When hate crime victim Kazeem Busari was asked about the effectiveness of the Polish authorities in investigating and prosecuting racist incidents, he reaches for a dancing metaphor: “It takes two to tango.”

“If you are the victim of a hate crime, but you don’t report it to the authorities, there’s not much they can do about it,” the Warsaw-based African-community activist said during a break in a women of African descent workshop organized by ODHIR in 2014.

The 38-year-old Nigerian, who is currently helping with an ODHIR-supported drive to encourage immigrants to report hate crime incidents, knows what he is talking about.

“White power” meets its match

When a group of youths started taunting Busari with money grunts and shouts of “white power” as he was vacationing in the Polish countryside last year, he knew exactly what to do. He went straight to the local police station to file a complaint.

“The young police officer I talked to was friendly, but he didn’t really think there was much he could do as none of the guys had actually hit me,” Busari recalls. So Busari - aware that Polish law categorizes certain forms of speech as a hate crime - asked to see the officer’s superior, who turned out to be a graduate of TAHCLE (Training Against Hate Crimes for Law Enforcement), a programme established by ODHIR in 2012 to help police improve their skills in recognizing, understanding and investigating hate crimes.

Even though Busari would have been content if the troublemakers had been let off with a warning, the senior officer was insistent: This was a hate crime, and the case had to go to court.

The youngsters were found guilty and fined.

Busari attributes the positive results to lessons he learned at a 2012 ODHIR-hosted seminar for Africans resident in Poland. “We called the meeting to thrash out the problems these people were facing, and one of the issues that we dealt with was: What constitutes a hate crime, and what you can do about it if you are a victim?” said Larry Olomofe, ODHIR Adviser on Combating Racism and Xenophobia. “The fact that he went on to put theory into practice gave me great satisfaction.”

Read further:

hatecrime.osce.org/infocus/two-tango--police-and-hate-crime-campaigners-dancing-step

HATE CRIMES IN THE OSCE REGION
Incidents and Responses

Civil Society Contributions to OSCE-ODIHR Hate Crime Reporting Website

Civil society plays a crucial role in monitoring and reporting hate crimes. Data provided by civil society groups and organizations form an important part of OSCE-ODIHR’s hate crime data collection and offer indispensable context to participating States’ reporting on hate crimes.

OSCE’s Office for Democratic Institutions and Human Rights (ODIHR) helps raise awareness of hate crimes among civil society and international organizations. It provides information about the characteristics of hate crimes and their impact on the stability and security of the community. ODIHR also supports civil society efforts to monitor and report hate crimes, NGOs outreach efforts in their communities and foster relationships between community groups and law enforcement so that victims feel confident to report crimes.

ODIHR also encourages civil society advocacy for better hate crime laws.
Introduction

The OSCE Office for Democratic Institutions and Human Rights (ODIHR) provides data and information on hate crimes in the OSCE region on its Hate Crime Reporting website hatecrime.osce.org. The objective of this website is to improve access to a repository of information ODHR collects on hate crimes for OSCE participating States, civil society, the media and the public in general. It aims to support users to cross-reference and search for data by year, country and bias motivation. It is also a platform for professional discussion and analysis related to ODHR’s work on countering hate crimes.

ODHR has recognized the value of working with civil society organizations and groups (CSOs) to effectively respond to hate crimes. CSOs in order to be included on hatecrime.osce.org, can provide information on hate incidents from CSOs on the website provides vital context to official submissions from participating States. CSOs can also help to identify and mitigate the damaging impact of hate crime on targeted communities. ODHR also highlights innovative activities conducted by CSOs in monitoring hate crime and providing support to victims.

This section of the Leaflet is to explain that ODHR needs information on CSOs in order to be included on hatecrime.osce.org, and to encourage CSOs to provide information about ODHR’s work on hate crime.

What is a hate crime?

OSCE participating States recognize that a hate crime is a criminal act committed with a bias motivation.

Bias Motivation can be broadly defined as ‘a person’s act that is motivated by, or actions that result from, a preconceived negative opinion, stereotype or discrimination against a group that shares a common characteristic, such as race, ethnicity, gender, national origin, religion, sexual orientation, sexual identity, political opinion or any other fundamental characteristic.

Hate crimes can include threats, property damage, assault, murder or another criminal offence. They do not only affect individuals from specific groups. People or property associated with a group that shares a protected characteristic may also be targeted.

Typical attitudes, intolerance or hatred directed towards a particular group that shares a common characteristic may be manifested in the form of criminal activity.

Hate crimes can take many forms, from crude cartoons to murder, antisemitism is far from being a relic. Governments and civil society must co-operate to effectively oppose this challenging and diverse phenomenon.

How can I tell if an incident is a hate crime?

In order to assess whether an incident was motivated by bias, the following bias indicators could be used:

- Time and place of the offence
- Did the incident take place during or in close proximity to a significant event such as a religious festival, commemoration, or pride parade?
- Victim/Witness Perception
- Did the suspect make comments, statements, or gestures regarding the victim, community or CSO, such as name-calling, markings, or graffiti left at the scene of the incident? If the target was a school, church, mosque or other place of worship, was it religiously or culturally significant such as a historical monument, or a cemetery?
- Ethnic, Gender and Cultural Differences
- Do the suspect/s and victim/s differ in their race, nationality, language, religion, national origin or sexual orientation? Is there a history of animosity between the victim’s group and the suspect’s group? Is the victim a member of a group which is overwhelmingly outnumbered by members of another group in the area, where the incident occurred? Was the victim engaged in activities promoting his/ her group at the time of the incident?
- Organized Hate Groups
- Were objects or items left at the scene of the incident which point to the work of paramilitary or extreme nationalistic organization? Is there evidence of such a group on the internet (e.g. websites, social media, fora or networks) or in the local community (e.g. posters, graffiti or leaflets)? It is important to underline that in many cases hate crimes are committed by individuals not connected to any organized group, nor with any previous history of criminal behavior.
- Previous Bias Crimes/Incidents
- Have there been similar previous incidents in the same area? Who were the victims? Has the victim received harassing mail or phone calls, or been the victim of worse abuse based on his/her affiliation or membership of a targeted group? Was the incident in an area or place considered to be associated with a particular group (e.g., a community centre, or a mosque, church or other place of worship)?
- In cases of Attacks Against Property, the significance of a particular structure or location to community may indicate a hate crime; the accessibility of services on religious grounds are all examples of acts which may be criminalised in some jurisdictions. ODHR does not publish information about such incidents of discrimination or hate speech because these are not hate crimes. However, ODHR does not provide information about such incidents of discrimination or hate speech because these are not hate crimes.
- How is the OSCE region about whether these acts should be criminalised. In addition, these acts are not hate crime under the OSCE concept because without the bias element, they would not amount to a criminal offence. In other words, the base offence component of the OSCE definition is missing. It is important that those incidents are neither included in CSO submissions, or they are clearly separated.

What information does ODHR need in order for an incident to be included on hatecrime.osce.org?

ODHR analyses submitted CSO reports and publishes relevant information as “incidents”. This is in line with the OSCE reporting framework. A broad spectrum of acts and ODHR is not in a position to comment on all CSO reported incidents reach the necessary threshold to be recorded as a criminal offence. As a result, ODHR can report on hate crimes. There are a number of reasons why CSO and official numbers differ. For example, some incidents are only reported to CSOs, not the authorities, or the two bodies may use different definitions.

In order to be included on hatecrime.osce.org, information from CSOs must relate to criminal incidents committed with a bias motivation and must have taken place within the relevant time frame.

Using data to shed light

The importance of recording and reporting hate crimes

A Roma child is sprayed with acid in the streets of Naples. A kosher grocery store is ransacked on anti-Semitic violence. A gay rights protest in Berlin. An anti-Semitic leaflet. Hate crime incidents can be seen as random attacks. Linking these disparate crimes together paints a wider picture.

The victims of these crimes remain invisible unless these incidents are recorded. ODHR is working to provide OSCE participating States with a clearer overall picture. OSCE participating States have named ODHR as a central point for the collection of data on hate crime, and the Office produces an annual report on a number of hate crime motivations.

Hate crimes are defined as crimes motivated by bias against a group that shares a common characteristic, such as race, ethnicity, gender, national origin or sexual orientation. It is essential for governments to have access to all of this information, painting a clear picture of the importance of recording and reporting hate crimes.

How can CSOs submit information about hate incidents to ODHR for hatecrime.osce.org?

CSOs that want to submit recent information about hate crimes and hate incidents or information about activities of civil society groups in their area can email to tndinfo@odihr.pl, indicating in the subject line: ODIHR Hate Crime Reporting.

What is TANDIS?

TANDIS (The OSCE Office for Democratic Institutions and Human Rights’ Tolerance and Non-Discrimination Information System) is a tool available to participating States and Inter-Governmental organizations at the OSCE. TANDIS gives access to a brief description of the data collection methodology and key issues.

How will the data be used?

Data on incidents that meet ODIHR’s criteria together with data submitted by OSCE participating States and Inter-Governmental Organizations will be published on the OSCE Hate Crime Reporting website at hatecrime.osce.org.

What does ODHR do?

The OSCE Office for Democratic Institutions and Human Rights has expertise on promoting democratic principles and good governance, and a wide range of other key issues; it co-operates with other specialized bodies, statistics, and other information organizations.

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What does ODHR do?

The OSCE Office for Democratic Institutions and Human Rights provides data and information on hate crimes for OSCE participating States, civil society, the media and the public in general. It aims to support users to cross-reference and search for data by year, country and bias motivation. It is also a platform for professional discussion and analysis related to ODHR’s work on countering hate crimes.
**INTRODUCTION**

The OSCE Office for Democratic Institutions and Human Rights (ODIHR) provides data and information on hate crimes across the OSCE region on its Hate Crime Reporting website hatecrime.osce.org. The objective of this website is to improve access to information ODIHR collects on hate crimes for OSCE participating States, civil society, the media and the public in general. It staff uses cross-reference and search for data by year, country and bias motivation. It is also a platform for advocacy and monitoring, providing vital context to official submissions from participating States, civil society, the media and the public in general. It staff works to increase the ability of civil society and others to promote democracy, rule of law, human rights and the fight against hate crimes. ODIHR advises governments on how to develop and sustain democratic institutions. The OSCE Office for Democratic Institutions and Human Rights (ODIHR) provides support, training of law enforcement personnel and other organizations including country reports and other organizations; ODIHR’s Tolerance and Non-Discrimination Information System (TANDIS) was developed by the OSCE region to improve access to hate crimes information. ODIHR reports on a number of bias motivations: discrimination on the basis of race, origin, nationality, ethnicity, religion, language, gender, sexual orientation, disability or any other fundamental characteristic. Hate crimes can include threats, property damage, assault, murder or another criminal offence. They do not only affect individuals from specific groups. People or property associated with a group that shares a common characteristic often become the target of bias motivated crimes. This may lead to brutal attacks on people, property or places.

**What is a hate crime?**

OSCE participating States recognize that a hate crime is a criminal act committed with a bias motivation. "An act is considered hate crime if it is motivated by bias. Bias motivations can be broadly defined as perceived or real differences in value, customs, traditions, typical assumptions, intolerance or hatred directed towards a particular group that shares a common characteristic: religion, ethnicity, language, religion, nationality, sexual orientation, gender, disability or any other fundamental characteristic. Hate crimes can include threats, property damage, assault, murder or another criminal offence. They do not only affect individuals from specific groups. People or property associated with a group that shares a common characteristic often become the target of bias motivated crimes. This may lead to brutal attacks on people, property or places.

**How can I tell if an incident is hate motivated?**

In order to assess whether an incident was motivated by bias, the following bias indicators could be used:

- **Time and place of location of the offence**
  - Did the incident take place during or in close proximity to a significant event such as a religious festival, commemoration, or pride parade?
- **Victim/Witness Perception**
  - Did the suspect make comments, statements, or gestures regarding the offensiveness of or the threat of vandalism, markings, symbols, or graffiti left at the scene of the incident? If the target was a religious monument, was it religiously or culturally significant such as a historical monument, or a cemetery?
- **Ethnic, Gender and Cultural Differences**
  - Do the suspect(s) and witness(es) differ in terms of their racial or ethnic background, national origin or sexual orientation? Is there a history of animosity between the victim’s group and the suspect’s group?
  - Is the victim a member of a group which is overwhelmingly outnumbered by members of another group in the area where the incident occurred? Was the victim engaged in activities promoting his/her group at the time of the incident?
- **Organized Hate Groups**
  - Were objects or items left at the scene of the crime? Does this fit the work of paramilitary or extreme nationalist organisation? Is there evidence of such a group or their activities in the local area (e.g. posters, graffiti or leaflets)?
- **Previous Bias Crimes/Incidents**
  - Has the victim previously had similar incidents in the same area? Who were the victims?
  - Has the victim received harassing mail or phone calls, or been the victim of verbal abuse based on his/her affiliation or membership of a targeted group? Was the incident or near an area or place commonly associated with a particular group (e.g., a community centre, or a mosque, church or other house of worship).
- **In cases of Attacks Against Property, the significance of a particular structure or place in the victim’s community or the property’s use can be an indicator.**

In property targeted may have religious or cultural significance for a particular group. The property may be a religious or cultural site, such as a school, religious centre, or community centre or places of worship can also be targets of hate crimes. Hate crime reporting can be particularly important for groups that are sometimes marginalized or targeted by hate;

**What is ODIHR’s work on hate crimes?**

ODIHR collects information on hate crimes for OSCE participating States, civil society, the media and the public in general. It staff uses cross-reference and search for data by year, country and bias motivation. It is also a platform for advocacy and monitoring, providing vital context to official submissions from participating States, civil society, the media and the public in general. It staff works to increase the ability of civil society and others to promote democracy, rule of law, human rights and the fight against hate crimes. ODIHR advises governments on how to develop and sustain democratic institutions. The OSCE Office for Democratic Institutions and Human Rights (ODIHR) provides support, training of law enforcement personnel and other organizations including country reports and other organizations; ODIHR’s Tolerance and Non-Discrimination Information System (TANDIS) was developed by the OSCE region to improve access to hate crimes information. ODIHR reports on a number of bias motivations: discrimination on the basis of race, origin, nationality, ethnicity, religion, language, gender, sexual orientation, disability or any other fundamental characteristic. Hate crimes can include threats, property damage, assault, murder or another criminal offence. They do not only affect individuals from specific groups. People or property associated with a group that shares a common characteristic often become the target of bias motivated crimes. This may lead to brutal attacks on people, property or places.

**How does ODIHR decide what information to include on hatecrime.osce.org?**

ODIHR analyses submitted CSO reports and publishes relevant information as “incidents”. This is both for the CSO and the public. The spectrum of acts and ODINH is not in a position to decide which all CSO incidents reach the necessary threshold to be recorded as a criminal offence. As a result, ODIHR also uses a variety of criteria such as official numbers differ. For example, only incidents are reported to CSOs, not the authorities, or the two bodies may use different definitions. In order to be included on hatecrime.osce.org, information from CSOs must relate to criminal incidents committed with a bias motivation and must have taken place within the relevant time frame.

**Using Data to Shed Light**

**The importance and reporting of reporting hate crimes**

A Roma child is sprayed with acid in the streets of Naples. A kosher grocery store is ransacked on the first day of Hanukkah. A local club is attacked by racists. All of these events can be seen as random attacks. Linking these disparate crimes together paints a wider picture of anti-Roma, anti-Semitic and anti-Muslim hate crime. The victims of these crimes remain invisible unless these incidents are recorded. ODIHR is working to provide OSCE participating States with a clearer overall picture. OSCE participating States have named ODIHR as a central point for the collection of data on hate crime, and the Office advises them on how to implement the standards defined by the OSCE. ODIHR’s Hate Crime Reporting website. Police services, inter-governmental organizations and civil society groups all provide data on hate crimes. All of these have different approaches and criteria for recording hate crimes. It is essential for governments to have access to all of this information, painting a clear picture of the problem in order to counter it. Dependable data help governments identify patterns and support policies in the most efficient way.

Read further: hatecrime.osce.org/info/using-data-shed-light-importance-reporting-and-recording-hate-crimes

**Does ODIHR collect information on other forms and expressions of intolerance, like hate speech and discrimination?**

Hate crimes or cases of discrimination may be criminal offences under national law. Promotion of a racist movement, incitement to hatred, racist speech by a public official or a group, restricting access to services on religious grounds are all examples of acts which may be criminalised in some jurisdictions. ODIHR does not publish information about such incidents of discrimination or hate speech because they are not covered as hate crimes by the OSCE region about whether these acts should be criminalised. Additionally, these acts are not hate crimes by the ODIHR standards. ODIHR does not collect data on such bias motivated criminal conduct and to be aware of the possibility of multiple biases. ODIHR can be recorded as a criminal offence. As a result, ODIHR is not in a position to verify whether all CSO reported incidents are only reported to CSOs, not the authorities, or the two bodies may use different definitions. In order to be included on hatecrime.osce.org, information from CSOs must relate to criminal incidents committed with a bias motivation and must have taken place within the relevant time frame.

**What information does ODIHR need in order for an incident to be included on hatecrime.osce.org?**

The following list provides a basic overview of areas that ODIHR considers when analysing information provided by CSOs and other bodies.

- **Date, Time and Location of the Incident**
- **Source of Information**
  - The best sources are interviews with victims and witnesses. The media can also be useful source of information about hate incidents; however, it is important to assess the reliability of the reports and cross-check the information as much as possible.
- **Type of Crime**
  - Was the incident a crime? ODIHR reports on the following crime types: homicide; physical violence; damage to property; vandalism; deprivation of graves; attacks against places of worship; threats/threatening behavior; other crimes can also be included and described.

When can CSOs submit information about hate incidents to ODIHR for hatecrime.osce.org? CSOs that wish to submit relevant information about hate crimes and hate incidents or information about activities of civil society groups contributing to ODIHR’s work to increase the ability of civil society and others to promote democracy, rule of law, human rights and the fight against hate crimes can lead to brutal attacks on people, including murderers.

Read further: hatecrime.osce.org/how-to-report-hateincidents

**How will the data be used?**

Data on incidents that meet ODIHR’s criteria together with data submitted by OSCE participating States and Inter-Governmental Organizations will be published on the OSCE Hate Crime Reporting website. Hate Crime Reporting website. Hate Crime Reporting website. Hate Crime Reporting website.

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Co-operating to challenge anti-Semitic hate crime

Shocking in its many forms, from crude cartoons to murder, antisemitism is far from being a problem of the past. Governments and civil society must co-operate to effectively oppose this contemporary challenge.

A worrying number of antisemitic threats and attacks have been reported across the OSCE region during the summer of 2014. Some CSOs contributing to ODIHR hate crime reporting have noted that the number of reported incidents that took place in the OSCE region was far from being a problem of the past. Governments and civil society must co-operate to effectively oppose this contemporary challenge.

Antisemitism often begins with chants or online hate. The escalation moves from seemingly minor incidents to hate crimes. Understanding and facing this threat can lead to brutal attacks on people, including murderers.

Read further: hatecrime.osce.org/cooperating-to-challenge-antisemitic-hate-crime

ODIHR has developed a collection of resources and programmes to tackle this growing threat: hate crimes, anti-Semitism and other forms of intolerance continue to threaten security in the increasingly diverse societies across the OSCE region. ODIHR has developed a collection of resources and programmes to tackle this growing threat: hate crimes, anti-Semitism and other forms of intolerance.
Contact to ODIHR’s Tolerance and Non-Discrimination Department

OSCE Office for Democratic Institutions and Human Rights (ODIHR)
Tolerance and Non-Discrimination Department
Ul. Miodowa 10
PL-00-251 Warsaw Poland
phone +48 22 520 06 00
fax +48 22 520 06 05
tndinfo@odihr.pl

HATE CRIMES IN THE OSCE REGION
Incidents and Responses
Civil Society Contributions to OSCE-ODIHR Hate Crime Reporting Website

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“White power” meets its match
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The youngsters were found guilty and fined. Busari attributes the positive results he achieved at a 2012 ODIHR-hosted seminar for Africans resident in Poland. “We called the meeting to thrash out the problems these people were facing, and one of the issues that we dealt with was: What constitutes a hate crime, and what you can do about it if you are a victim?” said Larry Olomofe, ODIHR Adviser on Combating Racism and Xenophobia. “The fact that he went on to put theory into practice gave me great satisfaction.”

Read further:
Hatecrime.osce.org/tndo에서 - politique-und-Anteil-campaingn-dancing-otp

Where do I get more information?
- ODIHR Tolerance and Non-discrimination Department
  osce.org/odihr/tolerance
- OSCE - osce.org
- Hate Crime Reporting website - hatecrime.osce.org
- More information on Hate Crime
  hatecrime.osce.org/what-hate-crime
- Preventing & responding to hate crimes: Resource guide for NGOs
  osce.org/odihr/39821
- Hate Crime Laws - A Practical Guide
  osce.org/odihr/36126
- Hate Crime Data Collection and Monitoring: A Practical Guide
  osce.org/odihr/datacollectionguide
- In Focus Stories - hatecrime.osce.org/infocus
- Tolerance and Non-Discrimination Information System (TANDIS)
  tandis.odihr.pl

UNITED Info Leaflets
- Who, If Not You?
- How you can intervene when witnessing racist assaults
- Hate Crimes

Find these publications at:
www.unitedagainstracism.org > publications > information leaflet