



United States Mission to the OSCE

Working Session 13 **Specifically selected topic: Combating hate crimes and** **ensuring effective protection against discrimination** **(continued)**

As prepared for delivery by
Judith E. Heumann, Special Advisor for International Disability Rights
OSCE Human Dimension Implementation Meeting
Warsaw, September 29, 2015

Moderator,

The United States seeks to promote equality and overcome discrimination. The recent wave of high-profile cases in which African-Americans died during encounters with police has been met with efforts by our federal government, state and local governments and communities across our country to address racial disparities and racial bias in the U.S. criminal justice system. President Obama established a Task Force on 21st Century Policing to promote effective crime reduction while building public trust. He has also introduced reforms to sentencing practices that have disproportionately affected racial minorities.

The U.S. Department of Justice (DOJ) investigates and prosecutes police wrongdoing, assists police departments in training efforts to reduce explicit and implicit racial bias, to de-escalate conflicts, to provide community engagement grants to police departments, and to coordinate dialogue and other efforts between communities, human rights defenders, and government officials. The DOJ Civil Rights Division is negotiating reforms with the City of Ferguson, Missouri, following findings that police had conducted stops without reasonable suspicion and arrests without probable cause and that harmful court and police practices were due, at least in part, to intentional discrimination. More generally, we note that over the past year, protests associated with the “Black Lives Matter” movement have spurred dialogue among communities, law enforcement, and government about the importance of broadly inclusive reform.

There have been united calls for police reforms elsewhere in the OSCE region in response to numerous deaths of individuals who are Muslim or of African descent following police encounters. In **Paris** in May, protests took place in response to the acquittal of two officers involved in the 2005 deaths of Zyed Benna and Bouna Traoré that then sparked riots. In **London**, demonstrators demanded justice for Julian Cole, who suffered spinal injuries following a police encounter. **Berlin’s** “Ferguson is Everywhere” campaign called for justice for Christy Schwundek and Dominique Kouamadio, both of whom died in police encounters, and Oury Jalloh, who burned to death while handcuffed to a bed in a police cell in 2005. In the **Netherlands**, the death in police custody of Mitch Henriquez sparked demonstrations and three days of riots. **Swedes** called for reform after a video went viral of a private security guard, trained by police, slamming a nine-year-old refugee child’s head to the ground and sitting on him with his hands over the child’s mouth as the child recited Islamic prayers. The **United Kingdom** is currently undergoing “stop and search” policing reforms that include publicizing police stop data. **Afro-German** Parliamentarian Karmaba Diaby’s offices were vandalized following a debate on police reform in Germany where he relayed personal accounts of being profiled. A group of UN experts called for efforts to combat racial profiling against persons of African descent in **Sweden** and the **Netherlands**.

Such compelling instances of discrimination and injustice confront so many of our participating States and societies. As President Obama has emphasized "... conversations, whether on racial discrimination or other topics, can be difficult, but they must occur openly and publicly, in marches and meetings, and in media published online and offline." We urge others to join us in calling for a high-level conference, report, action plan, and civil society fund focused on racism to address these issues in the OSCE region in line with the goals of the UN-designated International Decade for People of African Descent, launched earlier this year.

My compatriots and I are deeply indebted to the giants of our civil rights movement, such as Dr. King, Bayard Rustin, and Julian Bond, who struggled mightily to end the pernicious racism and discrimination that are contrary to the ideals and principles that define the United States as a nation. Although we have made great strides, great challenges of conscience and citizenship remain in our continuing effort to make our richly diverse nation a more perfect union – one that delivers on the founding promise of liberty and justice for all.

I cannot underestimate the profound impact of the Civil Rights Movement on members of other historically marginalized groups in the United States, and on me personally. The movement for racial equality inspired the citizens' movement for equal rights for women, for lesbian, gay, bisexual, transgender, and intersex persons, and for persons with disabilities, among others. In 1963, I watched the March on Washington on television, and a year later I was inspired by the signing of the Civil Rights Act. At that moment, I realized the possibility of a future of equality for myself and millions of others with disabilities. In those days, civil rights legislation did not include protections for people with disabilities. So if people like me were to enjoy the same rights and protections as others in America, we too would need to create a movement to secure them. So we started coordinating, collaborating, and breaking down barriers.

Today, people with disabilities in the United States have achieved great advancements through landmark laws such as the Americans with Disabilities Act (ADA), whose 25th anniversary we celebrate this year. The ADA was the world's first comprehensive law guaranteeing equal rights to persons with disabilities. As President Obama noted recently, "Thanks to the ADA, the places that comprise our shared American life – schools, workplaces, movie theaters, courthouses, buses, baseball stadiums, national parks – truly belong to everyone." For anyone interested in further discussing efforts to counter discrimination against persons with disabilities across the OSCE region, I encourage you to participate in the side event this evening at 6pm co-hosted by my delegation and the delegation of **Finland**.