innovative solutions of practical value in our daily lives.

A fully inclusive society free of racist hatred is not something that is given to us. It is an aspiration, which we must fight for every day. In order to create such a society, action must be taken in areas such as education and training, inter-faith and inter-community dialogue, as well as dissemination of information and awareness raising.

Many different steps have been taken in this regard. In November 2003 the Danish Government adopted *an Action Plan to Promote Equal Treatment and Diversity and Combat Racism*. The action plan includes initiatives within a number of different areas within social life, local events for diversity, the promotion of a dialogue about democracy and active participation of all groups in the political life in Denmark.

Another important step is the establishment of the Danish Centre for International Studies and Human Rights. The centre carries out research and information activities about holocaust, genocide and human rights in Denmark and abroad. The valuable activities

conducted by the centre provide indispensable information in all areas of importance related to our efforts against anti-Semitism, including promoting remembrance of the Holocaust.

As the personal links to and memory of the past wither away or become blurred, it is of crucial importance that the international community show firm resolve not to be idle in the face of racism and anti-Semitism. The Danish Government is committed to this course.

Thank you very much for your attention.