

## **S t a t e m e n t**

### **of the Minister of Foreign Affairs of the Slovak Republic Eduard Kukan at the OSCE Conference on Tolerance and Fight against Racism, Xenophobia and Discrimination. (Brussels, 13.-14.9.2004)**

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Mr. Chairman, Colleagues, Ladies and Gentlemen,

Allow me first to express my thanks to the host country and to the Bulgarian OSCE Chairmanship for organizing this Conference. Our meeting complements and completes previous meetings on the topic of intolerance and discrimination that were held earlier this year.

Slovakia actively stands up against any manifestations of intolerance, racism, xenophobia and discrimination in all spheres of life. We endeavor adoption of adequate legislative and organizational measures to eliminate these phenomena in the most efficient way and in accordance with the international standards and commitments. This conference is an excellent opportunity for exchange of views and experience among the States, international organizations and NGO's in order to strengthen our common struggle.

A few weeks ago, we saw an excellent manifestation of humanity in Athens. The upcoming Paralympic Games will provide us with another exceptional occasion to see the principle of equal opportunities in practice.

Meanwhile, we saw a horrible devastation of humanity in Beslan. Another human tragedy is going on in Darfur, Sudan, not to mention acts of terror in Iraq, Jakarta, the Middle East...

All these inhuman acts have their fundament in inability to accept otherness. Whatever the political goal of those who commit these crimes against humanity is, their hatred is deeply rooted in prejudices against other nations, religions, cultures, in prejudices against different ways of life.

Let me now shortly describe how my Government sees and applies principles we are committed to.

The Slovak Constitution stipulates the prohibition of discrimination on the grounds of sex, race, color of skin, language, faith and religion, political affiliation or conviction, national or social origin, nationality or ethnic origin, property, birth or any other status. This prohibition has been continuously applied in the concrete provisions in a number of legal regulations.

Slovak Parliament adopted lately the Antidiscrimination Act as a Law on Equal Treatment in Certain Areas and Protection against Discrimination.

The adoption of this legal regulation aims at the creation of a comprehensive legal norm for the protection against discrimination. The antidiscrimination legislation of the European Union was transposed in this way into our domestic legal system.

The purpose of this law is to provide the protection against any form of discrimination and to guarantee the victims a possibility to claim for an adequate and efficient protection by the court, including compensation of damages and non-property loss.

The Law differentiates the two main spheres of relationships, whereas the discrimination is prohibited for different reasons: in the sphere of the social protection, healthcare and supply of goods, services and education on the one hand, and in employment relationships on the other hand.

Slovak Antidiscrimination Act also ensures legal protection for anyone who feels that his or her rights were affected or violated or if he or she was not equally treated. Such a person has the right to pursue his or her claims by judicial process. The defendant has the obligation to prove that there was no violation of the principle of equal treatment.

The Antidiscrimination Act also changes the status of the Slovak National Centre for Human Rights, which has a new position of a national body responsible for promotion of the equal treatment. According to the Act, the Centre has to ensure a legal protection to the victims of the discrimination. The task of the Centre is also monitoring and assessment of the observance of human rights and of the principle of equal treatment as well as data collection and providing of information on racism, xenophobia and anti-semitism in Slovakia.

Ladies and Gentlemen,

Laws and regulations are a form that must be implemented to give it a practical relevance. Co-operation with NGO s is immensely important in a civil society. In the field of fighting intolerance the work of NGO s is even more important.

People seem to be by nature suspicious with regard to any form of state regulation. In addition, questions concerning non-discrimination are related to the very intimate sphere of every person – nationality, religion, social origin, or any other characteristic defining the status of a person in a society. That's why the role of NGOs, activists and teachers is unavoidable.

The Slovak Government undertook in its Programme Declaration from November 2002 to promote all forms of education towards mutual respect and tolerance among nationalities and it envisages joint activities with NGOs in this

area. One of the important steps in this respect is the preparation and implementation of the Action Plan on prevention of all forms of discrimination, racism, xenophobia, anti-Semitism and other forms of intolerance that is elaborated and evaluated biannually.

In May 2004 the Slovak Government has adopted the Final Assessment of the Action Plan for the period of 2002-2003. Its aim was to increase a tolerance in the society and eliminate all forms of discrimination through different activities of respective Ministries, NGOs and other relevant bodies.

The Third Action Plan of my Government focuses on increasing the awareness of the population on human rights in general as well as on the prevention of negative phenomena in the society related to intolerance in particular. In connection with our membership in the European Union the Action Plan for 2004-2005 focused on the issue of migration, *inter alia* on the intensification of the systematic education and information of the asylum seekers, who belong to the potentially most endangered groups.

The Action Plan reflects the commitments of the Declaration and Action Plan adopted by the UN member states at the World Conference against Racism held in Durban in 2001. Slovakia through its Action Plan completes on one hand the aims of the second UN Decade for human rights education for 2005-2014 declared at the 59<sup>th</sup> session of the UN General Assembly. On the other hand it fulfils its commitments as a member of the EU, OSCE and Council of Europe.

Mr. Chairman, Ladies and Gentlemen,

To fight the major threats of today's world, whatever we call it – terrorism, genocide or war, we have to fight prejudices in human minds. And we have to start at the very basic level – at the level of interpersonal relationships. Only then we can spread the message of tolerance at international or intercultural levels.

Europe is being united on the bases of the motto: “United in diversity.” It is our mission to disseminate this idea worldwide.

Tolerance must become our response to fundamentalism. Respect for otherness must be our answer to any form of intolerance.

In our view, all forms of intolerance should be fought not only when they broke out into the threat for domestic or international security. They have to be treated properly in advance – prevention is one of the key principles and aims of the OSCE. The appropriate legislation and its thorough implementation and relevant education aimed at the improvement of respect and mutual understanding are crucial in this respect. We are convinced that all forms of intolerance have to be treated equally. It is obvious that the OSCE has to devote more attention to the fight against intolerance and discrimination because of their increasing impact

on the security. At the same time it has to be emphasized that the responsibility of the fight against intolerance lies with the participating States themselves. The States have to co-operate closely at the establishment and implementation of generally binding human dimension standards. International organizations provide appropriate fora and instruments for the promotion of human rights, equal treatment and tolerance. I hope that through discussions and fruitful exchange of views this conference will yield some concrete ideas and proposals for Sofia Ministerial Council on how to improve our fight against intolerance, racism, anti-Semitism, xenophobia and discrimination.

Thank you for your attention.