

# MAIN KEY OBSERVATIONS

## 1. NPC Nomination

- ODIHR recognizes participating State XXX's efforts in/to ... However, it observes that the participating State XXX has not nominated a National Point of Contact on hate crimes.
- ODIHR recalls that in the Ministerial Council Decision 9/09, participating States have committed to nominate a national point of contact on hate crimes to periodically report to the ODIHR reliable information and statistics on hate crimes. ODIHR stands ready to provide any possible assistance in this relation.

## 2. Data – no reporting to ODIHR

- ODIHR recognizes participating State XXX's efforts in/to ... However, it observes that the participating State XXX has not reported information and statistics on hate crimes to ODIHR since ....
- ODIHR recalls that in the Ministerial Council Decision 9/09, participating States have committed to periodically report to the ODIHR reliable information and statistics on hate crimes. ODIHR stands ready to support XXX in meeting the relevant commitment through its comprehensive resources and tailored assistance.

## 3. Data – not collected

- ODIHR recognizes participating State XXX's efforts in/to ... However, based on available information, it observes that the participating State XXX does not collect data and statistics on hate crimes. ODIHR recalls that in the Ministerial Council Decision 9/09, participating States have committed to collect reliable data and statistics on hate crimes. ODIHR stands ready to support XXX in meeting the relevant commitment through its comprehensive resources and tailored assistance.

## 4. Data – some records not reported

- ODIHR recognizes participating State XXX's efforts in/to ... as well as the submitted information on ... / police / prosecution / judiciary records. However, based on available information, it observes that since ..., the participating State XXX has not reported data on hate crimes recorded by police / prosecution / judiciary to ODIHR. ODIHR recalls that in the Ministerial Council Decision 9/09, participating States have committed to collect reliable data and statistics in sufficient detail on hate crimes and to report such periodically to ODIHR. ODIHR stands ready to support XXX in meeting the relevant commitments through its comprehensive resources and tailored assistance.

**5. Data –  
low recording,  
reporting**

- **ODIHR recognizes participating State XXX's efforts in/to ... However, based on available information, it observes the low numbers of officially recorded hate crimes.**  
ODIHR recalls that in the Ministerial Council Decisions 9/09 and 12/04, participating States have committed to collect reliable data and statistics, take appropriate measures to encourage victims to report hate crimes, including through cooperation with civil society, and to make use of all reliable information available. To that end, a robust system for hate crime recording / initiatives to encourage victims to report must be introduced. ODIHR stands ready to support XXX in meeting the relevant commitments through its comprehensive resources and tailored assistance.

**6. Data –  
bias motivation  
not recorded**

- **ODIHR recognizes participating State XXX's efforts in/to ... However, based on available information, it observes that the law enforcement agencies of the participating State XXX have not recorded the bias motivations of hate crimes.**  
ODIHR recalls that in the Ministerial Council Decision 9/09, participating States have committed to promptly investigate hate crimes and ensure that the motives of those convicted of hate crimes are acknowledged. To that end, the law enforcement must, first of all, record the bias motivation of hate crimes. ODIHR stands ready to support XXX in meeting the relevant commitments through its comprehensive resources and tailored assistance.

**7. Data –  
separation of hate  
crimes**

- **ODIHR recognizes participating State XXX's efforts in/to ... However, based on available information, it observes that participating State XXX's hate crime recording and statistics do not sufficiently distinguish hate crimes from other crimes.**
- ODIHR recalls that in the Ministerial Council Decision 9/09, participating States have agreed to a definition of hate crime shared by all OSCE participating States. It has also committed to collect reliable data and statistics on hate crimes. To that end, hate crimes need to be distinguished throughout the recording and data collection process from .... crimes. ODIHR stands ready to support XXX in meeting the relevant commitments through its comprehensive resources and tailored assistance.

**8. Data –  
publication**

- **ODIHR recognizes participating State XXX's efforts in/to ... However, based on available information, it observes that the participating State XXX has not made the hate crime data public.**  
ODIHR recalls that in the Ministerial Council Decision 9/09, participating States have committed to make reliable and detailed data and statistics on hate crimes public. ODIHR stands ready to support XXX in meeting the relevant commitments through its comprehensive resources and tailored assistance.

# COMPLEMENTARY KEY OBSERVATIONS

## 9. Legislation

- **ODIHR observes that the participating State XXX would benefit from reviewing the existing legal framework in order to ensure that bias motivation can be effectively acknowledged and appropriate penalties imposed on the perpetrators.**

ODIHR recalls that in the Ministerial Council Decision 9/09, participating States have committed to enact specific, tailored legislation to combat hate crimes, providing for effective penalties that take into account the gravity of such crimes. ODIHR stands ready to support XXX in meeting the relevant commitments through its comprehensive resources and tailored legislative advice.

## 10. Training, Capacity-building

- **ODIHR observes that State XXX would benefit from raising awareness and building capacity of criminal justice officials about hate crimes.**

ODIHR recalls that in the Ministerial Council Decision 9/09, participating States have committed to introduce or further develop professional training and capacity-building activities for law-enforcement, prosecution and judicial officials dealing with hate crimes. ODIHR stands ready to support XXX in meeting the relevant commitments through its comprehensive resources and tailored capacity building assistance for police, prosecution, and judiciary.

## 11. Victim Support Mechanisms

- **ODIHR observes that the participating State XXX would benefit from developing its victim support system to ensure effective access to justice / assistance / protection for hate crime victims.**

ODIHR recalls that in the Ministerial Council Decisions 9/09 and 13/06, participating States have committed to provide hate crime victims with access to counselling and legal assistance, as well as effective access to justice; to increase a positive interaction between police and victims of hate crimes by training front-line officers, including in providing referrals for victim assistance and protection. ODIHR stands ready to support XXX in meeting the relevant commitments through its comprehensive resources and assistance.

## 12. Cooperation with Civil Society

- **ODIHR observes that the participating State XXX would benefit from strengthening inclusion of, collaboration with, and facilitating work of civil society working on hate crimes and with its victims.**

ODIHR recalls that in the Ministerial Council Decisions 9/09 and 13/06, participating States have committed to a proactive and inclusive approach towards civil society which plays a key role in addressing hate crimes comprehensively, namely in reaching out to victims of hate crime and the whole victimized communities, and providing assistance to hate crime victims. ODIHR stands ready to support XXX in meeting the relevant commitments through its comprehensive resources and assistance.

## 13. Comprehensive approach

- **ODIHR observes that the participating State XXX would benefit from ensuring that hate crimes are addressed in a comprehensive manner, including by introducing a coordination mechanism.**

ODIHR recalls that in the Ministerial Council Decisions 9/09 and 13/06, participating States have committed to ensure a comprehensive approach to hate crimes. To that end, the authorities and civil society need to collaborate and coordinate. ODIHR stands ready to support XXX in meeting the relevant commitment through its comprehensive resources and tailored assistance.