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**Session 3: Responding to anti-Semitic and hate-motivated crimes: the
role of governments, institutions, legislation, law enforcement and civil
society**

Mr. Chairman,

I would like to thank the distinguished introducers for their stimulating presentations. I will only add a few comments.

First, hate crimes, unless responded to with adequate legal, political and social measures, do indeed have the potential not only to jeopardize inter-communal relations and public order within a state, but also to endanger international stability and security given their potential to escalate into major human rights violations such as ethnic cleansing or genocide. Therefore, we must respond to them swiftly and forcefully.

Second, devising an effective response first requires recognition and identification of the various kinds of hate crimes. In the identification process, low level incidents such as name calling, harassment and vandalism directed against persons belonging to a particular group need to be taken seriously and addressed; failing to do so would encourage the perpetrators of such acts to escalate. In Turkey, the New Turkish Penal Code, which has entered into force on the 1st of June 2005, contains specific provisions prohibiting incitement to hatred, genocide and crimes against humanity.

Third, a common framework to facilitate the collection, analysis and assessment of data is essential for the development of effective preventive policies and programmes. We commend ODIHR's efforts in this field. The two latest ODIHR reports, one on combating hate crimes and the other on education on the Holocaust and on anti-Semitism, are praiseworthy achievements. We will ensure that these reports are brought to the attention of our national authorities in order to help improve their data collection capacity and call on others to do the same. We also support ODIHR's

intention to facilitate the establishment of a Task Force on Combating Hate Crimes, bringing together experts from different fields.

Finally, we acknowledge that anti-Semitic hate crimes have unique characteristics and origins based on the particular history of anti-Semitism and the Holocaust. Sadly today's anti-Semitism has found new roots grounded in political developments in the Middle East. Defamation of the Jewish people and the State of Israel as well as perceiving them as a single entity is a deplorable trend. However, objective political criticism of the policies of Israel, like the policies of any state, should not in itself constitute or be construed as an act of anti-Semitism. In responding to anti-Semitic hate crimes, these factors should be taken into account.

I would like to make one last point before I conclude: (It was reaffirmed in our discussions today that) modern day anti-Semitism has a multiplicity of origins, forms and advocates. Therefore, it is important not to create a false impression that the perpetrators of anti-Semitic incidents and hate crimes are primarily Muslims. Arab-Israeli conflict may have led to a misperception that Muslims and Jews cannot co-exist side-by-side. Let me borrow from the illuminating commentary by Mr. Naim Gülerüz, a Turkish Jew (Vice President of the Foundation of The Fifth Centenary and the Curator of the Turkish Jews Museum), who addressed the OSCE Conference on anti-Semitism in Vienna two years ago, "But if that is true, what are we to say about the Empire of Andalusia (*Andaluz*)...? What are we to say about the seven centuries of untroubled and harmonious life lived without major incidents by the Jews in the Ottoman Empire and the Turkish Republic?"