



NGO Preparatory Roundtable  
For the Tolerance Implementation Meeting:  
Addressing the Hate Crimes Data Deficit

***Recommendations***

Vienna, 8 November 2006

On 8 November 2006, the Office for Democratic Institutions and Human Rights of the OSCE gathered 25 civil society representatives from across the OSCE region in Vienna to discuss how hate crime data collection can be improved and to examine the role that civil society can play in this respect. The aim of the NGO roundtable was to share expertise and develop recommendations for presentation at the Tolerance Implementation Meeting: Addressing the Hate Crime data deficit, 9-10 November.

The recommendations were presented in a keynote speech during the opening plenary of the Tolerance Implementation Meeting by M. Michael Whine, Director, Government and International Affairs of the Community Security Trust, United Kingdom.

### **Introduction**

- We are grateful to the Chairmanship and the ODIHR for initiating an NGO roundtable to prepare recommendations for the Tolerance Implementation Meeting;
- We welcome the opportunity for civil society Delegates to give keynote speeches, and in particular to present the conclusions and the recommendations of the preparatory roundtable to the Implementation Meeting;
- We recommend that this initiative be institutionalized in future OSCE conferences and meetings;

### **Areas of concern**

- We note the continuing alarming rise of hate crimes in certain parts of the OSCE region;
- We remind participating States that democratic institutions and the rule of law are the absolute prerequisite for the adequate tackling of hate crimes;
- We call on all participating States to recognize hate crimes and to respond according to the commitments they have made;
- We express particular concern about situations in which hate crimes are committed with the collusion or the direct complicity of government agents;
- We express concern that certain governments and officials deny the occurrence of hate crimes;
- We are concerned about the attitude of certain governments that obstruct the work of human rights defenders who confront and combat hate crimes and fail to provide adequate protection from threats and violence;
- We are concerned about the longstanding institutional prejudice that obstructs the recording, investigation and prosecution of hate crimes;

- We commend the vital role an independent media plays in publicizing hate crimes and raising awareness of threats posed by hate groups;
- We are concerned about the misuse of legislation enacted to combat extremist activities to curtail freedom of speech and association;

### **To the participating States**

- We remind participating States of their obligation to comply with international standards relevant to discrimination and hate motivated violence;
- We remind participating States of their commitment to provide hate crime statistics on a regular basis and to respond to violent manifestations of intolerance;
- We stress the need for data to be publicized in a comprehensive way and on a regular basis
- We recommend that participating States establish specialized bodies, if they have not already done so, or strengthen existing ones to collect statistical data on hate crimes, including tracking of cases through the criminal justice system ;
- We recommend that participating States should use the ODIHR working definition to develop a minimum standard for hate crimes monitoring
- We commend participating States that have introduced a provision in their criminal code qualifying hate motivation as an aggravating factor and encourage other States to adopt similar provisions;
- We recommend that all grounds of discrimination including age, disability, gender, social status, political and religious belief and sexual orientation should be included in data on hate crimes;
- We stress that data on hate crimes should not only be used as a management tool but should be used to formulate effective policies to respond to hate crimes;
- We urge the provision of psychological, medical and legal support to victims by specialized bodies;
- We recommend that victims' surveys be conducted so as to identify patterns of hate crimes;
- We recommend provision for non governmental bodies to act as intermediaries between victims and law enforcement bodies, to forward incident reports and to represent victims in official communications;
- We recommend that law enforcement agencies should take account of victims' perceptions when recording hate crimes and also be sensitized to respond to the needs of victims;

- We recommend that law enforcement officers receive training to recognize the hate motivated elements of crimes in order to accurately record complaints;
- We recommend that law enforcement agencies publicize records on hate crimes in a comprehensive and timely manner;
- We recommend that participating States appoint public prosecutors with a specific competence and mandate and task specific police units to investigate hate crimes;
- We recommend that prosecutors and judges receive training in order to implement existing legislation;
- We encourage the development of guidelines for penalty enhancement for hate crimes;
- We recommend that law enforcement agencies provide NGOs with information on hate crimes;
- We recommend that specialized bodies acknowledge the information and data provided by civil society representatives and establish consultation mechanisms with civil society when reporting;
- We recommend that participating States recognize the added value of the work of community based organizations and support their activities to combat hate crimes
- We recommend that participating States consider next steps after the 2004 Paris Conference on hate on the internet which pointed to the growing relationship between incitement online and violent hate crime;
- In line with the Maastricht Decision 12/03 we urge participating States to support civil society initiatives that monitor and gather data on internet hate speech and incitement;

#### **To civil society**

- We stress the importance for civil society to collect quantitative and qualitative consistent data
- We recommend that civil society agree on using the ODIHR working definition of hate crime and decide on a common methodology to monitor hate motivated violence

#### **To the OSCE**

- We urge the OSCE to call yet again on States to implement commitments they have made to monitor and combat hate crimes
- We recommend that the OSCE Personal Representatives on discrimination and xenophobia, anti-Semitism, and Discrimination against Muslims must play an active role in raising awareness of the importance of monitoring and reporting hate motivated violence throughout the OSCE region;

- We recommend that the OSCE supports civil society projects aiming at addressing hate crimes, especially when monitoring and reporting and when providing assistance to victims;
- Recognizing the role of networks and coalitions in producing consistent data on hate crimes and hate on the internet, we recommend that the OSCE further strengthen the development of networks and coalitions of NGOs.