



# HELSINKI COMMISSION HEARING

UNITED STATES COMMISSION ON  
SECURITY AND COOPERATION IN EUROPE

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Racism and Xenophobia

Racism and xenophobia continues to be a major concern in the OSCE region. ODIHR's annual report – Hate Crimes in the OSCE Region 2012 – provides us with information indicating that racist hate crimes and hate incidents continue to occur in the OSCE region. Racism in the sporting arena (monkey chants at black sportsmen and women), racist and xenophobic (“Romaphobic”) comments by political and community leaders, exclusion in the labour market, limited and marginal access to social and public services, threats in the street and other public places are also reported to ODIHR by victims of hate crimes.

In 2012, 40 participating States reported that they record hate crime data according to at least one category related to racism and xenophobia, such as "race"/colour, nationality/ethnicity/national origin, citizenship or language. Seventeen states reported statistics and six more provided some information on racist acts in 2012. Thirty-one NGOs provided information on racist incidents covering 17 countries – a significant increase in reporting compared to the 15 NGOs that provided information covering 13 countries one year before. While the number of NGOs reporting to ODIHR has increased, victims' negative experiences in police responses and a lack of capacity of NGOs to monitor and report on the phenomenon contribute to the problem of under-reporting. Only Czech Republic, Poland, Serbia and Sweden provided information on hate crimes targeting Roma and Sinti. Information from eight NGOs provided information on anti-Roma incidents in 12 participating States is also presented below.

Information provided to ODIHR highlights some major concerns over the past year such as the in-tolerant discourse where racist and xenophobic rhetoric stigmatizing migrants and Roma, foreigners and migrants, and People of African Descent by portraying them as causes of country's economic woes and as threats to society. Worryingly, many victims do not report these incidents to law enforcement or the authorities. Excessive force against or ill-treatment of Roma, including, for example, in the course of evictions or during stop-and-search actions by the police, can contribute to a lack of trust in the authorities. This, combined with a lack of means and knowledge on the part of Roma communities to monitor and report hate crimes means that these are likely significantly under-reported. Additionally, during the recent

campaigns for the European Union Parliament elections in May 2014, public and political discourses focused on “immigration” as a political and social problem that needed to be addressed. This rhetoric provided succour to far right political parties and interests as evidenced by the subsequent successes of many of these parties in their respective elections.

Whilst acknowledging the challenge for participating States to ensure both freedom of expression and freedom of association, they must also make sure that people and communities feel secure and safe. Responses to these particular developments need to be robust, expeditious and clear. Authorities and political leaders need to abstain from using intolerant rhetoric and to firmly and unequivocally condemn all instances of hate speech in public discourse. They should also utilize the expertise of ODIHR to assist them in prevention and responses to hate crimes, hate speech, discrimination and all forms of xenophobia. The US Mission to the OSCE has provided significant support to ODIHR in this regard. They have generously provided financial support for a variety of PAD projects starting in 2011 with the Roundtable for People of African Descent in Vienna, as well as providing logistical and planning support (along with the US Helsinki Commission) for the PAD study tour in November 2013. Ambassador Baer met with the Civil Society representatives who were recipients of US funding to discuss the implementation of their respective projects combatting racism and xenophobia faced by PAD communities on the occasion of the International Day Against Racism in March 2014.

#### Hate on the internet

The OSCE have long recognized the danger of unfettered hate on the internet and tasked ODIHR to be “the link between the use of the Internet and bias-motivated violence” (MC Decision 9/09) - whilst acknowledging the challenge for participating States to ensure the freedom of expression, they also have a duty to promptly renounce statements by public officials and ensure robust intervention whenever comments expressed on the internet present a threat. For example, some of the incidents such as neo-Fascist rallies in some Roma neighborhoods mentioned earlier, are organized and promoted online. Monitoring of these activities by law enforcement and civil society organizations is paramount in tackling this mendacious activity as well as ensuring that authorities can fulfil their tasks of providing security to all citizens and communities.

#### Gender and discrimination

Through their experiences conducting focus groups with victims ODIHR recognized that there was a need for a stronger gender perspective in combatting racism and xenophobia in the OSCE region. ODIHR subsequently conducted a workshop for women of African descent in Warsaw in May, 2014. The two-day workshop covered many topics – structural racism, access to healthcare, mental health, domestic violence, lack of representation by African women (role models in public and political spheres), female genital mutilation (FGM) and many others. Many recommendations were presented specifically to OSCE. These include:

1. ODIHR Training specifically for women of African descent

2. Multicultural training for education and health personnel and officers

3. African women participation in local grassroots politics and community representation – local governments, state authorities, law enforcement, judiciary, etc.

Anti-Romani rhetoric, racially biased policy measures and violence

The OSCE/ODIHR Status Report 2013 on the implementation of the Roma and Sinti Action plan notes negative trends in the proliferation of anti-Romani rhetoric, hate-speech, violence and biased (racist) policy measures in the OSCE region. The Status report covering the period between 2008 and 2013 notes a disturbing number of hate crimes against Roma, the use of extremist anti-Roma rhetoric, and continuing reports of police ill-treatment. The downward trends are linked to migration of Roma and Sinti who leave their homes seeking better employment opportunities and economic conditions in other countries, the scapegoating of Roma and Sinti in the context of economic difficulties and the rise of far-right political parties in some participating States which capitalize on anti-Roma sentiment among majority communities. The report notes that these parties — and, in some instances, mainstream parties as well — used anti-Roma rhetoric, including the motif of “Gypsy criminality” for electoral gains. Mainstream media also reflect negatively on Roma and Sinti leading to further intolerance.

Intolerance against Christians

Bias against individuals on the basis of religion can take various forms. The extent and nature of attacks motivated by bias against a particular religion are influenced by a number of factors, including the minority or majority status of that religion in a given territory. Successive ODIHR hate crime reports have indicated that graffiti and vandalism against places of worship, the desecration of cemeteries and arson attacks against churches are some of the more common types of crimes motivated by bias against Christians and members of other religions

In 2012, 35 participating States stated that they collect data on hate crimes motivated by anti-religious bias. Four participating States further disaggregate this data into sub-categories, such as "non-denominational", "Catholic", "Protestant", "other religions", or "Jehovah's witnesses". However, only seven countries provided information on this category of hate crime in 2012. The Holy See reported anti-Christian incidents in 12 participating States in 2012.