

ENGLISH only

**Statement by the Moscow Helsinki Group and SOVA-Center at the OSCE Conference on Racism, Xenophobia and Discrimination, Session II (September 4, 2003)**

OSCE participating States have all undertaken to combat racism and discrimination. At the same time, many of the OSCE countries fail to pay adequate attention to the relevant problems, which is particularly evident in the up-surge of racist violence and propaganda in the CEE and the CIS.

*Leaders of the States and top-ranking state officials must make public statements condemning concrete manifestations of racism, nationalism and xenophobia and take political efforts to invigorate the work of the law-enforcement authorities against persons and, particularly, groups engaged in racist activities.*

In our opinion, as far as racist crime is concerned, the key elements of the problem is the lack of will and/or the inability of the law enforcement and courts to acknowledge the crime's racist component and treat it accordingly. In the Russian Federation, for example, with the growth of the skin-head movement and popularity of nationalistic idea among the public at large, street violence on racial and ethnic grounds is becoming an ever more aggravating phenomenon. It actually went so far that in May 2002 a group of ambassadors of five nations who represented the entire diplomatic corps accredited in Russia addressed the RF Foreign Ministry with a joint declaration of protest against the wave of racism sweeping across the country. Among groups most vulnerable to racist attacks are Africans, Caucasians, Asians and Roma, in other words, all distinct "visual minorities." The attacks are not only poorly investigated but also, whenever actually investigated, they are interpreted as trivial acts of hooliganism, with the racist motive left aside, even though Russian criminal legislation provides for racist motive as an aggravating circumstance in a crime. This situation is conducive to the establishment of a climate of impunity in the country.

*It is crucial for an effective struggle with racism that if there is a presence of a racial motive in a criminal act, this motive should be fully acknowledged by the law-enforcement and judiciary and relevant legislative provisions should be invoked.*

*In order to counter racism and discrimination effectively, States first and foremost need to conduct systemic monitoring of the situation. In order to do this work adequately, closer cooperation with NGOs is necessary. States should use NGO data on the situation of vulnerable groups as core information and include NGOs in the process of elaboration of anti-racism and anti-discrimination policies as well as development and implementation of training and educational programmes for state officials and general population at all levels.*

*State should particularly ensure effective cooperation of NGOs within the framework of preparing official reports to such international monitoring bodies as the UN Committee on Elimination of Racial Discrimination and other relevant international and European agencies. States should concentrate on the implementation of views and recommendations of those international bodies and cooperate with NGOs to provide for most effective work in this area.*

*Finally, in our opinion, the mandate of the OSCE High Commissioner on National Minorities should be revised and this institution's capacities strengthened, including establishment of a permanent monitoring mechanism and consideration of individual complaints of victims of racism and discrimination.*