PROSPECTIVE OF I.Os ON DATA COLLECTION: ECRI

ECRI

Who: 47 independent experts / ECRI
What: monitoring body on racism, racial discrimination, antisemitism, xenophobia and intolerance
Where: Strasbourg
When: Since 1994, 3 plenaries per year
How: Country monitoring reports and General Policy Recommendations.
Why: Continued efforts and high vigilance are needed to build and maintain strong safeguards against old and new forms of racism/intolerance.

How do international organisations use national data and information?

- No specific request for data (contrary to ODIHR or FRA, ECRI does not prepare specific reports or surveys comparing countries' data)

- Before an ECRI country visit, a questionnaire is sent with questions, also about data collection (on discrimination, hate speech and hate crime)

- Relevant info collected from the replies to the questionnaire and meeting during the country visit are used/mentioned in ECRI country reports to justify findings and recommendations

- So far more than 100 ECtHR judgments/decisions quoted ECRI findings (country reports) and guidelines (GPRs) which report countries' data

The importance of NGO data when official data is limited

- NGO/EBs data should not replace the obligation of states to collect data

- NGO data are useful to better understand the relevance/dimension of certain problems (e.g. under reporting, victimisation, lack of adequate)

- ECRI GPR No. 15 explicitly recommends that "*States support the monitoring of hate speech by civil society, equality bodies and national human rights institutions and promote cooperation in undertaking this task between them and public authorities*"

- NGOs data/research ensure that the gathering of data on hate speech is not limited to the criminal justice sector

How can and do IOs support national efforts to combat discrimination and what is the role of data therein?

- **Support**

- GPRs recommenations to States related to data gathering

- Specific country recommendations

- Cooperation activities

- Intergovernmental work

- **Role of data**

- highlight areas where action is especially necessary;

- evaluate and elaborate of policies which take into account the experiences and concerns of the groups concerned;

- increase public awareness and understanding of the problems of discrimination as seen from the viewpoint of victims;

- increase awareness among those working in particular areas of how their institutions and practices are perceived by minority groups

Align data collection to int. mechanisms' requirements

■ gathering of data (HS/discrimination) not limited to the criminal justice sector; but

■ capture the experience of those who are affected by such use and who may be reluctant to report the fact of its occurrence;

■ the data gathered is appropriately disaggregated;

■ research that seeks to analyse the conditions conducive to the use of hate speech and its forms should be supported;

■ data should be disseminated on a regular basis, both to the relevant public authorities and to the public;

■ data gathering should be compatible with data protection guarantees, but

■ privacy guarantees should not be invoked to preclude the collection of data where: this is for a lawful purpose; data is adequate, relevant and not excessive for that purpose; it is not retained for longer than necessary;

■ data protection guarantees have no application to any data which is rendered anonymous and that should be the case for all statistical analyses of the use of hate speech.

Results from data collection in EaP region: Regional overview? Common challenges?

- Absent or scarce or at best patchy and incomparable data at the national level

- Legislative gaps

- Achieving data disaggregation

- Lack of training

- Limited resources

- Lack of Political commitment

- Lack of interinstitutional cooperation