



United States Mission to the OSCE

Session 3: Combating racism, xenophobia and discrimination, also focusing on intolerance and discrimination against Christians and members of other religions

As prepared for delivery by Deputy Chief of Mission Pamela Spratlen
to the OSCE High-Level Conference on
Tolerance and non-Discrimination
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Mr. Moderator,

As many of us grapple with the new realities of our multi-ethnic societies, we cannot fail to note the marked increase in prejudice, discrimination, and violence directed against both citizens and migrants with different racial, ethnic, linguistic, and religious backgrounds in the OSCE region.

Whether we want to blame the economic crisis, immigration, or national security concerns, the reality is that negative perceptions of vulnerable groups have intensified in many corners of the OSCE region. That, in turn, has fueled hate crimes, discriminatory policing, xenophobic political platforms, and inequality.

Skin color prejudice or racial bias, in particular, has been central to these manifestations of intolerance in the region. Whether citizens, asylum seekers, refugees, or migrants - persons of Romani, African, Asian, Arab and other origins who are easily identifiable or "visible" because of their darker-skin color or other distinguishing physical features, are experiencing heightened levels of discrimination. In our country this has been marked by increases in hate crimes towards Latinos according to our Department of Justice most recent Hate Crimes Statistics. The recent "EU-MIDIS: European Union Minorities and Discrimination Survey," similarly found that a third of the Romani and African respondents had been victims of racial violence and discriminatory policing or racial profiling within the last year. The recently released ODIHR Report, "Addressing Violence, Promoting Integration, Field Assessment of Violent Incidents Against Roma in Hungary: Key Developments, Findings and Recommendations," offers further insight into the violence faced by the Roma community. Following the recent EU Roma Summit and United Nations designation of 2011 as the International Year

for People of African Descent, it is especially timely that we address these issues with concrete actions.

Discrimination based on religion has also been increasing in the region. In particular, there have been numerous efforts in western and other OSCE States, to ban the wearing of Islamic headscarves and other forms of dress and the building of mosques and minarets. While my colleague Farah Pandith earlier addressed issues impacting the religious freedom of Muslims in detail this morning, I would like to state unequivocally here that such laws are discriminatory -- designed to only target those that practice the Islamic faith. They pander to xenophobic elements, counter integration efforts, and divide our societies.

Ironically, such laws set the stage to limit the exercise of fundamental freedoms in our societies. In attempting to restrict the religious practice of Muslims for example, the religious practices of Christians, Sikhs, and others have been collateral damage. In our own country, we have vigorously protected the right of Muslims and others to wear headscarves in public spaces.

Discrimination based on gender, sexual orientation, and gender identity has also been on the rise in our country and elsewhere in the OSCE region. As Secretary Hillary Clinton said just last week in honor of LGBT month, “human rights are gay rights and gay rights are human rights,[...] we will continue to advance a comprehensive human rights agenda that includes the elimination of violence and discrimination based on sexual orientation and gender identity.” To that end, we have adopted new laws to include crimes motivated by these biases and collect official statistics specifically on transgender crimes. The collection of data by participating States is critical to determining the extent of these crimes and developing solutions to stop them.

We all must do more to address these problems. While we will discuss some specific legislative, law enforcement, and other initiatives tomorrow at Session 4, today we will present some general practices we have found to be quite effective in addressing these issues, including:

- Ensuring that victims and vulnerable groups are included in the planning, development, and implementation of anti-discrimination and other laws and policies that affect their communities. In particular, building the capacity of vulnerable groups to participate in these processes is essential.

- Utilizing political leaders to dispel myths about vulnerable groups and respond to hateful rhetoric. Political leaders should be initiating efforts that unite, not divide peoples. Reiterating the history of migration and contributing role of migrants is one example.
- Adequately funding anti-discrimination and equality initiatives. From the outset States must recognize that there are financial consequences to institutionalizing equal opportunity and that for initiatives to be successful, the range of legal protections and the costs associated with training and enforcement that will be assumed by an implementing agency must be accurately estimated.
- Reviewing and updating legal frameworks to be certain they: address discrimination, provide remedies for discrimination in the private sector as well as the public sector, establish strong enough penalties for violations to deter future violations, and empower civil society to initiate mechanisms of recourse and redress.
- Developing national systems of data collection to help measure equal opportunity and discrimination in a manner that can be used to guide the formulation of policies and actions to eradicate discrimination in various sectors of society, while also upholding rights to privacy and self-identification.
- Ensuring that a vibrant civil society, including a free and independent media, can function without undue interference, as a civil society is essential for monitoring and reporting on unlawful discrimination and acts of violence and can act as a partner for some joint efforts.

In addition to instituting these practices throughout the OSCE region, we would also propose that the OSCE utilize a comprehensive OSCE strategy that includes an increased focus on addressing racial and ethnic discrimination by the ODIHR Tolerance Unit and High Commissioner on National Minorities and a Supplementary Human Dimension Meeting in 2011 on racial and ethnic discrimination.

Thank you, Mr. Moderator.