

Welcome Speech at the Conference on 'Combating Hate Crime in the EU'

Check against Delivery

Dear participants,

I am very pleased to welcome you to the annual EU Fundamental Rights Conference, being held in Vilnius this year.

At the conference we will deal with the challenge of combating hate crime, with a particular focus on the issue of the needs of victims. In assessing the effectiveness of existing legal and practical measures to combat such crimes, we can avail of the abundant data collected by the European Union Fundamental Rights Agency on the actual situation of hate crime in the European Union. This conference is being held at a time when we should evaluate the effect of the Council Framework Decision, adopted on 28 November 2008, on combating certain forms and expressions of racism and xenophobia through criminal law. It is a particularly good time to examine additional legal or practical measures to be taken at the European Union level in order to optimise the fight against hate crimes.

During its Presidency of the Council of the European Union, Lithuania intends raising the issue of combating hate crime for discussion also at the Council level. This conference will result in the preparation and submission for deliberation of the draft Council conclusions reflecting not only existing problems but also good practices which, hopefully, we will share with each other during the conference. In the draft Council conclusions, we also aim to identify possible lines of action to tackle the existing problems and encourage further work of the Council of the European Union on this subject.

At this point, I would like to highlight an important legal issue. From a legal point of view, only the most serious offences may be treated as crimes, namely those prohibited by criminal law. However, from the perspective of persons who have been victims of unlawful acts caused by hate, it is not the legal classification of such acts that determines that person's well-being. An unreported, non-prosecuted crime, without an identified perpetrator who has been proven guilty, namely a crime not reflected in the crime statistics does not have fewer negative consequences for the victim than the crime that has been subject to conviction. A breach of law that is treated as a crime on the basis of the laws of one country and as an administrative offence, the seriousness of which does not amount to a crime in another, will from the victim's perspective have the same negative consequences in both cases. Furthermore, hate behind more or less serious offences, and the mechanism of hate turning into unlawful acts will be very similar in both cases. Often offences caused by hate may also be treated as the extension of discrimination towards vulnerable groups or of persons belonging to such groups. Therefore, in discussing hate crimes in general, and the needs of the victims of such crimes in particular, we must also include offences that for various reasons cannot be identified as crimes in terms of criminal law and fall outside our statistics on criminal offences.

Our aim should be to identify the methods of reducing the number of offences motivated by hate. We should concentrate on ways of preventing such offences and of providing the necessary support for victims.

Clearly, there are different types of hate crimes. They are remarkable for the extent, gravity, systematic nature, and tragic consequences for the history of different nations or groups of persons with distinguishing characteristics. We must admit the unique nature of such crimes and criminal ideologies. But we also have to recognise the signs based on our history in Europe, showing that growing intolerance and increasing discrimination and hate result in offences that may cause irreparable damage to human dignity. Such offences victimise a person only because he or she belongs, or is deemed to belong, to a group of people defined by a certain characteristic hated by

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another group of people. Then the person, the victim of hate, is not treated as an individual nor perceived as a person, but considered as an 'outsider' and an alien.

We should avoid repeating mistakes, and search for ways of countering hate crimes and improving the situation of victims, we need to hear their voices, their different stories. Because only in that way will we be able to better understand and combat manifestations of hate.

My best wishes to all the participants for an excellent conference and for interesting and constructive discussions.

Thank you for your attention.