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## **Supplementary Human Dimension Meeting on Prevention of Racism, Xenophobia and Hate Crimes through Educational and Awareness-Raising Initiatives**

### **Minutes**

**of the Side-event: “Towards Tolerance in a New Decade”,  
held on 11 November, 12.00-14.00, at Hofburg, Vienna, Segmentgalerie I**

The event was held on the sidelines of the 3<sup>rd</sup> Supplementary Human Dimension Meeting on Prevention of Racism, Xenophobia and Hate Crimes through Educational and Awareness-Raising Initiatives.

Moderator: Usen Suleimenov, Deputy Permanent Representative of the Republic of Kazakhstan to the International Organizations in Vienna.

Keynote speaker: Dr. Josef De Witte, Executive Director of Institution for Equal Opportunities and Opposition to Racisms in Belgium.

Participants: Dr. Massimo Introvigne, Personal Representative of CiO on combating intolerance and discrimination against Combating Racism, Xenophobia and Discrimination, also Focusing on Intolerance and Discrimination against Christians and Members of Other Religions, Senator Adil Akhmetov, Personal Representative of CiO on combating intolerance and discrimination against Muslims, Ms. Floriane Hohenberg, the Head of ODIHR's Tolerance and Non-discrimination Department, representatives of the OSCE pS and NGOs, including of African descent.

Dr. De Witte Josef began his speech with the words “Without development we won't have any peace not only for Europe but also for the whole world”. He expressed his gratitude to Kazakhstan Delegation, who contributed to the organization of the event, and reported on three main points of his presentation.

First Dr. De Witte presented information about the work of Institution for Equal Opportunities and Opposition to Racisms in Belgium where he holds the post of Executive Director. Second point on his agenda was considering "a new decade", where he raised questions on the characteristics of the new decade, on what will be useful to know, and what to expect and, finally, how to cope with it. The final third point was based on the draft decision on countering the manifestations of intolerance and discrimination in public discourse, where he wanted to share some ideas on that topic.

On the first point Dr. Dewitte said that the Belgian Centre for Equal Opportunities and Opposition Racism was established on a statutory basis, by the Parliament on 15 February 1993. The Center was established as a public service and governmental body at the same time. It is a typical construction for human rights institution, set up by the law, financed by the authority, but is independent in accomplishments of its missions. The Center has 2 pillars; it provides equal opportunities and deals with migration issues. It also deals with issues of gender equality and has been recognized by the UN committee on national human rights institution, but with the «B» status. This Center does not cover all human rights sphere, but has a full capacity and working towards it. It also cooperates with neighboring countries such as France, Netherlands, etc.

On the EU level, the Center is a member of the European Network of Equality bodies called "EQUINET", and cooperates with the Council of Europe, OSCE and UN. It took part in the Durban Conference on racism in 2001, and in the adoption of the UN Convention on the Human Rights in 2006 of persons with disabilities.

The Centre fulfills three main tasks: first, it receives and handles the reports on incidents of discrimination, which is the reactive part of the Center. The latter two tasks are proactive and preventive. They aim is to inform and train to formulate recommendations to the governments to

improve legislation and policies in this area. The Center tries to handle the case in an objective way, not in a neutral, as it is on the side of law and not between a perpetrator and a victim.

On a “new decade” Mr. De Witte said that in his opinion, it would be a decade of migration and asylum, because all the challenges that world might face will include migration and asylum. He presented a statistical data on migration in Belgium, where about 120 thousand people came to Belgium in 2010. Most of them are from other EU states, while one-third of immigrants are from the third countries. According to Dr. De Witte, around 2500 people a month apply for asylum in Belgium, which is ultimately 25 -30 thousand people per year, and it is a real challenge.

He characterized “a new decade” as "diverse" one. And this diversity is within the migration, i.e. gender diversity, diversity in age, religion and sexual orientation. He noted that immigrants come today almost from everywhere. Dr. De Witte pointed out that modern society is no longer homogeneous, but more and more has “multi identities”. In this process it could be seen that there is a shift in the discrimination from the origin towards religion or belief. People nowadays are being discriminated not because of their national origin, but because of their culture, religion or belief, not excluding a number of other cases where it can be both, religion and race, religion and gender etc.

Regarding the last point of the presentation, i.e. on the draft decision on countering the manifestations of intolerance and discrimination in public discourse, Dr. De Witte said, firstly, that it is a challenge for the member states, as they should adopt a comprehensive policy to promote fundamental rights. He stressed the fact that the laws against discrimination began to be developed relatively recently and it is necessary to keep further developments. Member states should keep in mind that the fundamental rights are universal, indivisible, interrelated, interdependent and neutrally reinforcing. Dr. De Witte noted that there are many people, who do not know their basic and fundamental human rights and this is the role of the state to familiarize people through the creation of human rights institutions, which should have a abroad mandate in doing so. In addition, civil society should play an important role, where governments should better understand the importance of its role, in which it can and should promote actions aimed to protecting human rights, concluded Dr. De Witte.

Additionally, speaking about human rights and values, the first thing mentioned by Dr. De Witte was that the fundamental rights are always about human beings, about persons in particular. No one should be a victim of discrimination simply due to his/her gender, race, religion, sexual orientation or disability. It is always about human beings, and it is not religion or belief that deserves protection not religion or belief as such, but human beings. People have a right to have their own sexual orientation, religion or belief, and this is also true of the political opinion. Dr. De Witte also spoke about freedom of speech in the media and Internet. Noting the distinction between the freedom of speech and hate speech and hate crime, he said it is a challenge to accept the views promptly without limiting the use of media, as it is known that free and independent media is an integral part of democracy. He pointed out that ideas and opinions are totally free, nobody can limit the opinions. But words also serve to commit acts. Opinions should be free when acts are not always free.

In conclusion, Dr. De Witte emphasized the fact that we all must play a role in countering manifestation of intolerance.

Dr. Introvigne in his intervention expressed that he was considering the issue of racism a little differently and made a few remarks about his views on the point of religious intolerance and discrimination.

He also thanked the Government of the Republic of Kazakhstan for a numerous proposals aimed at promoting initiatives towards tolerance and inter-religious dialogue, and noted the fact that Kazakhstan is becoming a real global actor in the field of inter-religious dialogue.

The second point of Dr. Introvigne was about the use of the word "tolerance." He informed that next year the Catholic Church will celebrate the 50th anniversary of the convening of the Second Vatican Council and Pope Benedict the 16th made a statement that the holiday

will affect not only Christian people, but also other people from other religions. There were plenty discussions during the second Vatican Council of the word "tolerance." As a result, it became clear that the expression "religious tolerance" does not reflect reality well enough and that time has come to move from "tolerance" to a broader national freedom dimension.

Special Representative on combating intolerance and discrimination against Muslims Adil Akhmetov expressed his satisfaction on the presentation made by Dr. De Witte, which was very informative and covered all areas including of racism, xenophobia and hate crimes and other. Ambassador Akhmetov underlined that the answer to this issue is improvement of education and awareness.

Then he noticed that it is very difficult to find a country nowadays which would is not multinational. As an example he shared his impressions about Switzerland as a multicultural country with 155 ethnic groups, which is very typical for Kazakhstan. As Kazakhstan is a multiethnic and multi-religious nation with 132 national minorities and 46th religions living side by side with each other.

Kazakhstan is among those countries that constantly fights against all kinds of racism and xenophobia. He noted that Kazakhstan has organized three international forums of traditional religions and looks forward for the next 4<sup>th</sup> forum in spring 2012.

Citing the words of Johan Paul II that people should not be surprised by the facts that there are differences between religions, cultures and civilizations, but must be surprised by the fact that they all share common values, Akhmetov said that it a very valuable perspective.

Further, Mr. Akhmetov noted the role of right-wing parties, which sometimes in order to get more votes are ready to bring religious groups into conflict. And also noted the role of media in disseminating information and responsibility. He put an example of Crimean Tatars in Ukraine, thus saying that there is no country where the problem is related to the topic of today's meeting would not be relevant.

In conclusion, Mr. Akhmetov pointed out that the OSCE and ODIHR are on the right track, and after the summit in Astana, the organization should not be called the European but Global organization, as it include the Asian dimension now.

Ms. Floriane Hohenberg continued discussion by highlighting the role of social consciousness and how it can harm the whole society and individuals, and how it can create the conditions for violence. All of this discussion, which were made before were about how to find a balance between freedom of expression, on the one hand, and fundamental rights and non-discrimination on the other hand. She expressed her agreement with the report made by Dr. De Witte, who spoke on finding the way to avoid the abuse without limiting the use. It is the approach of OSCE to deal with this issue and that member states should take this challenge, concluded Ms. Floriane.

In his respond to questions raised during the meeting, Dr. De Witte expressed his agreement that tolerance is possibly in the first phase of segregation. He introduced the term "repressive tolerance", which means that everyone has a right to be who they are as long as "they" would stay in "their corner". And it's not something that people should be focused on. Mr. De Witte admitted that tolerance can be no longer good enough to fight against racism and discrimination, but be of a broader embrace.

Responding to the representative of Turkey, about the Holocaust, he gave the example of Belgium, as the country where the articles on Holocaust are freely published in the media and everyone can buy the book «Mein Kampf». Pointing out the fact that everyone has the right to know about the history of his/her country. He called for the states to develop their legislation on combating discrimination and racism.

Discussing the question from the representative of the African Studies Center, Dr. De Witte acknowledged that any form of racism is a crime and should be conveyed to the acknowledgement of law-enforcement bodies.

In conclusion, Dr. De Witte said that the bureaucracy even deserves shocking opinions. However, there should be a distinction between "shocking opinion" and hate speeches, everyone

has the right to shock, but not to humiliate, and people should remember that by limiting one, he first of all is limiting himself.

In conclusion of the side-event moderator expressed his sincere thanks to the keynote speaker and all participants, and underlined that the discussion that were held at this side-event inspire the Delegation of Kazakhstan to propose to the OSCE pS to explore ways to prepare an OSCE Document aimed at strengthening implementation of OSCE commitments in the field of tolerance and non-discrimination.