

**OSCE Conference on Combating Discrimination and Promoting Mutual Respect and Understanding - Follow-up to the Cordoba Conference on Anti-Semitism and Other Forms of Intolerance  
Romania, Bucharest, 7 - 8 June 2007**

**Plenary Session #4 Legislation in the field of tolerance and non-discrimination; the role of law enforcement in combating hate crimes: data collection on hate crimes.**

Organization: National Anti-Racism Council of Canada.  
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Thank you Mr. Chairman

My name is Estella Muyinda and I represent the National Anti-Racism Council of Canada, a Canadian Non-Governmental Organization, where I am the Executive Director. The views I express today are those of my organization.

The National Anti-Racism Council of Canada, a national, regional and local community based organization that provides a national voice against racism, racialization and all forms of related discrimination.

NARCC states that racism is about hate and should be constructed as a hate crime. In most cases law enforcement is unaware of these incidents as hate motivated crimes therefore they are under reported.

The reluctance to report these incidents may be due to the strained historical relationship between law enforcement and the stakeholder community.

The under reporting is exacerbated by the lens through which the incident is recorded. For instance a hate motivated incident is reported as an assault. (nevertheless some law enforcement agencies have recognized this short coming) The discourse regarding the tension between the police and racialized communities focuses on language and culture perspectives.

Investigation units may attempt to bridge the gap between cultural differences, however, little attention is paid to police abuse of power against the stakeholder groups. The recent memory of law enforcement actions provokes inaction due to a fear of police.

Recommendation to OSCE strates including Canada

- To ensure good record keeping and reporting, we recommend that all law enforcement agencies and all those involved in the criminal justice system undergo periodic cultural competency training.

Concerning data collection: In large cities there is better crisis management of hate crimes compared to smaller cities and towns. Thus the collection of data is tricky.

Further, the categories of the data collection measures may omit key areas such as religion of the individual.

It is recommended to OSCE states including Canada

- that stakeholder communities be consulted in creating the categories of such data collection measures.
- That OSCE states follow the example of Canada and support a national data collection of hate crimes
- And particularly in Canada, support for the establishment of initiatives across Canada such as the Youth Restorative Action project, a committee that works with young offenders whose crimes may have been motivated by hate, racism or other significant issues and the data collection process from the established committees.