

Declaration by the Leadership Conference on Civil Rights

Conference on Racism, Xenophobia and Discrimination
Sponsored by the Organization for Security and Cooperation in Europe
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The Leadership Conference on Civil Rights (LCCR) is the oldest, largest, and most diverse civil and human rights coalition in the United States. Founded in 1950, LCCR consists of more than 185 national organizations, representing persons of color, women, children, labor unions, individuals with disabilities, older Americans, major religious groups, gays and lesbians and civil liberties and human rights groups. Together, over 50 million Americans belong to organizations that comprise LCCR.

Over the years, LCCR has been at the forefront of efforts to combat all forms of racism, xenophobia, and discrimination in the United States. This year, the LCCR organized a broad delegation of civil rights leaders to the Berlin OSCE conference in April to demonstrate the support of the American civil rights community for the fight against anti-Semitism. Some LCCR members participated in the Paris OSCE conference in June to share experiences about how to combat online hatred while protecting the right of free expression. Today, we are here in Brussels with a similarly broad, diverse coalition of leaders to show our solidarity with the fight against racism throughout the OSCE region, to share our experiences and to learn from others.

Communities within the United States have learned the hard way that the failure to address prejudice and bias motivated crimes can cause an isolated incident to fester and result in widespread tension. Hate crimes have a special emotional and physical impact that extends beyond the original victim. They intimidate others in the victim's community, causing them to feel isolated, vulnerable, and unprotected by the law. By making members of a specific group fearful, angry and suspicious, these acts can polarize communities and damage the very fabric of our society.

LCCR, as a defender of human rights, views racism, xenophobia and discrimination anywhere as a serious human rights concern, and calls upon the OSCE as an institution and its Participating States to undertake a program of action to work towards its prevention.

As the OSCE moves forward to implement the Maastricht Decision urging states to gather hate crime data in cooperation with institutions such as the European Commission against Racism and Intolerance (ECRI) and the European Union Monitoring Center on Racism and Xenophobia (EUMC), NGOs have a critical role to play in working with law enforcement authorities and civic leaders to ensure effective reporting and enforcement and to raise the necessary awareness to promote hate crime reporting by victims.

We commit ourselves to intensify efforts to combat racism, xenophobia and discrimination and to promote and strengthen acceptance and non-discrimination in the civil society community.

We commit to working with NGO partners to learn from each others' experience and to share best practices in the fight against racism, xenophobia and discrimination.

We urge the OSCE and its participating states to implement a program of action to ensure that all individuals may fully enjoy their human rights on an equal basis, in security and dignity.

We strongly urge states to take the following actions to address racism, xenophobia and discrimination, and the hate-related violence that they cause:

I. Legislative and Institutional Mechanisms and Government Action, including Law Enforcement

1. Reaffirm OSCE commitments to take effective measures to combat racism, xenophobia and discrimination.
2. Authorize OSCE to monitor incidents of hate crimes, publicly report findings, and encourage participating states to institute hate crime data collection mechanisms where none exist.

Hate crime data collection efforts will increase public awareness of the problem – and spark improvements in the response of the criminal justice system to hate violence. Studies in the United States have demonstrated that victims are more likely to report a hate crime if they know a special reporting system is in place.

3. Task OSCE with monitoring and reporting about the nature of racism, xenophobia and discrimination to help states identify, report, and respond to hate crime incidents accurately.
4. Appoint a high-ranking official within OSCE, with a meaningful budget, to implement a plan of monitoring and reporting hate crime activity.
5. Urge OSCE's law enforcement arm to craft a training model to ensure law enforcement officials can recognize hate crimes and develop transparent procedures for recording and responding to these incidents.

Law enforcement officials can advance police-community relations by demonstrating a commitment to be both tough on hate crime perpetrators and sensitive to the special needs of hate crime victims. As stated in the International Association of Chiefs of Police's National Policy Center's Concepts and Issues Paper on Hate Crime (May, 2000): "Swift and effective response to hate crimes helps to generate the

degree of trust and goodwill between the community and its law enforcement agency that has long-term benefits for all concerned.”

6. Ensure that each nation’s national legal systems provide effective protection against all forms of racism, xenophobia and discrimination, in conformity with international and regional antidiscrimination and human rights standards. Undertake measures to ensure effective implementation of legislation prohibiting discrimination and incitement to crimes based upon hatred and that action is taken against institutions and individuals responsible for violating these norms.

Hate crime penalty enhancement statutes demonstrate an important commitment to confront criminal activity motivated by prejudice. The intent of penalty-enhancing hate crime laws is not only to reassure targeted groups by imposing serious punishment on hate crime perpetrators, but also to deter these crimes by demonstrating that they will be dealt with in a serious manner. Under these laws, no one is punished merely for racist thoughts or ideology. But when prejudice prompts an individual to act on these beliefs and engage in criminal conduct, a prosecutor may seek a more severe sentence, but must prove that the crime was motivated by bias or that the victim was intentionally selected because of his/her personal characteristics.

7. Recruit and train law enforcement officers in a way that will reduce the likelihood of racial and ethnic profiling and other discriminatory forms of police conduct. Recruiting efforts should emphasize racial and ethnic diversity, consistent with the makeup of the communities being served. Training should strongly discourage discriminatory treatment or hate-motivated conduct by law enforcement officers. Jurisdictions should establish community oversight/citizen complaint review boards in order to provide monitoring of recruitment, training and deployment of law enforcement officers. These boards should be independent with their own separate & adequate budgets for staffing, including investigatory staff, and should have power to gather internal information, issue subpoenas and initiate hearings.

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

1. Condemn unequivocally, at the highest levels, all manifestations of racism, xenophobia and discrimination, and make clear that criminal conduct motivated by hatred and intolerance is unacceptable and will be appropriately punished.

Government leaders should seek opportunities to speak out against bigotry, intolerance, and prejudice in their society. It is hard to overstate the importance of outspoken leadership in opposition to all forms of bigotry. Civic leaders set the tone for public discourse and have an essential role in shaping attitudes. Politicians and civic leaders

should never engage in divisive appeals based on race, ethnicity, national origin, gender, sexual orientation, or religion.

2. Ensure swift and thorough investigations into incidents of bias-motivated violence and vandalism, as well as acts of discrimination – making sure that those found responsible are subjected to prosecution.
3. Urge legislatures to form parliamentary groups to help OSCE commitments translate into national action plans and craft legislation where necessary.
4. Urge OSCE states to condemn the use of racist, xenophobic and discriminatory themes by political parties.

III. Combating Discrimination against Migrant Workers and Facilitating their Integration into the Societies in which They Are Legally Residing

1. Sign on to the U.N. International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (MWC), which provides a comprehensive framework for the protection of the human rights of migrant workers.
2. Avoid equating efforts to reduce illegal immigration with the international campaign against terrorism.

IV. Promoting Tolerance, Respect for Diversity and Non-Discrimination through Education and Media, Particularly among the Younger Generation

- OSCE Participating States should strongly encourage the media to lend its support to the fight against racism, xenophobia and discrimination.
 1. Media outlets should be encouraged to select programming that fosters an appreciation of diversity and shows the harms caused by racial, ethnic, national and religious intolerance.
 2. Member states can and should utilize public and paid media to launch public service announcements and other similar forms of educational outreach, using messages that discourage intolerance and discrimination.
 3. The growth of hate speech and other forms of intolerance on the Internet should be countered through substantial efforts to develop educational websites and online materials. Such sites and materials should be heavily promoted throughout the Internet.
- OSCE Participating States should develop and institute appropriate anti-bias education programs designed to make schools a safer environment.

There is growing awareness of the need to complement tough laws and more vigorous law enforcement – which can deter and redress violence motivated by bigotry – with education, training, and diversion initiatives designed to reduce bias-motivated violence. In the United States, the American Psychological Association (APA), in a landmark 1993 report, documented the role of prejudice and discrimination in fostering social conflict that can lead to violence. Educational resources are effective tools to alter attitudes and behaviors – which in turn can prevent and reduce acts of hatred and discrimination. The APA report asserted that education programs that reduce prejudice and hostility are integral components of plans to address youth violence. The report concluded that conflict resolution and prejudice reduction programs can provide needed information and skills to prevent youth violence. OSCE states can play a central role in funding program development in this area and promoting awareness of best practices, programs, and initiatives that work.