

Speaker number 6 !

Contribution to the OCSE HDIM 2009 working session 10 on Tolerance and non-discrimination II (continued), October 5, 2009, by Suzette Bronkhorst representing the Internet Centre Anti Racism Europe (ICARE) on behalf of undersigned NGOs.

These Recommendations are the result of the Civil Society Preparation meeting on Sunday October 4, 2009. Signatories decided that the following are the most important recommendations for the several Tolerance issues.

We recommend the OSCE Participating States to:

1. Enact laws that expressly address hate crimes. Recognizing the particular harm caused by violent hate crimes, governments should enact laws that establish specific offences or provide enhanced penalties for violent crimes committed because of the victims race, religion, ethnicity, sexual orientation, gender, gender identity, mental and physical disabilities, or other similar status.
2. Monitor and report on hate crimes. Governments should maintain official systems of monitoring and public reporting to provide accurate data for informed policy decisions to combat violent hate crimes. Such systems should include anonymous and disaggregated information on bias motivations and/or victim groups, and should monitor incidents and offences, as well as prosecutions.
3. Strengthen the ODIHRs tolerance and non-discrimination work by:
 - a. Fulfilling their commitment to collect data on hate crime, provide it to the ODIHR, and make it available to the public.
 - b. Supporting the ODIHRs efforts, in line with OSCE commitments, to take a comprehensive approach to combating intolerance and discrimination by reporting on and developing programs, that aim to combat hate crimes motivated by racism and xenophobia, antisemitism, religious intolerance, sexual orientation and disability bias, as well as hate crimes against Muslims and Roma and Sinti.
 - c. Ensuring that the Law Enforcement Officer Program on Combating Hate Crime (LEOP) has the support it needs and that participating states are taking part in this program.
 - d. Providing political and financial support for the convening of regular meetings of the National Points of Contact on Combating Hate Crimes, with the full participation of civil society groups and representatives of specialized anti-discrimination bodies.
 - e. Ensuring political and financial support for capacity building programs for civil society organizations and representatives to document and combat hate crime.
4. The OSCE should commit itself to a non-hierarchical approach to combating discrimination. We call on the Chair-in-office of the OSCE and participating States to explicitly include sexual orientation and gender identity in:
 - a. Ministerial decisions related to tolerance and non-discrimination and hate crime, and;
 - b. The work of all the OSCE tolerance related mechanisms.
5. OSCE should ask Participating States to take immediate action concerning hate crime against Muslim communities, including data collection and monitoring of violence, and other awareness raising measures that also address the issue of hate speech.
6. OSCE States Parties are urged to uphold their commitments to combat anti-Semitism under the principles of the 2004 Berlin Declaration and follow-up Cordoba and Bucharest statements. The exponential rise in anti-Semitic incidents across the region in the past year highlights the need to focus on

incitement against Jews on satellite television and the Internet. We urge the OSCE to convene an SHDM in early 2010 to address specific responses to anti-Semitism, as well as a high-level conference on anti-Semitism and other forms of intolerance.

7. Acknowledging the continued prevalence of prejudice against Roma across the region and the need for greater protection of the rights of Roma, states should mandate training for relevant public officials to address discrimination against Roma. Training programs should include follow up and accountability on the implementation of the policies and procedures modelled in the training.
8. Bearing in mind the growing influence of the Internet, integrate the role of Internet hate speech into any tolerance-related issue.
9. Consider reconfiguring the position of the Personal Representative of the CiO on combating Racism, Xenophobia and Discrimination, also Focusing on Intolerance and Discrimination against Christians and Members of Other Religions into two separate positions 1 for intolerance and Discrimination against Christians and Members of Other Religions and 1 for Racism, Xenophobia and Discrimination so all the topics can receive the attention they deserve.
10. Ensure that the rights of migrants, asylum seekers and refugees are respected and they do not become subjects of discriminatory measures. A fundamental human right to seek asylum should be respected.

Thank you for your attention.

Signed by:

**Magenta Foundation
International Network against Cyber Hate
Austrian Muslim Initiative
The Citizens' Accord Forum Between Jews and Arabs in Israel
European Jewish Congress
ILGA-Europe
The Canadian Arab Federation
The Council for Global Equality
European Muslims for Social Cohesion
Simon Wiesenthal Center Europe
Fair Play Ethnic debate Forum
COJEP International
B'nai Brith International
The Russian-Chechen Friendship Association
Federation of Dutch associations for the integration of homosexuality COC Netherlands
No Borders Project - Social Action Center Kiev
European Youth Forum
Universal Rights Network
NEVER AGAIN Association, Poland
Regional Centre for Minorities, Belgrade
American Jewish Congress
The Diverse Association, Romania
The Bellarussian Human Rights House
The Diversity Initiative Network Ukraine
Integration and Development Center, Ukraine**