

Dr. Valery Engel,
President of the European Center for Democracy
Development

Ladies and gentlemen,

Our organization monitors xenophobia, racism and radical nationalism in Europe. We are very grateful for the cooperation and the great work being done by the OSCE in the collection and dissemination of information on hate crimes in European area.

I want to note that over the past year and a half the situation in the area of hate crimes has deteriorated significantly. There is a total increase in crime.

I draw your attention that only in Germany, which has always belonged to the category of stable tolerance States were committed in 2014, 229 acts of xenophobic vandalism. Of these, 172 attacks were committed against the institutions related to immigrants.

In Ukraine it was committed 51 murder Hate (without war crimes) - the monstrous figure compared to previous years. Of these, 48 people were killed during the pogrom in Odessa, May 2, 2014. When compared to Charly Ebdo and there killed 17 people. Please note, ladies and gentlemen, that none of the world leaders did not express condolences to the Ukraine, and the perpetrators have not been punished yet. Noteworthy and the growth of inter-ethnic clashes in the first stable countries such as Italy, Germany and the Ukraine, where there were an attack on a group of color students in Kharkov, as well as attacks on LGBT demonstration in Kiev.

Only in two countries we can fix the drop of statistics on the hate crimes. There are Greece and Russia. In these countries we fixed the double reduction in the number of hate crimes.

One of the reasons is obvious shortcomings and gaps in the legislation. So in a number of countries, such as Hungary, Poland, Italy, Ukraine, partly Germany, racism is not an aggravating factor in the commission of crimes. The Russian anti-discrimination legislation remains underdeveloped.

In Ukraine we have an unique situation when in 1998 by a decision of the Ministry of Justice was abolished the official body, which was authorized to conduct the examination in the field of inter-ethnic relations (Order of 8.10.1998 № 53/5 «On Approval of the appointment and conduct of court Expertise and expert studies and methodological recommendations on the preparation and the appointment of forensic examination and expert research", which shows the organization of experts on different branches).

Thus, in Ukraine there is no authority's body that could issue an opinion on whether there is a hate crime or not, and the final decision of law enforcement officials.

The problem remains the lack of infrastructure to work with the population on the prevention of hate crimes. This infrastructure is available, for example, in the Netherlands or the UK, but in other countries there is no difference in the approach to the fight against hate crimes and common crimes.

So far there are no common standards regarding hate crimes. Hence the apparent confusion in the statistics.

My recommendations of the OSCE:

1. It is necessary to detail and carefully to standardize the concept of hate crimes.
2. The recommendations of the OSCE needed to build the infrastructure to work with the population in the countries of the OSCE.
3. It is necessary to lead OSCE monitoring of the legislation on the subject of analysis of how the hate motive affect the classification of the crime.