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Address at the working session 2 - "Tolerance and non-discrimination II"

Mr. Chairman, distinguished members of the conference!

On more than one occasion, representatives of our Center spoke highly about successful law enforcement efforts against hate crimes in Russia. Unfortunately, we have to admit that over the last two years the positive trend has clearly exhausted itself.

The number of hate crimes is no longer falling.

We have also observed that the groups, committing these crimes, in addition to their assaults on ethnic minorities (who, unfortunately, constitute their customary targets) have started to attack other groups of citizens, most frequently religious minorities or LGBT. In general, these groups don't usually target a particular minority; their activities are directed against everyone perceived as enemy of the nation they are striving to represent.

I do not have time to dwell on particular aspects of racist activity, but I ask you to take a look at the report, available on the tables in the lobby – the report of the Russian Jewish Congress on anti-Semitism, which in Russia is usually overshadowed by other hate crimes.

We are very concerned about the fact that a number of far-right groups in Russia have learned new methods of hate attacks, disguised as protection of public interests - for example, as the fight against pedophilia, against low-quality products at street markets or against residential registration regime violations. These relatively new methods of perpetuating violence are practically immune from prosecution, since interpreting these actions as unlawful, while possible, is somewhat more difficult than in case of traditional skinhead-style brutal attacks. Impunity leads to escalation of violence and attracts an ever-increasing number of young people.

The xenophobic rhetoric, widespread in the political and social mainstream constitutes one reason for this development; it gives racists an impression that they might soon gain mainstream acceptance as well. Another reason relates to problems associated with the deficiencies of legal framework and law enforcement that were discussed in our previous reports, but still remain unsolved. It is sufficient to mention that the number of people convicted for the xenophobic remarks in 2012 and 2013 was 50% larger than the number of those, convicted for violent hate crime, indicating an obvious law enforcement bias.

You can find out more about these issues from our materials that are available in the lobby. Now we can proceed directly to the recommendations, and to some extent, alas, they will repeat the ones we have introduced here on earlier occasions.

Our recommendations:

For the OSCE

1. Compile and distribute the experience gained from prior comprehensive efforts against groups that practice racist violence, including specific criminal investigations, detection and destruction of the groups' infrastructure, isolation of their funding sources, identifying organizers and coordinators of violent actions, etc. Hold an international expert workshop on this topic, if needed.
2. Organize a seminar for law enforcement officials from different countries, presenting a summary of successful practices for collecting information and recording hate crimes statistics.

For the OSCE Participating States

1. More actively use the information collected by non-governmental organizations that perform systematic monitoring of racist groups, and consult NGOs on law enforcement issues. Despite methodological, and even political, differences, such cooperation can be very productive.
2. Adjust the legislative framework covering hate crimes and related activities, including public incitement, organizing, financing, etc. Legislation should focus law enforcement efforts, first and foremost, on prosecuting the most dangerous crimes against the person. The internal policies and regulations of the law enforcement agencies should reflect the same priorities.
4. Change the crime reporting system so that suspected hate motive could be recorded at any stage, including the earliest one. Specialized police units are more effective in investigating hate crimes, but regular police should conduct such investigations as well..
5. Publish hate crime statistics, highlighting the different types, regions, and number of victims. Official statistics should be based on court decisions (for both proven and unproven cases), and not on the number of opened criminal cases.
6. Actively participate in the TAHCLE training program for police officers.
7. Train law enforcement personnel in detecting and deterring any unusual forms of offenses motivated by racial and similar hatred.

For NGOs

1. Actively participate in monitoring of hate crimes.
2. Organize public debates in order to explain the importance and meaning of the combating hate crimes and discrimination to citizens.