

OSCE Conference

ENGLISH only

**OSCE Conference on Tolerance and the Fight against Racism, Xenophobia and
Discrimination
Draft Annotated agenda**

OPENING OF THE CONFERENCE

**Keynote Session: Dialogue and Partnerships towards Tolerance, Respect and Mutual
Understanding**

In the Decision on Tolerance and Non-Discrimination, Ministers in Maastricht reaffirmed their commitment to promote tolerance and non-discrimination and decided to follow up the work started at the OSCE Conference on Racism, Xenophobia and Discrimination, held in Vienna on 4 and 5 September 2003, and welcomed the offer by Belgium to host a second OSCE conference on this subject in Brussels. This Conference aims to build upon the general and specific discussions in the OSCE on racism, xenophobia, discrimination and anti-Semitism that have taken place since the Porto Ministerial Council Meeting in 2002.

The overarching concept of the Conference is dialogue and partnerships towards tolerance, respect and mutual understanding. Its purpose is to deliver a clear and distinctive message on the value of ethnic, cultural and religious diversity, the unacceptability of racist, xenophobic and discriminatory actions and attitudes, and to arrive at action-oriented results to combat them. The Conference should also focus on exploring and identifying additional concrete measures that the OSCE and participating States might take to address these problems more effectively.

Taking the lead from the Maastricht Ministerial Council Decision of December 2nd, 2003 (MC.DD/4/03), specific aspects of dialogue and partnerships deserve to be highlighted in the plenary sessions. These include: legal and institutional measures for combating discrimination; promoting inter-cultural and inter-religious dialogue and partnerships both between citizens and governments and among citizens themselves; combating all forms of racism, xenophobia, discrimination and anti-Semitism against *inter alia*, people of African descent, Arabs, Muslims, Jews, ethnic, religious or linguistic minorities, Roma and Sinti and indigenous people; mechanisms to promote more effective integration of migrant workers into the societies in which they are legally residing; and promoting tolerance, respect for diversity and non-discrimination through education and media, including Internet.

Furthermore, the Conference will reaffirm commitments made in the Maastricht Decision on Tolerance and Non-Discrimination and in PC.DEC/607 on Combating anti-Semitism to promote legislative and institutional measures by participating States and OSCE institutions. This would include data collection and reporting on hate crimes. It would also concern ways to encourage dialogue and partnerships and methods for individual citizens to bring their concerns before appropriate authorities.

Keynote speeches by prominent figures will set the tone and direction for the discussions to follow.

Opening speeches:

H.R.H. Prince Filip of Belgium

H.E. Guy Verhofstadt, Prime Minister of Belgium
H.E. Dr. Solomon Passy – OSCE Chairman-in-Office

Keynote addresses:

His Royal Highness Prince Hassan of Jordan
His All Holiness Patriarch Bartholomew I
Marieluise Beck, Federal Government Commissioner for Foreigners' Issue,
Germany
Alcee L. Hastings, President of the OSCE PA

The respective moderators or their designated representatives could chair workshops to discuss further aspects of the subject matter of the Conference. While the workshops will be open to all participants, practitioners with expertise in each area under discussion will be encouraged to participate in these informal discussions. The moderators will introduce the results of these discussions in the plenary sessions.

Session I: Legislative and Institutional Mechanisms and Governmental Action, Including Law Enforcement

Moderator:

- Amb. Christian Strohal – Director of the OSCE's Office for Democratic Institutions and Human Rights

Introducers:

- Elena Mizulina, Deputy Head of the Legal Department, State Duma and the Representative of State Duma to the Constitutional Court, RF
- Larry Thompson, Former Deputy Attorney General, US

Having the necessary institutional and legal foundations to combat racism, xenophobia and discrimination is important as such, but there is also a need to have the mechanisms in place that foster dialogue and government and private partnerships towards tolerance, respect and mutual understanding in our societies. Governmental action is required both at national and local levels, as efforts must be taken to ensure that policies and laws are not discriminatory and do not foster intolerance. It is equally imperative to collect and keep records on reliable information and statistics on hate crimes, including forms of violent manifestations of racism, xenophobia, discrimination and anti-Semitism. Therefore, we will focus in this session on legislative and institutional mechanisms and governmental action, including law enforcement activities, and on developing methods for individuals to bring their concerns before appropriate authorities.

How has national legislation evolved in combating hate crimes and addressing hate speech related to racism, xenophobia and discrimination? How can institutional mechanisms, such as establishment of community-oriented policing programmes, and creation of community outreach and civil rights services within government bodies, community ombudspersons, and bodies for seeking redress against discrimination help to foster dialogue and partnerships between different components of a society or between government and minority communities? How can governments ensure that their laws and policies are not discriminatory? How can they prevent manifestations of discrimination in their criminal justice system? How can governments combat discrimination in access to public services,

health care, housing, employment and education? What progress has been made by participating States on the elaboration of national institutional mechanisms to collect reliable data and information on hate crimes and what steps have they taken to inform ODIHR about existing legislation regarding crimes related to intolerance and discrimination? What steps have participating States taken to educate law enforcement officials on hate crime legislation and to enforce the message on the importance of seriously implementing these laws? What can police do to ensure that minorities and migrants feel safer in reporting crimes committed against them? What is the status of the implementation and follow up by participating States and ODIHR of the Maastricht Ministerial Decision on Tolerance and Non-Discrimination?

WORKSHOPS (in parallel):

- Promotion of Tolerance and Non-discrimination towards Muslims
- Facilitating Freedom of Religion and Belief through Transparent and Non-Discriminatory Laws, Regulations, Policies and Procedures

Session II: The Role of Governments and Civil Society in Promoting Tolerance, Respect and Mutual Understanding, Particularly Through Interfaith and Intercultural Dialogue and Partnerships

Moderator:

- Claudia Roth, German Government Commissioner for Human Rights Policy and Humanitarian Aid at the Foreign Office

Introducers:

- Cardinal William Keeler, Archbishop of Baltimore, US
- Cobi Benatoff, President of the European Jewish Congress
- Imam Dr. Abduljalil Sajid, Imam of Brighton Islamic Mission, UK

Following the Baku Conference held in October 2002 and the SHDM of July 2003, as well as other relevant meetings, this session will examine the role of governments, political leaders and groups representing different faiths and cultures in fostering interfaith and intercultural dialogue and partnerships to promote tolerance, respect and mutual understanding. The OSCE's comprehensive and co-operative approach to security has long involved providing support to civil society activities as a means of furthering democracy and human rights in its participating States. All forms of racism, xenophobia, discrimination and anti-Semitism against *inter alia*, people of African descent, Arabs, Muslims, Jews, ethnic, religious or linguistic minorities, Roma and Sinti and indigenous people can have a detrimental and negative effect on societies, especially if they are not confronted proactively by governments, political leaders and civil society.

OSCE participating States have already made commitments to foster a climate of tolerance, respect and mutual understanding among believers of different religions, and between believers and non-believers. They also have agreed to "ensure and facilitate the freedom of the individual to profess and practice a religion or belief, alone or in community with others, where necessary through transparent and non-discriminatory laws, regulations, practices and policies". Furthermore, States have pledged to engage in consultations with

religious communities, through the institutions and organizations that represent them, in order to achieve a better understanding of those faiths and of their requirements for religious freedom.

The increasing cultural diversity of most societies also presents the need for dialogue and partnerships among groups representing different cultures in order to address ignorance, which is often at the root of racism, xenophobia and discrimination.

Conference participants will examine how interfaith and intercultural dialogue and partnerships can be fostered and nurtured and how governments and elected leaders can ensure state policies do not discriminate against religious practice or cultural diversity.

What are the possible models of dialogue and partnerships to promote tolerance, respect and mutual understanding among all communities, including majority and particularly minority religious communities, groups representing different cultures, and government? How can governments ensure that their policies do not discriminate against any communities, including minority religious communities, and reasonably accommodate various religious beliefs? How can governments promote freedom of religion or belief as a recognized public good? What examples of good practice are available, both on the national and local level? What obstacles must be overcome before interfaith and intercultural dialogue is possible? What strategies might be helpful in overcoming these obstacles? What kind of outcomes can be hoped for from a process of interfaith and intercultural dialogue? What are the different consequences of an integrative approach versus an assimilative approach towards different religious communities and/or people from different cultures in society? How can governmental and political leaders tackle and confront all forms of racism, xenophobia, discrimination and anti-Semitism against *inter alia*, people of African descent, Arabs, Muslims, Jews, ethnic, religious or linguistic minorities, Roma and Sinti and indigenous people? How can governments, political leaders and civil society support and encourage dialogue between those with conciliatory views, as a counter-balance to rhetoric advocating hate? What self-initiated activities can religious leaders and religious communities undertake to further promote tolerance, respect and mutual understanding as well as respect for human rights and the rule of law?

Session III: Combating Discrimination Against Migrant Workers and Facilitating Their Integration Into the Societies in which they are Legally Residing

Moderator:

- Assc. Prof. Ayhan Kaya, Full-time Lecturer at Istanbul Bilgi University; Chairperson of the Department of International Relations; Member of the Bilgi Migration Centre Directory Board

Introducers:

- Prof. Marie-Claire Foblets, Professor at the University of Leuven, Belgium
- Stephane Hessel, a prominent activist on migrants problems, France

Throughout the OSCE region, problems sometimes arise between communities with labor shortages and those individuals who come from other countries to fill these shortages. Despite the indispensable role that legally residing migrant workers play, they are all too frequently confronted with obstacles in the field of employment as well as in the more general field of social integration.

In the context of employment, legally residing migrant workers may face impermissible discrimination in terms of access to the job market, wages, contracts, promotion, and terms and conditions including health and safety regulations. Measures for protection from racial harassment are often lacking. On the social front, they may face practical or even legal difficulties in terms of housing, education as well as access to health care and general support and advice.

The result is that migrants, in particular migrant workers, tend to remain ‘outsiders’, thus being put in a highly disadvantageous, not to say vulnerable, position and exacerbating potential problems between the ‘existing’ society and the relative newcomers. Latent xenophobia may be manipulated by political forces and develop into openly racist statements, incidents and even attacks.

Employment-related problems and socially related ones are closely linked – principles of equality, respect and non-discrimination need to be applied, consistent with international obligations in both cases. It is also clear that rights and responsibilities apply to both sides of the equation – that is, to the host countries and to the migrant workers. Just as migrant workers should respect the social and legal norms of their countries of residence, so too should host countries be willing to assist the integration of migrant workers into the legal and social frameworks of the countries in which they are lawfully residing.

In this context dialogue and partnerships in the working place and the communities in which migrants live are important tools to integrate migrant workers into the societies in which they legally reside. Therefore, dialogue and partnerships can and should be supported by all concerned actors, including governments, labor agencies, professional associations, NGOs, businesses, unions and representatives of migrant communities.

What are the best practices from participating States in dealing with intolerance and with problems related to integration? What support and opportunities should participating States provide to legally residing migrant workers to facilitate their inclusion or integration into mainstream society and how should these efforts be balanced with the responsibility of migrants to respect the social and legal norms of their new countries of residence? What are the roles of governments, parliaments, political parties, and civil society in combating intolerance towards migrant workers? How can they promote dialogue and partnerships in migrant workers’ work places and communities? How can we make public administration responsive to the needs of migrants? What are best practices in the private sector for integrating migrants into the work place?

DINNER HOSTED BY THE MINISTER OF FOREIGN AFFAIRS OF THE KINGDOM OF BELGIUM (on invitation)

Day 2

WORKSHOPS (in parallel):

- Implementing ODIHR's and Participating States' Tolerance Taskings after Maastricht and Berlin, including Complementarity among International Organizations Dealing with Intolerance
- Combating Discrimination Based on Colour

Session IV: Promoting Tolerance, Respect for Diversity and Non-Discrimination through Education and Media, particularly among the Younger Generation

Moderator:

- Anastasia Crickley, Chair of the EUMC; Chair of Ireland's National Consultative Committee on Racism and Interculturalism

Introducers:

- Prof. Dr . Bostjan M. Zupancic, Judge at the European Court for Human Court for Human Rights, Slovenia
- Sheila Rogers, Chief Executive of the UK Commission for Racial Equality
- Prof. Gert Weisskirchen, Vice-President, OSCE PA

Responsibility for promoting dialogue, tolerance, acceptance of diversity and rejection of intolerance, racism and xenophobia amongst the younger generation is inevitably spread across a wide range of actors. However, the formal education system and the media, including the Internet, both have an enormous role to play.

If education is to enable both individuals and society as a whole to develop the skills to address future challenges, it is essential that it promotes tolerance and an appreciation of diversity. In other words, the promotion of respect for each individual's cultural, religious or ethnic identity within a context of social integration is an indispensable part of the educational process. Furthermore, education systems have the opportunity and the responsibility to address specific national or local manifestations of racism, xenophobia or discrimination – whether historical or current – and to combat prejudice and negative stereotypes. The formal curriculum, textbooks and supplementary materials, extra-curricular activities, the school environment itself, and teacher training programs are all crucial instruments in achieving a positive outcome.

The media, like education systems, have the opportunity to tackle prejudice and eliminate ignorance and misunderstanding, both through specific educational and awareness-raising campaigns aimed at young people, and also by leading by example e.g. taking care to reflect the ethnic, linguistic, cultural and religious diversity of society in their output, and providing access to diverse and contrasting points of view. However, they also have the potential to exacerbate problems – to stimulate suspicion, stir up fear and perpetuate negative stereotypes.

This session should continue to focus on best practices in these two areas, also with a view toward adding to or refining, as needed, the suggestions made in these areas during the

Berlin Conference on anti-Semitism and during the Paris Meeting on the Relationship between Racist, Xenophobic and anti-Semitic Propaganda on the Internet and Hate Crimes.

How can promotion of tolerance and the appreciation of different faiths and cultures be integrated into existing curriculum subjects? How can students best be exposed to the diversity of their own communities and beyond? What can we learn from school initiatives to promote tolerance through informal activities outside of the normal curriculum? What role could the OSCE and its institutions and field missions play? How can acceptance and appreciation of diverse cultures be mainstreamed within media output? What professional journalistic practices can help foster mutual understanding? How can co-operation between the media and educational institutions be increased to provide multi-faceted educational campaigns aimed at young people? How can effective innovation be compared, discussed, and shared throughout the OSCE region? How might media, including Internet, be used to promote tolerance and combat the prejudice, ignorance and misunderstanding that contribute to racism, xenophobia, discrimination, anti-Semitism and other forms of intolerance ?

Closing Session: Development of Conclusions and Recommendations

In this session the moderators will summarize discussions and recommendations made in the sessions and the workshops on how the OSCE participating States and OSCE structures can strengthen and operationalize their efforts to prevent discriminatory policies, promote dialogue, respect, tolerance and fight against racism, xenophobia and discrimination. Reactions from the floor will also be possible. The results of the Conference will be brought forward to the Human Dimension Implementation Meeting in Warsaw in October 2004.

In order to more accurately reflect the results of the Conference, participants are encouraged to submit in writing to the Chairmanship-in-Office any recommendations they wish to make. It would be helpful if participants could specify for whom the recommendations are intended, for example, individual OSCE participating States, the OSCE as a whole, OSCE structures and institutions, such as the Office for Democratic Institutions and Human Rights, the High Commissioner on National Minorities, and the Representative on the Freedom of the Media, or OSCE field operations.

- Doudou Diène, UN Special Rapporteur for Contemporary Forms of Racism, Racial Discrimination, Xenophobia and Related Intolerance

Reports by the Plenary Sessions Moderators

Comments from the floor

Closing Speeches:

- H.E. Karel De Gucht, Minister for Foreign Affairs of Belgium
- H.E. Dr. Solomon Passy – OSCE Chairman-in-Office

Agenda OSCE Conference on Tolerance and the Fight against Racism, Xenophobia and Discrimination

Day 1 13 September 2004

9:30 – 11:00 OPENING SESSION – DIALOGUE AND PARTNERSHIPS TOWARDS TOLERANCE, RESPECT AND MUTUAL UNDERSTANDING

- Presenting the problem of racism, xenophobia and discrimination and its manifestations throughout the OSCE region;
- Emphasizing dialogue and partnerships towards tolerance, respect and mutual understanding to combat racism, xenophobia and discrimination;
- Exploring and identifying concrete measures that the OSCE and participating States might take to combat racist, xenophobic and discriminatory attitudes.

Opening speeches:

H.R.H. Prince Filip of Belgium
H.E. Guy Verhofstadt, Prime Minister of Belgium
H.E. Dr. Solomon Passy – OSCE Chairman-in-Office

Keynote addresses:

Royal Highness Prince Hassan of Jordan
His All Holiness Patriarch Bartholomew I
Marieluise Beck, Federal Government Commissioner for Foreigners' Issue, Germany
Alcee L. Hastings, President of the OSCE PA

11:00 – 11:15 BREAK

11:15 – 13:00 SESSION 1: LEGISLATIVE AND INSTITUTIONAL MECHANISMS AND GOVERNMENTAL ACTION, INCLUDING LAW ENFORCEMENT

Topics may include, *inter alia*:

- How can governments ensure that their laws and policies are not discriminatory, and how can they prevent manifestations of discrimination?
- Institutional mechanisms to foster dialogue and partnerships, both between different components of a society and between them and their governments;
- The status of the implementation and the follow-up of the Maastricht Ministerial Decision on Tolerance and Non-Discrimination.

Moderator: Amb. Christian Strohal – Director of the OSCE's Office for Democratic Institutions and Human Rights

Introducers: Elena Mizulina, Deputy Head of the Legal Department, State Duma and the Representative of State Duma to the Constitutional Court, RF
Larry Thompson, Former Deputy Attorney General, US

General Discussion

13:00 – 15:00 LUNCH

13:40 – 14:50 WORKSHOPS (in parallel):

- Promotion of Tolerance and Non-discrimination towards Muslims
- Facilitating Freedom of Religion and Belief through Transparent and Non-Discriminatory Laws, Regulations, Policies and Procedures

14:50 – 15:00 BREAK

15:00 – 16:45 SESSION 2: THE ROLE OF GOVERNMENTS AND CIVIL SOCIETY IN PROMOTING TOLERANCE, RESPECT AND MUTUAL UNDERSTANDING, PARTICULARLY THROUGH INTERFAITH AND INTERCULTURAL DIALOGUE AND PARTNERSHIPS

Topics may include, *inter alia*:

- The role of governments, political leaders and groups representing different faiths and cultures in fostering interfaith and intercultural dialogue and partnerships;
- The possible models of dialogue and partnerships on national and local levels to promote tolerance, respect and mutual understanding among religious communities, groups representing different cultures, and government;
- How can governments ensure that their policies do not discriminate against religious communities and reasonably accommodate minority religious beliefs?
- The different consequences of an integrative approach versus an assimilative approach towards different religious communities and/or people from different cultures in society.

Moderator: Claudia Roth, German Government Commissioner for Human Rights Policy and Humanitarian Aid at the Foreign Office

Introducers: Cardinal William Keeler, Archbishop of Baltimore, US
Cobi Benatoff, President of the European Jewish Congress
Imam Dr. Abduljalil Sajid, Imam of Brighton Islamic Mission, UK

General Discussion

16:45 – 18:30 SESSION 3: COMBATING DISCRIMINATION AGAINST MIGRANT WORKERS AND FACILITATING THEIR INTEGRATION INTO THE SOCIETIES IN WHICH THEY ARE LEGALLY RESIDING

Topics may include, *inter alia*:

- The roles of governments, parliaments, political parties, and civil society in combating intolerance towards migrant workers;
- What can participating States do to promote respect for diversity and to provide support and opportunities to legally residing migrant workers to facilitate their inclusion into mainstream society?
- How to strike the right balance between the responsibility of migrant communities to respect the social and legal norms of their new countries of residence and the responsibility of host countries to assist their integration into their legal and social framework?

Moderator: Assc. Prof. Ayhan Kaya, Full-time Lecturer at Istanbul Bilgi University; Chairperson of the Department of International Relations; Member of the Bilgi Migration Centre Directory Board

Introducers: Prof. Marie-Claire Foblets, Professor at the University of Leuven, Belgium
Amb. Stephane Hessel, a prominent activist on migrants' problems, France

General Discussion

18:30 CLOSE OF DAY ONE

DINNER HOSTED BY THE MINISTER OF FOREIGN AFFAIRS OF THE KINGDOM OF BELGIUM (on invitation)

Day 2 14 September 2004

8:45 – 9:55 WORKSHOPS (in parallel):

- Implementing ODIHR's and Participating States' Tolerance Taskings after Maastricht and Berlin, Including Complementarity among International Organizations Dealing with Intolerance
- Combating Discrimination Based on Colour

9:55 – 10:00 BREAK

10:00– 11:45 SESSION 4: PROMOTING TOLERANCE, RESPECT FOR DIVERSITY AND NON-DISCRIMINATION THROUGH EDUCATION AND MEDIA, PARTICULARLY AMONG THE YOUNGER GENERATION

Topics may include, *inter alia*:

- Integration of tolerance and the appreciation of different faiths and cultures into existing curriculum subjects;
- Media, including Internet, as a tool to promote tolerance, respond to racist, xenophobic and anti-Semitic propaganda, and prevent hate crimes by tackling prejudice and combating ignorance and misunderstanding;
- Increasing co-operation between the media and educational institutions to provide multi-faceted educational campaigns aimed at young people.

Moderator: Anastasia Crickley, Chair of the EUMC; Chair of Ireland's National Consultative Committee on Racism and Interculturalism

Introducers: Prof. Dr. Bostjan M. Zupancic, Judge at the European Court for Human Rights, Slovenia
Sheila Rogers, Chief Executive of the UK Commission for Racial Equality
Prof. Gert Weisskirchen, Vice-President, OSCE PA

11:45 – 12:15 BREAK

12:15 – 13:30 CLOSING PLENARY

Conclusions and recommendations

- Doudou Diène, UN Special Rapporteur for Contemporary Forms of Racism, Racial Discrimination, Xenophobia and Related Intolerance

Reports by the Plenary Sessions Moderators

Comments from the floor

Closing Speeches:

- H.E. Karel De Gucht, Minister for Foreign Affairs of Belgium
- H.E. Dr. Solomon Passy – OSCE Chairman-in-Office

13: 30

CLOSE OF DAY TWO