



Check against delivery

REPUBLIC OF CROATIA**Statement by****Mr Branko Sočanac****Director of the Government Office for Human Rights and Rights of National Minorities****OSCE/ODIHR Human Dimension Implementation Meeting****Working Session 2: Tolerance and non-discrimination II*****Prevention and responses to hate crimes in the OSCE area*****Warsaw, 24 September 2013**

Mr. Moderator,

I will address the issue of hate crime.

Violence and crimes motivated by racism, xenophobia, religious intolerance or by a person's disability, sexual orientation or gender identity are a daily reality throughout the European Union. The OSCE participating states can combat hate crime and address the related fundamental rights violations by making them both more visible and holding perpetrators accountable. It is particularly important to encourage victims to report crimes and incidents and to make the criminal justice system reliable for victims. Hate crimes are particular since they matter not only to the victim but also to society at large.

This meeting and other similar gatherings can serve for addressing the hate crimes issues, but we also need to address this problem at the grass root level and ensure continuing attention by the governments, civil society and all spheres of society in general.

Reliable data on hate crimes represent one of the central pillars in appropriate dealing with this phenomenon. Practical information given by states can provide a new impetus to combating hate crimes. Inadequate data in many participating states remain the main obstacle in understanding the nature of hate crimes. As we all know, some states do not collect any statistics at all on hate crimes, the others, due to their methodology, leave it unclear whether a committed crime is motivated by hate. Disparities in data collection and differences with regard to the definition of hate crimes produce shortcomings in our understanding of this phenomenon and at the same time this leads to the absence of comparable statistics.

The Republic of Croatia belongs to the group of countries that collect data on committed hate crimes. The main responsible agency in the country for collecting hate crimes data is the Government Office for Human Rights and rights of national minorities, but there are other law enforcement bodies, as well.

Let me now briefly go through the established system of suppression of hate crime in the Republic of Croatia.

Croatian Criminal Code which entered into force on January 1, 1998, defined criminal offenses against values protected by international law based on racial and other discrimination. But only with the amendments to the Criminal Code which entered into force on October 1, 2006, a definition of hate crime was provided. Article 89 Paragraph 36 in the

chapter about the meaning of the terms used in the Code clearly provides a definition for hate crime and reads:

The Working group for monitoring hate crimes drafted a Protocol whose main aim was to provide conditions for effective and comprehensive work of the competent authorities involved in identification, prosecution and monitoring of the results of proceedings relating to hate crimes. This Protocol was the result of the work of all members of the Working Groups and has included recommendations made by the civil society organizations. Subsequently, it was adopted by the Government in April 2011.

This Protocol also defined Office for Human Rights and Rights of National Minorities as a central body for collecting and publishing data on hate crimes as well as institution responsible for cooperation with civil society and international organizations.

The Protocol establishes a track record of any case which has hate crime characteristics, from the act committed until the final verdict in the Court. The Protocol has developed a form for statistical monitoring of criminal and misdemeanour offences in relation to hate crime. These forms include data collected by the Ministry of Interior, State Attorney's Office and by Ministry of Justice.

Finally, I would like to express my satisfaction that I had the opportunity to share our experience on hate crime legislation and data collection, as well as to the adopted Protocol which give a new impetus in hate crimes track record. Hate crimes remain overall problem for OSCE region and our continuous task will be to find all appropriate measures to eradicate or reduce the level of hate crime appearance in all its forms.

Thank you.