

TALKING POINTS FOR THE OPENING OF COJEP SIDE EVENT

Ladies and Gentlemen and Distinguished Delegates,

First of all, I would like to congratulate COJEP International on this very timely and important initiative.

COJEP International has long been ODIHR's one of key partner NGOs in combating hate crimes.

Hate crimes are message crimes. The offender aims to send a message to the members of a certain group that they are not welcome and that they are despised. As such, hate crimes have a much larger impact on the society. Not only the individual victim, but also those who share the same ethnic, religious or cultural characteristics with him or her feel threatened and terrorized. Therefore, the sharp rise of hate crimes would eventually lead to deterioration of inter-ethnic and inter-cultural relations in a society, leading to increasing tensions and anxiety.

Responsibility for responding to and preventing hate crimes primarily falls on the shoulders of States and failing in to do so is a violation of human rights. As hate crimes are message crimes, developing appropriate responses to hate crimes would send a message that such attitudes and behaviors are not acceptable in a democratic society respecting human rights.

This is a multifaceted task which requires States to take certain positive actions, which includes: 1) creation of a solid legal framework, 2) development of appropriate data collection mechanisms, 3) increasing the capacity of law enforcement officers, and 4) improving cooperation between civil society and government officers.

Of course, on the top of this, States should raise awareness and develop educational policies and programs to reduce negative stereotypes and prejudice against certain groups.

These measures should guarantee that all vulnerable groups are protected against hate crimes on equal basis. This is a very important message that States should send to the society.

However, as pointed out in our 2008 Hate Crime Report, hate crimes against Muslims, similar to Roma and Sinti and LGBT's, are grossly under-reported and

under-recorded. Hate crime victims belonging to these groups often fail to report their cases, as they fear reprisal, distrust the police, or believe that their complaint will not be taken seriously. According to a recent report of FRA, in 10 of all Muslims surveyed (11%) was a victim of racially motivated 'in-person crime' (assault, threat or serious harassment) at least once in the previous 12 months. But of those victims, between 53% and 98%, depending on their country of residence, did not report it to the police. A significant majority of OSCE participating States also informed ODIHR that their hate crime data collection mechanisms do not have a specific category of anti-Muslim hate crimes. For ODIHR's 2009 Hate Crime Report, out of 56 participating States, only two submitted information on the number of anti-Muslim hate crimes that took place in the last year. There is still very limited information provided by civil society on hate crimes against Muslims.

Under-reporting and under-recording impose two main challenges to the capacity of States to respond to and prevent anti-Muslim hate crimes:

- 1) States need to know the real extent of hate crimes in order to respond to them accordingly. Without such data, effective policies to prevent hate crimes against Muslims cannot be developed.
- 2) In the lack of reliable data, the issue of anti-Muslim hate crimes will be open to speculations.

I hope that this side event would contribute to raise more awareness of need for collecting and maintaining anti-Muslim hate crimes and create a forum to start discussing the challenges to monitor and report anti-Muslim hate crimes more effectively.