



**SUPPLEMENTARY HUMAN DIMENSION MEETING
ON**

**HATE CRIMES –
EFFECTIVE IMPLEMENTATION OF LEGISLATION**

Side Event: Roundtable for Civil Society

**4 - 5 May 2009
HOFBURG, VIENNA**

RECOMMENDATIONS BY CIVIL SOCIETY REPRESENTATIVES

From 2006 onwards, the OSCE human dimension events related to tolerance and non-discrimination have been preceded by civil society meetings where participants formulated recommendations to the OSCE participating States and to the OSCE institutions. These meetings have given civil society the opportunity to discuss current issues and priorities related to the topics of the OSCE conferences, to inform governments of the results of their activities, to share best practices and to engage in coalitions and networks across the region. Since the meetings have resulted in pertinent and constructive recommendations, and since the OSCE has committed to strengthen the involvement of civil society at policy level, the Supplementary Human Dimension Meeting on Hate Crimes – Effective Implementation of Legislation was also preceded by a Roundtable for civil society.

The side event was attended by thirty representatives of non-governmental organizations.

The main topics of the discussion were:

- 1) Mapping the gap between commitments and implementation, and
- 2) Practical steps to improve performance in hate crimes cases.

The participants also took note of the fact that the OSCE participating States agreed at the Ministerial Council in Maastricht in 2003 to record hate crime data and to make it available to the public, and have subsequently taken on numerous other commitments to respond to hate crimes.

In light of these discussions, the participants generated the following recommendations:

1. Governments, that have not yet done so, should enact laws that establish specific offenses or provide enhanced penalties for violent crimes committed because of the victim's race, religion, ethnicity, sexual orientation, gender, gender identity, mental and physical disabilities, or other similar status.
2. Governments should maintain official systems of monitoring and public reporting to provide accurate data for informed policy decisions to combat violent hate crimes. Such systems should include anonymous and disaggregated information on bias motivations and/or victim groups, and should monitor incidents and offenses, as well as prosecutions.
3. Governments should encourage systems of reporting by third parties for victims unable or unwilling to report hate crimes directly to police and criminal justice agencies.
4. Governments should ensure that those responsible for hate crimes are held accountable under the law and that the record of their enforcement is well documented and publicized.
5. Governments should ensure that police and investigators are specifically instructed and have the necessary procedures, resources and training to identify, investigate and register bias motives before the courts, and that prosecutors have been trained to bring evidence of bias motivations and apply the legal measures required to prosecute hate crimes.
6. Governments should ensure a thorough investigation and response to any reports of harassment and other abuses against hate crime victims.
7. Governments should put in place inspection and evaluation procedures, to ensure that police and prosecutors are meeting their responsibilities to investigate and prosecute hate crimes.
8. Governments should conduct outreach and education efforts to communities and civil society groups to reduce fear and assist victims, advance police-community relations, address language barriers, encourage improved reporting of hate crimes to the police and improve the quality of data collection by law enforcement bodies.
9. Governments should develop and implement targeted prevention programs and initiatives to combat hate crimes.
10. Governments should support and encourage the ODIHR:

- To ensure that the Law Enforcement Officer Program on Combating Hate Crime (LEOP) has the support it needs and that participating states are taking part in this program.
- To convene regular meetings of the National Points of Contact on Combating Hate Crimes, with the full participation of civil society groups and representatives of specialized anti-discrimination bodies.
- To disseminate widely ODIHR's legislative guidelines on hate crimes.
- To develop a comprehensive capacity building program for civil society organizations and representatives to document and combat hate crime.
- Conduct research on the phenomenon of hate crimes committed by extremist groups.