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Testimony :: Paul Goldenberg

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Rights

Messr. Co-Chairmen, Committee Members, Ladies and Gentlemen,

It gives me great pleasure to speak to you today about issues of community safety and civil governance from the perspective of police and community relations and the advancement of human rights across the 55 nations of the OSCE. For all these issues...and many more...can be impacted by a single event, by a single hate crime. Communities within the OSCE region have turned from tranquil to chaotic in an instant. They are the events that have led to this pioneering program.

Hate crimes, or bias crimes as we have come to know them across the United States, are criminal offenses committed against a target, either a person or a place, because of their actual or perceived connection with a group that may be defined by race, creed, color, nationality, sexual orientation, religion or other discriminatory grounds.

The heinous nature of a hate crime is the fact that they strike at our communities, not just a single person, place or institution, but rather whole sectors of our society can be isolated by a virtual wall of fear by just a single calculated act of violence when the victim is a community icon.

It is because of this broad impact that these types of crimes, these hate crimes, have such appeal to those who advance and promote the 'causes' of hatred.

While the commission of these crimes is reprehensible, the consequences are infinitely more far-reaching than other types of crimes, for these are the events that can divide communities, neighborhoods and States. These are the events that can create tension where none had existed, breed dissent where once there was harmony, incite distrust where once there was collaboration. In short, these are the crimes that threaten democracy and democratic institutions. These are crimes that impact upon governments, as well as its people and communities.

When a hate crime occurs, victims- and the communities from which they come- have an expectation of governments' response. We recognize that citizens and communities seldom differentiate between the police action and government policy, which are one and the same in the eyes of the community.

An ineffective police response can be viewed as the inaction of a government that "doesn't care" about the victim or their community. Such attitudes and beliefs can be the catalyst for change or, more ominously, retribution, sometimes through violence and social upheaval.

The modest costs associated with the delivery of this program pale in comparison to the policing costs associated with just a single demonstration. Although social turmoil may start with a single event, it seldom ends that way. As we have recently seen, social unrest in one European nation has resulted in an estimated \$250 million dollars in damages and direct policing costs.

Many real or perceived hate crimes across the OSCE Region, which includes the United States and Canada along with much of Europe and parts of Asia, have been the flash points for recent as well as historical community unrest. Civil disturbances arising from such crimes, injustices and inequality of treatment have resulted in clashes with police, riots, and social uprisings that form violent challenges to legitimate, democratically-elected governments.

All of these have a significant costs, not only in the monies needed to equip police and support their responses to such actions, but also in the impact they have on community and State safety, on political stability, and on economic well-being and productivity of a nation. Like a unwanted wave, this economic impact of social upheaval can wash over such areas as tourism, foreign investment, manufacturing and service industries, washing away growth, opportunity and advantages that may be key components in a nation's economy.

The Office of Democratic Institutions and Human Rights of the OSCE has commissioned the development of a Law Enforcement Officer Program on Combating Hate Crime in the OSCE Region, which I have been honored to lead for these past eighteen months. It has been through the vision and commitment of the OSCE Director, Ambassador Christian Strohal and the tireless and unwavering efforts of Ms. Jo-Anne Bishop, head of the ODIHR's Tolerance and Non-Discrimination Program that this program has received the support and recognition that has allowed it to be such an international success. The political will and efforts of such notables as Canadian Senator Jeremiah Grafstein have advanced this issue, while this Committee's Co-Chairman, Representative Chris Smith challenged all of us to turn concepts into reality, and to move beyond the rhetoric of theory to the develop of practices and the creation of tangible outcomes that could be seen, that would have an impact, and that would finally make a difference.

All these supporters have recognized the positive role that the police play in our communities, and the impact that the police have on positive social change. Although some consider that law enforcement has contributed to this problem, the ODIHR and this Commission have viewed the men and women of law enforcement as an integral part of the solution. They have also recognized both the need and the value of police-to-police professional training, the philosophy upon which this program is based; support for this fundamental concept has been universal.

This Law Enforcement program is one that touches upon many segments of the community, and the diverse components of the national police service within participating States.

The program team is comprised of subject matter experts in the field of hate crimes drawn from police services in the United States, the United Kingdom, France, Canada, Hungary and Spain.

This program has brought together these outstanding police professionals, who have joined together with some of the world's most talented and innovative human rights advocates. Together we have forged an unprecedented alliance which has led to the development of this training initiative. A program that is customized for each region, a program that gives a voice to minority communities within each State, and a program that grows and improves, with each new State, with each new agency and with each application.

This international implementation team has expertise in other areas as well, that contributes to the program's success, such as conflict resolution, community capacity-building, partnership development and community engagement.

This engagement begins in the consultation phase of the program, where impacted communities and their representatives in participating States are brought together to provide input on how they see police responding to hate crimes, what they need, and what they would like to see. The international implementation team has been successful in reaching out to groups that have been the victims of hate crimes, and groups who have seen themselves on the fringes of society. We have asked them how they would like to be involved, how they can help law enforcement and society stem the tide of hatred and its deteriorating effects on their people and their communities. We have been successful in using this process to build strong partnerships between governments and their people, using law enforcement as the vehicle for greater collaboration and problem-solving on issues that affect people where and how they live in a free society.

It is a telling revelation that during our work, we have met with many prominent NGOs and human rights organizations that have never had a chance to sit down to engage with their own policing services. These are groups that have a strong need and a compelling desire to work with police. They offer a capacity to leverage police resources with those of the concerned communities, to the advantage and betterment of each, but had never had the opportunity to discuss such partnerships.

The consultation phase of the hate crimes program also engages the judiciary and legislators to determine their needs and to solidify their participation as partners in this program, as this is the area of greatest focus for the police. We ask,

“Do you have adequate laws to address hate crimes?”

“Are you supported by the courts in the prosecution of these offences?”

“What might be done to strengthen legislation, or to apply existing laws with greater effect?”

“How can prosecutors and the courts have more success in speaking to the issue of crime motivated by hate?”

Finally, we consult with the police services, including command officers, specialized unit commanders and front line officers. We seek input from all levels of the police organization and integrate their views, address their concerns and evaluate their recommendations for change. We believe that this has contributed to the success of the program and we envision continuing to advance this level of consultation.

Beyond consultation, the program includes a comprehensive training and capacity-building component for each participating police service. We believe that our training curriculum is the most comprehensive and expansive training available on this topic, and draws on the best practices of the participating States of the OSCE. Program participants include senior police training staff, who receive direct, hands-on training in recognizing and responding to hate crimes, and in helping communities and individuals recover from the effects hate crimes have on victims and victimized, targeted communities. Participants receive manuals, workbooks, training guides, films, sound files and animated crime scenes that we have developed for the program to help them deliver the training, and to train others to do so as well.

Finally, the program includes a follow-up evaluation to determine the impact of the hate crimes training across the participating State. We recognize the significant financial and logistical demand that this type of training puts upon the police service, and as such, the follow-on evaluation is designed to measure changes over a period of four to five years.

This program has been successfully delivered in two pilot States, Hungary and Spain. The training has been wholly embraced by the two countries, with both countries engaged in integrating the hate crimes curriculum into their national police training curricula.

The most poignant aspect of this program is the impact that it has on the various stakeholder groups. We have learned of the strong desire by community groups to become engaged with the police in preventing and responding to hate crimes. We have seen the passion of impacted groups, Roma groups across Europe, Tartars in the Ukraine, Africans in Croatia and in all countries, people who work tirelessly at the protection of human rights for all people.

The experience has underscored our commitment to the concepts of community-based policing and the need for community engagement in problem solving. We believe that by forging new partnerships, and by helping police services in these countries reach out to their communities, we can help these organizations grow and develop in a way that not only supports democratic institutions and civil society, but in a way that encourages the growth of strong communities and reinforces democratic values.

Within the police communities, we have found a desire to learn, grow and change. We have found police command staff that are committed to participating with their communities, and we have found training staff that are both eager to learn and want to help.

Because the training touches on so many topics, new ideas are brought to each participating State, ranging from victim/witness advocacy to issues of compassion and community engagement through community councils.

To all our partners and program participants, we are bringing new ideas and innovative training concepts that apply the principles of adult learning and promote a high degree of critical thinking and active participation, recognizing different styles of learning. We exploit technology to the greatest advantage for the adult learner. Most of all, we maintain a focus on relevant training that delivers practical concepts, knowledge and skills in law enforcement, in social engagement and in building the capacity of communities to work with police and government to produce valuable and sustainable social change.

Through the Law Enforcement Officer Program on Combating Hate Crime in the OSCE Region, we have been able to help change police and community views towards one another, and towards the issue of hate crimes. We promote an organizational understanding of hate crimes in national police services. Our new ideas for training and for community support in police training build the capacity of police services to act as leaders in enabling positive community change, where once they may have been seen as repressive agents of government, protectors of tyranny. These changes takes time and commitment, and need the work of visionaries and “new thinkers” that can see a role for police that includes advocating for and supporting social change.

The work we have done this past year-and-a-half is growing well beyond a mere training course. The tools and best practices this program now employs include:

- Assessment of police organizational capacity to support victimized communities
- Assistance in planning and creating national police institutes for the prevention and investigation of hate crimes

- Community development actions that build and strengthen police- community partnerships
- Policies and practices that enrich police responses to hate crimes and their treatment of victims, witnesses and affected communities
- Supports to police, prosecutors and the judiciary to obtain higher rates of convictions and more significant sentences for offenders
- Formats for organizational planning and community engagement on a range of social issues where law enforcement and governments have a stake in the outcomes
- A template for collecting data on hate crimes occurrences and analyzing intra-national trends and the effectiveness of anti-hate programs
- Instruments for assessing the impact of police training and police-community partnerships on hate crime occurrences and the communities' perception of police concern and actions
- A curriculum for training police trainers to proliferate the program across nations

We are committed to continuing our efforts through the participating States of the OSCE that wish to engage in the program. We are currently working with the governments of Croatia and Ukraine, where consultation and training have already been undertaken. We will be working with Serbia and Montenegro later this year in developing their capacity to deal with hate crimes and to work with that nation to develop the region's first office to deal with hate crimes and its community impacts, through a National Office for the Prevention and Investigation of Hate Crimes

This has been a tremendously fascinating and rewarding opportunity to work with so many countries, and with a team of such unparalleled expertise. It continues to be my honor to manage the delivery of this program to those countries that see the need. Just last week, I had the opportunity to meet with the 45 representatives from many prominent NGOs from across Europe and western Asia, and many asked, not if this program was feasible for their countries, but rather when could we get this program be "on the ground" in their community.

I hope that this Congress will see the merits of the approach and continue to support these groundbreaking efforts to support and sustain civil governance, to ensure the protection of vulnerable communities and to visibly grant assurances to citizenry of all social, demographic, religious and ethnic backgrounds that their safety and security issues are important to police, important to the State and deserving of the rapt attention of both.

Ladies and gentlemen, we are currently experiencing a period of tremendous conflict in our world, perhaps a time of unprecedented conflict, and not only within the OSCE region, but across the globe. Communities are in conflict, nations are in crisis, peoples of different creeds, races, beliefs, nationalities and religions are embroiled in conflicts resulting in social unrest, destruction and even death. Having seen the outcomes of intolerance, having seen its costs in money, human suffering and in lives, we are confident that humanity can see that the road to co-existence lies in education, in understanding and in taking action to protect and develop communities.

This program has the opportunity to place on the ground a model training and data collection system that is customized to meet the needs of each participating State, while maintaining a consistent central theme. When this training is delivered across an entire organization or State, the cost is only a few dollars per officer. However, to continue this, funding is critical, and we look towards all the participating States of the OSCE to invest in the growth and development of the region, invest in its human rights, to invest in its democratization, to invest in its future. While the program implementation has a modest cost, the program outcomes are priceless.

We are committed to working towards that goal through this program, by providing training to the governments' front line responders- the men and women who are tasked with being the first people at the scene of any crisis, the first people that communities turn to when crisis erupts, the first people we look to when we are struck by disaster and unrest. They are the police officers of OSCE States, and we believe that it is through them, that we can effect social change, and it is with their effort and commitment that we may find a path to greater harmony in all of our communities.

I would like to thank David Harris and my Friends at the American Jewish Committee for their continued encouragement and support for this program and the values of fairness, equality and tolerance that it promotes.

Thank you for this opportunity to share our program's intent, effects and success.

