

**Statement by Paul LeGendre
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Working Session 17

Promotion of tolerance, non-discrimination and mutual respect and understanding

Ladies and Gentlemen,

Bias-motivated violence against minority communities has for far too long been disturbingly high in many parts of Europe and North America. Although the full scope of such hate crimes is unknown, racist incidents are regularly directed at people of African, Middle Eastern, and South Asian origin, the Roma, and Jewish communities—as well as immigrants in general. Violent manifestations of antisemitism continue to occur across much of the OSCE area. Attacks on Muslim minorities are increasingly driven by both racism and religious intolerance and hatred. The violent backlash against recent gay pride events in several European countries has chillingly reminded us of the danger faced by the gay and lesbian community as they seek greater visibility.

There is much that the participating States of the OSCE can do – and in some cases are doing – to combat racist violence and other forms of violent intolerance. Specifically, Human Rights First has examined steps taken by governments in three measurable areas – all of which are rooted in OSCE, Council of Europe, and European Union commitments. Our analysis unfortunately shows that most European governments have a long way to go.

A first measure to be taken is the adoption of strong laws making racist and other bias motives an aggravating circumstance in the prosecution of hate crimes. A growing number of States have such legislation, but it is still rare to see it being used. All too often, racist violence is simply written off as “hooliganism.”

Secondly, we have long called on governments to systematically monitor and publicly report on hate crimes. Only a handful of States are currently doing so in a systematic way. A few other governments do produce some statistics, although they tend to be glaringly low as compared with the statistics of nongovernmental organizations involved in similar monitoring. Underreporting is widespread and the result is that political leaders are not being made aware of the true extent of the problem.

A third measure regards the establishment and proper functioning of a specialized antidiscrimination agency that oversees official monitoring and works with police and other law enforcement agencies to combat hate crimes. The large majority of governments don't have such an official agency serving this function. Ombudsmen and similar institutions play an important role, but cannot substitute for a specialized antidiscrimination body with a strong mandate for action.

While the lion's share of the work of combating hate crimes lies with individual participating States, the OSCE as an organization has an important role to play. We commend the work it has already done to raise the profile of this issue through conferences in Vienna, Berlin, Brussels, and Cordoba, through the appointment of personal representatives and through the creation of a Tolerance and Non-discrimination Program at the ODIHR.

This work needs to be continued.

We therefore urge the incoming Spanish chairmanship to renew the mandates of the three Personal Representatives, at the same time working with them to maximize the added value they bring to the organization.

Secondly, we encourage support for an initiative of the Romanian government to organize a high level conference in 2007 along the lines of the Cordoba conference that will review the implementation of OSCE commitments to combat the distinct problems of racism, antisemitism, Islamophobia and related intolerance.

Thirdly, we urge the OSCE participating States to ensure that there be sufficient funding designated for the Personal Representatives, and for the ODIHR's tolerance work, including core funding for ODIHR staff positions in the Tolerance and Non-discrimination Program.

Thank you for your attention.