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EUROPEAN UNION

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EU statement - Working Session 5: Intolerance against Migrants

Thank you Madam Chairperson,

I have the honour to speak on behalf of the European Union.

Combating intolerance and in particular the racism and xenophobia frequently faced by migrants residing in OSCE participating States, is an important and necessary undertaking. It is about respecting human rights and fundamental freedoms, about preventing fractures and conflict within our societies and about protecting those who are socially vulnerable. In our societies the promotion of tolerance and mutual respect involves recognizing the value of diversity as a source of mutual enrichment.

As we were reminded during the Astana High Level Conference and during the Warsaw segment of this Review Conference, manifestations of intolerance towards migrants, including hate crimes, and discrimination on the basis of any ground, such as race, colour, ethnic origin and religion or belief, are still widespread in the OSCE area. Special attention should be given to female migrant workers who are often confronted with gender-specific problems, such as sex-based discrimination. In this regard we welcome the OSCE Guide on Gender-Sensitive Labour Migration Policies which attempts to improve the understanding of this phenomenon.

The EU strongly believes that the OSCE is at the forefront of combating such phenomena. In recent years participating States have built an extensive acquis in the field of tolerance and non-discrimination by developing key concepts, adopting important commitments and creating valuable tools and mechanisms aimed at fighting all manifestations of intolerance, including those faced by migrants. The EU appreciates the role of the OSCE institutions, notably the ODIHR, as well as that of the three Personal Representatives of the CiO on Tolerance and Non-discrimination, in assisting the participating States to fulfill their shared political commitments and achieve their common goals in this area.

This unique OSCE approach covers cross-cutting issues in a number of different fields, such as legislation, law enforcement, combating hate crimes, education, awareness-raising, integration and the encouragement of constructive public discourse.

In this context, the role of education cannot be overstated. Participating States have undertaken to promote and enhance educational programmes for fostering tolerance and combating racism, xenophobia and discrimination. The EU firmly believes that in our increasingly pluralistic societies it is essential to emphasize, through educational measures, the significance of cultural and religious pluralism as a source of mutual enrichment. This can only be founded on the systematic promotion of mutual respect and the countering of misperceptions and prejudices.

Efforts pursued in the field of education are closely related to the notion of integration. The EU considers integration as a dynamic, two-way process of mutual interaction, requiring not only efforts by national, regional and local authorities but also by the migrants themselves. In the EU, integration may be seen as the common commitment to uphold the fundamental values and principles of the EU and as the acquisition by the migrants of those skills and

abilities that can facilitate their participation as members of the host society, first and foremost language skills.

Integration efforts are, of course, closely linked with other policy areas, such as employment and social cohesion. In this context, the EU has set up a European Fund for the integration of third country nationals.

The EU has over the years developed a wider framework which is well suited to combating intolerance. It has adopted a Charter of Fundamental Rights, has enhanced efforts to set up a framework of legislative measures specifically aimed at combating relevant forms of intolerance and plans to make full use of a number of existing financial programmes to combat racism and xenophobia. The EU Agency for Fundamental Rights also contributes to the EU effort by collecting data, conducting analyses and publishing relevant reports with a view to informing relevant policy decisions. However, we remain committed to addressing the racist, discriminatory or xenophobic attitudes that persist in the EU.

The EU is particularly concerned about hate crimes and considers the relevant 2009 OSCE Ministerial Decision as a unique and valuable tool for combating this most extreme manifestation of intolerance, whose victims are often migrants. The Ministerial Decision provides for a number of targeted, technical measures, ranging from data collection to training of law enforcement authorities. It remains crucial that politicians and public officials speak out against and condemn any act of racist violence and xenophobia and that States prosecute effectively perpetrators of such acts.

The EU would also like to underline that key elements in the pursuit of tolerance and mutual understanding are the freedom of expression, the freedom of association and assembly and the freedom of religion or belief. In this framework we should also stress the importance of full respect for the rule of law.

Migration is a permanent feature of a globalized world. Its complex nature presents us with challenges that call for a wide-ranging approach. The EU reiterates that poorly managed migration may disrupt the social cohesion of the countries of destination, including by exacerbating xenophobic attitudes towards migrants. Managing migration flows and tackling irregular migration through an enhanced dialogue and close cooperation with countries of origin and transit is a key factor. With this in mind, the EU has adopted in 2005 the Global Approach to Migration as an integral part of the EU's external relations. The Global Approach is based on genuine partnership with third countries and aims at promoting legal migration, preventing illegal migration and encouraging the synergy between migration and development, in a manner that can be beneficial to all stakeholders, including by enabling migrants to take full advantage of their potential. On this basis the EU also adopted in 2008 the European Pact on immigration and asylum.

In this spirit, the EU also supports the cross dimensional approach to migration issues provided for in the 2009 OSCE Ministerial Decision on migration management.

In conclusion, we would like to highlight the following points:

- The OSCE's unique approach, which addresses the specific characteristics of intolerance, offers participating States valuable means of dealing with the phenomena of racism and xenophobia which are faced by migrants and migrant workers in our societies.
- It is important that we make full use of our OSCE acquis and focus on implementation. Participating States need to redouble efforts in all fields, including education and integration.

- Stressing the enriching contribution of migrants and migrant workers to society and systematically promoting mutual respect and understanding are essential elements in the fight against racism and xenophobia.
- Tackling migration issues in the OSCE is clearly a cross-dimensional project. Our Organization's comprehensive, three-dimensional concept of security is well suited to responding to the challenges of migration.

The candidate countries TURKEY, CROATIA*, the FORMER YUGOSLAV REPUBLIC OF MACEDONIA* and ICELAND, the countries of the Stabilisation and Association Process and potential candidate countries ALBANIA, BOSNIA AND HERZEGOVINA, MONTENEGRO and SERBIA, the European Free Trade Association countries and members of the European Economic Area LIECHTENSTEIN and NORWAY, as well as UKRAINE, ARMENIA, AZERBAIJAN, GEORGIA and SAN MARINO align themselves with this statement.

* Croatia and the Former Yugoslav Republic of Macedonia continue to be part of the Stabilisation and Association Process.

** Iceland continues to be a member of the EFTA and the European Economic Area.