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**Italian Presidency of the European Union**

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A European Union contribution  
to the OSCE Conference  
on Racism, Xenophobia and Discrimination  
Vienna, 4-5 September 2003<sup>1</sup>

The European Union welcomes the convening of this conference and is committed to its success. It provides a timely opportunity for the OSCE and its participating states to send a clear and unequivocal message to the world that no forms of racism and intolerance can find a haven in our region, and for the OSCE to consider measures it can take to combat such phenomena, which can even lead to serious violence.

The EU trusts that this conference will help develop a holistic approach to tolerance and non-discrimination issues, taking into account that previous relevant OSCE meetings studied different aspects in the field of tolerance and non-discrimination this year, including Roma and Sinti, anti-Semitism and Freedom of Religion. This conference should identify the underlying common features of these phenomena, as well as actions to address them.

The EU firmly believes that a comprehensive security organisation like the OSCE should deal with all forms of intolerance in a single global approach. The EU intends to seize this opportunity to share its experience and exchange its best practices with other participants in this conference.

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<sup>1</sup> The Accessing Countries Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, the Slovak Republic and Slovenia and the Associated Countries Bulgaria, Romania and Turkey align themselves with this contribution.

The European Union and its Member States have a long tradition of taking comprehensive and co-ordinated action against racism, xenophobia and discrimination. This is reflected in several documents adopted by the respective institutions of the European Communities and European Union since the 1977 Joint Declaration on Fundamental Rights. Over the following 25 years, amendments introducing fundamental rights into the EU's treaties and other legislative developments followed. One of the most recent and important amendments to the Treaty of the European Community (TEC) incorporated a specific provision to enable the Council to further combat any form of discrimination on the grounds of, inter alia, race, ethnic origin or religion. The EU's fight against racism is thus firmly rooted in European law.

In turn, the EU is part of a world which has become wider and globalised, where everything interconnects and interweaves, where the multiplication of capabilities for reaching out and reaching in constitutes the best assurance that nobody anywhere is deliberately left out. "United in diversity" is the motto of the draft Constitution of the European Union. This is also one of the messages delivered at the OIC Ministerial Conference last May. The EU High Representative Javier Solana stressed that "the promotion of tolerance (must be set) on the basis of universally-held values and of international law". This is precisely what OSCE has been striving for ever since 1975.

Also the treatment of Roma and Sinti is important from the point of view of the protection and promotion of human rights, as well as of the fight against all forms of discrimination. Participation and integration of Roma and Sinti in social and political life should be fostered, in particular through their representatives in matters concerning them, at national and international level. The EU welcomes the on-going elaboration of an OSCE Roma and Sinti Action Plan and believes that this Conference can provide useful inputs for the Action Plan, as could do the discussions in Strasbourg on a possible European Roma Forum.

We recall also the threats posed by the racist misuse of the Internet, which could be addressed also by the OSCE. We recall that, in view of this particularly worrying trend, the Council of Europe opened to signature on 28 January 2003 an Additional Protocol to the Convention on Cybercrime "concerning the criminalisation of acts of a racist and xenophobic nature, committed through the use of computer systems." On 28 May 2003, the Council of Europe Declaration on the Freedom of Communication on the Internet recalled that Member States were responsible for taking the necessary measures and for co-operating in order to trace Internet users who could be guilty of criminal acts. Since 1999, the European Union, for its part, has contributed to the fight against the dissemination of messages with illegal and dangerous contents on the Internet, and this year hopes to

extend its action to the issue of the justification of racism and anti-Semitism. This move comes in the context of its eSafe programme.

The EU reiterates its willingness to continue working hand in hand with the OSCE – during this conference and beyond – in developing concrete measures to tackle these phenomena. We would like to emphasise the importance of following up to this Conference and other tolerance-related events, looking broadly at all forms of discrimination, including the benefits of promoting inter-faith dialogue.

We would therefore make the following specific recommendations to this Conference, as part of a holistic approach following up to previous OSCE meetings in the field of tolerance and non-discrimination, held this year:

1. We must improve our analysis of the phenomena of racism, xenophobia and related intolerance and be able to track its manifestations. That means we need better facts and figures on the situation throughout the OSCE area. For this purpose, OSCE human dimension institutions should co-operate with the United Nations, the European Union and the Council of Europe's anti-racism mechanisms in a comprehensive approach which could include also exchanges of information and statistics on racist or xenophobic hate crimes and related data in the whole OSCE area.
2. The OSCE should also endorse interfaith dialogue as one of the pillars of its approach to combating all forms of intolerance.
3. The EU and its Member States have experience in monitoring racial discrimination and racist crimes, as well as in compiling data on these issues, through the EU Monitoring Centre on Racism and Xenophobia. Another such mechanism is ECRI (the Council of Europe's European Commission against Racism and Intolerance). In addition, the EU believes we should examine how the OSCE, and in particular ODIHR, can play a more active role in combating manifestations of racism, xenophobia and religious discrimination, as well as other forms of related intolerance. The OSCE should work closely with the United Nations' Committee on the Elimination of Racial Discrimination (CERD) and its anti-discrimination unit, the EUMC and ECRI, making best use of data produced by them, avoiding unnecessary duplication of effort and cost.
4. OSCE human dimension institutions should also set up a database on good practices and policy from the OSCE's participating States, IGO partners and civil society and make this database available to the public.
5. In the field of the media, the EU and its member states are particularly concerned with the development of hate speeches

promoting racism and xenophobia on the Internet. In this context, appropriate attention should be given to data collection, awareness-raising especially among young people and teachers, and co-operation with web professionals in order to allow the screening of hate speeches without limiting freedom of expression on the Internet. The EU looks forward to further progress in that respect at the next Warsaw HDIM.

6. Furthermore we urge universal, full and effective application of the International Convention on the Elimination of All forms of Racial Discrimination.
7. Finally, OSCE participating states should examine their legislation to combat racial hatred and discrimination, with a view to assessing its effectiveness and making necessary changes. This review should include, where they do not exist, the establishment or designation of bodies to promote equal treatment and combat racial discrimination and racism. National human rights institutions must also play a significant role in this regard.