

OSCE Human Dimension Implementation Meeting 2015
Statement by the Delegation of Canada
Tuesday, September 29, 2015

Working Session 12 - Combating hate crimes and ensuring effective protection against discrimination

Madam Moderator,

As a country who sees diversity as a source of strength and innovation, Canada attaches the greatest importance to combating hate crime and discrimination. Every year, we welcome more than 200,000 newcomers, roughly 85% of which will eventually become naturalized citizens. In 2011, Canada had a foreign-born population representing 20.6% of the total population, the highest proportion among the G7 countries.

Through our legal and policy framework, we seek to build an integrated, socially-cohesive society by fostering intercultural understanding, civic memory and pride, respect for core democratic values, and by promoting equal opportunity for individuals of all origins. Canada has a strong legal and policy framework in place to combat discrimination. The framework includes protections and prohibitions in the *Canadian Charter of Rights and Freedoms*, federal and provincial human rights statutes, the *Criminal Code*, and other legislation.

Canada strongly condemns hate crime, and is actively combating it through a combination of measures that include the application of our criminal law and related laws, and through special programs such as media education programs. In 2013, police reported 1,167 criminal incidents that were motivated by hate, 17% fewer incidents than in 2012. About half of these crimes were motivated by race or ethnicity, 28% by religion and 16% by sexual orientation. This data can also be further disaggregated and is fully available online.

Canada's Nationally Standardized Data Collection on Hate-Motivated Crime Initiative promotes and increases standardized reporting and monitoring of hate crimes by Canada's police services. Its activities include supplemental data collection on hate crimes, police training to improve data consistency, verification to ensure the accuracy of the data, annual reporting of the data collected, and participation in national and international forums.

We note that, despite the efforts of ODIHR and many participating States, serious gaps remain in the data collection activities of many others. We encourage them to match words with actions by putting into place solid frameworks for data collection systems that address all forms of hate crime.

Madam Moderator,

Canada is particularly concerned by the selective approach taken by some OSCE participating States. Even as they denounce racism, anti-Semitism and other forms of hate, they fail to address violence and discrimination based on identity or sexual orientation. They also aggravate the risk of violence by creating differential treatment and access to services, and subjecting people to laws that criminalize many aspects of LGBT life. This is contrary to the very spirit of our OSCE commitments on human rights, hate crime, tolerance and non-discrimination.

Canada's recommendations for this session are:

- For participating States, to develop or improve their monitoring and data collection of hate crime and implement whole of government approaches to combating hate, violence and discrimination.
- For participating States, to develop and implement legislation to combat hate-motivated violence.
- For participating States, to ensure that hate crimes committed against persons because of their sexual orientation are included within their definition of hate crime in their national criminal codes.