

HATE CRIMES IN THE OSCE REGION: INCIDENTS AND RESPONSES

ANNUAL REPORT FOR 2011



Warsaw, November 2012

Government and NGO responses to crimes and incidents motivated by bias against Roma and Sinti	58
ANTI-SEMITIC CRIMES AND INCIDENTS	60
Background	60
Information and data on anti-Semitic crimes and incidents	61
Government and NGO responses to anti-Semitic crimes and incidents	65
ANTI-MUSLIM CRIMES AND INCIDENTS	67
Background	67
Information and data on anti-Muslim hate crimes and incidents	68
Key resolutions and statements from international organizations	71
Government and NGO responses to crimes and incidents motivated by bias against Muslims	71
CRIMES AND INCIDENTS MOTIVATED BY BIAS AGAINST CHRISTIANS AND MEMBERS OF OTHER RELIGIONS	73
Background	73
Information and data on crimes and incidents motivated by bias against Christians and other religions	73
Key resolutions and statements from international organizations	78
Government and NGO responses to crimes and incidents motivated by bias against Christians and members of other religions.....	79
CRIMES AND INCIDENTS BASED ON OTHER BIAS MOTIVATIONS	80
Background	80
Information and data on crimes and incidents motivated by bias against LGBT people.....	80
Key resolutions and statements from international organizations	85
Government and NGO responses to crimes and incidents motivated by bias against LGBT people	87
Information on crimes and incidents motivated by bias against people with disabilities and against people from other groups	89
Government and NGO responses to crimes and incidents motivated by bias against people with disabilities and against people from other groups.....	89
PART III - RECOMMENDATIONS	91
Data collection	91
Legislation.....	91
Criminal justice agencies	92
Co-operation with civil society	93
Programmatic activities	94
Enhancing OSCE activities.....	94
PART IV – COUNTRY-BY-COUNTRY OVERVIEW	96
ANNEX A: OSCE commitments pertaining to hate-motivated incidents and crimes	139
ANNEX B: List of National Points of Contact in Combating Hate Crime NPCs.....	145
ANNEX C: Guidelines for NGOs on reporting hate crimes	148
ANNEX D: NGOs and civil society organizations	154
ANNEX E: List of media sources	159
ANNEX F: Questionnaire for NPCs	160
ANNEX G: Maps	171
Map 1: Overview of information submitted by participating States	171
Map 2: Overview of information	172
Map 3: Racist and xenophobic crimes and incidents	173
Map 4: Crimes and incidents motivated by bias against Roma and Sinti	174
Map 5: Anti-Semitic crimes and incidents	175
Map 6: Anti-Muslim crimes and incidents	176
Map 7: Crimes and incidents motivated by bias against Christians and members of other religions	177
Map 8: Crimes and incidents motivated by bias against LGBT persons	178
Map 9: Crimes and incidents motivated by bias against persons with disabilities	179

Foreword

The publication of this edition of *Hate Crimes in the OSCE Region – Incidents and Responses* is a continuation of the efforts of the OSCE Office for Democratic Institutions and Human Rights (ODIHR) to collect and make available information on the prevalence of hate crimes in the OSCE region. Publicizing such data is a first, important step in understanding and combating hate crimes. Unfortunately, information received from governments, international organizations and non-governmental organizations shows that hate crimes remained a significant problem in the region in 2011.

During the year, OSCE participating States took a number of steps, individually and collectively, to highlight the problem of hate crime. Within the OSCE, the Chairmanship and ODIHR sponsored three high-level meetings that addressed various facets of hate crimes and incidents, especially against particular religious groups. The meetings resulted in valuable recommendations that could provide the basis for action by the Organization and individual states. This annual report also describes several initiatives undertaken by individual participating States and by other organizations.

ODIHR has continued to devote substantial resources and energy to addressing hate crime. Notably, a new ODIHR programme, Training against Hate Crimes for Law Enforcement (TAHCLE), was developed and successfully piloted. The TAHCLE programme is now available for use by all participating States. Another major ODIHR project begun in 2011 was the development of a new publication for prosecutors, *Prosecuting Hate Crimes: A Practical Guide*, which will be published in 2012.

A further ODIHR initiative is the creation of a website devoted to combating hate crimes. The website is intended to raise awareness, describe effective responses and serve as a tool for a wide range of users seeking information and resources. Development began in 2011, with a view to launching the site in 2012. Beginning in 2013, this annual report will be published on the website rather than in its current hard-copy version.

While governments are ultimately responsible for fulfilling their commitments to address hate crimes, they do not need to face this challenge alone. Civil society organizations can be key partners in understanding and preventing hate crimes, as well as in responding to them. The OSCE, including ODIHR, also remain available as partners in combating hate crimes.

This report was made possible by the co-operation of the OSCE participating States and, in particular, their National Points of Contact on Combating Hate Crimes. I would also like to express my appreciation for the generous assistance provided by OSCE field operations, civil society groups and international organizations.

Ambassador Janez Lenarčič
Director
OSCE Office for Democratic Institutions and Human Rights

Acronyms

ABTTF	Federation of Western Thrace Turks in Europe
CERD Committee	United Nations Committee on the Elimination of Racial Discrimination
ECRI	European Commission against Racism and Intolerance (Council of Europe)
ECHR	European Convention on Human Rights
EU	European Union
FRA	European Union Agency for Fundamental Rights (European Union)
GES	Cabinet of Social Studies (Spain)
GHM	Greek Helsinki Monitor
HDIM	Human Dimension Implementation Meeting (OSCE)
IGO	Intergovernmental organization
ILGA-Europe	The European Region of the International Lesbian, Gay, Bisexual, Trans and Intersex Association
IOM	International Organization for Migration
LGBT	Lesbian, gay, bisexual and transgender
LICRA	International League against Racism and Anti-Semitism
MCI	Movement Against Intolerance (Spain)
NGO	Non-governmental organization
NPC	National Point of Contact on Combating Hate Crimes
ODIHR	Office for Democratic Institutions and Human Rights (OSCE)
OIDAC	Observatory on Intolerance and Discrimination against Christians in Europe
OPHRD	Observatory for the Protection of Human Rights Defenders
OIC	Organisation of Islamic Cooperation
OSCE	Organization for Security and Co-operation in Europe
SCAA	Swedish Committee Against Anti-Semitism
SHDM	Supplementary Human Dimension Meeting (OSCE)
TAHCLE	Training Against Hate Crimes for Law Enforcement (ODIHR)
TANDIS	Tolerance and Non-Discrimination Information System
TGEU	Transgender Europe
UN	United Nations
UNDP	United Nations Development Programme
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNHCR	United Nations High Commissioner for Refugees

EXECUTIVE SUMMARY

Participating States of the Organization for Security and Co-operation in Europe (OSCE) have repeatedly condemned hate crimes and pledged to take action against them. The Organization has a long history of dealing with the issue, having expressed concerns as early as 1991 about crimes based on prejudice, discrimination, hostility or hatred.¹ This was reaffirmed at the Maastricht Ministerial Council Meeting of 2003, when the term “hate crimes” appeared for the first time in an OSCE Ministerial Council decision.² Today, there are a broad range of OSCE commitments dealing directly with the problem, including commitments to train police to respond to hate crimes, to review legislation, to assist efforts by civil society and to collect reliable data. OSCE decisions have also emphasized the importance of political representatives speaking out against hate-motivated acts. In 2009, the OSCE Ministerial Council adopted its first decision exclusively devoted to addressing the problem of hate crimes.³ Collectively, these commitments recognize the particular harm caused by hate crimes and their potential for sowing the seeds of wider violence and international conflict.

This report is the result of a requirement established by the OSCE Ministerial Council that the OSCE Office for Democratic Institutions and Human Rights (ODIHR) serve as a collection point for information and statistics on hate crimes and make this information publicly available.⁴ Thus, its purpose is to provide hard data and other information about the extent and types of hate crimes in the OSCE region in 2011, including information about the principal hate crime categories, developments in legislation and responses to hate crimes by governments and NGOs.

This approach emphasizes the presentation of official data provided by governments. Much of the information and data contained in this report were provided by the National Points of Contact on Combating Hate Crimes (NPCs) appointed by the governments of participating States, in response to an ODIHR request. In accordance with ODIHR’s mandate from the OSCE Ministerial Council, the report also includes information from intergovernmental organizations (IGOs) and non-governmental organizations (NGOs).⁵

Hate crimes are criminal acts committed with a bias motive. These may include any criminal offence targeted at a person or group because of ethnicity, “race”, religion or other status. Specific definitions of hate crimes differ under domestic laws in different participating States. In some countries, hate crimes are not separate offences, but a bias motive may be considered an aggravating circumstance in an “ordinary” crime, requiring a stronger penalty.

In 2011, hate crimes continued to be a serious problem across the region, forming a spectrum of violence ranging from intimidation, threats, vandalism and assault to arson and murder.

¹ “Report of the CSCE Meeting of Experts on National Minorities”, Geneva, 19 July 1991, p. 7, <<http://www.osce.org/hcnm/14588>>.

² OSCE Ministerial Council, Decision No. 4/03, “Tolerance and Non-discrimination”, Maastricht, 2 December 2003, <<http://www.osce.org/mc/19382>>.

³ OSCE Ministerial Council, Decision No. 9/09, “Combating Hate Crimes”, Athens, 1-2 December 2009, <<http://www.osce.org/cio/40695>>.

⁴ OSCE Ministerial Council, Decision No. 13/06, “Combating Intolerance and Discrimination and Promoting Mutual Respect and Understanding”, Brussels, 5 December 2006, <<http://www.osce.org/mc/23114>>.

⁵ OSCE Ministerial Council, Decision No. 4/03, *op. cit.*, note 2.

A variety of OSCE activities in 2011 were aimed at assisting States, IGOs and NGOs to address hate crimes, including training for law-enforcement officers and prosecutors aimed at increasing awareness of hate crimes and developing effective responses. The OSCE Chairmanship-in-Office and ODIHR jointly sponsored three high-level meetings to address hate crimes and related issues.

The report for 2011 follows the format, structure and methodology established in the 2008 report and used since that time. Where circumstances have not changed, language is drawn directly from the previous years' reports.

Part I: Information submitted by participating States

The full extent of hate crimes in the OSCE region continues to be obscured by a lack of adequate or reliable data. Although data collection by governments improved in 2011, it is clear from the information provided to ODIHR that significant gaps in data collection remain a major obstacle to understanding the prevalence and nature of hate crimes within most participating States and across the OSCE as a region. A number of participating States do not collect any statistics on hate crimes. Some participating States collect data, but do not make the data public.

In some participating States, data on hate crimes may be collected by the police, prosecutors, justice or interior ministries, statistical offices or other agencies. In some countries, more than one agency is involved in data collection.

A higher incidence of hate crimes recorded in a particular State does not necessarily mean that more hate crimes are being committed there; the statistics may simply reflect a broader definition of hate crimes or a more effective system for recording data.

In addition to addressing the statistics and methods of data collection reported by participating States, ODIHR has also included information for 2011 on improvements to hate crimes legislation and institutional improvements. Part I also includes some information provided by intergovernmental organizations.

Part II: Additional information gathered by ODIHR and information on specific bias motivations

Information collected by ODIHR from partner organizations and NGOs was used to supplement the data provided by governments and to place the issue of hate crime in a broader context. Although many NGOs collect information on hate incidents, their data are often limited to specific countries. In some cases, the data are imprecise or derived largely from media reporting. Moreover, NGO data – like official data – are based on differing definitions and methods. As a result, it is generally not possible to compare official and non-official information in an accurate manner. Nonetheless, the quality of information provided by NGOs has significantly improved each year, in part as a result of support offered by ODIHR in the form of guidance and training activities. Information from NGOs can provide additional insight into the issue of hate crimes with different motivations and in different countries, particularly in instances where official statistics are limited or non-existent.

Racially or ethnically charged incidents developed into broader unrest in a number of countries in recent years, demonstrating that hate crimes have the potential to escalate into wider social conflict. Intolerant discourse was perceived as a factor contributing to the occurrence of hate crimes.

This report includes separate sections on types of bias motivations specifically mentioned in OSCE commitments. These include racist and xenophobic crimes, anti-Semitic crimes, and crimes against Roma and Sinti, Muslims, Christians and members of other religions. The information available on such crimes is limited, in part because of differences in definitions used by public authorities, and in the methods used to record hate crimes. For example, anti-Semitic crimes or crimes against Muslims may be recorded variously as racist crimes, anti-religious crimes or xenophobic crimes. This may help explain the disparities in the availability of information on hate crimes targeting different victim groups. In general, there are fewer data on crimes against Muslims and Roma and Sinti than on racist, xenophobic and anti-Semitic crimes, and fewer still on crimes committed against other groups. As a result, some of the sections of this report dealing with specific groups mentioned in OSCE commitments are more detailed than others.

Part III: Recommendations

Part III of this report includes recommendations for possible action by participating States to address the problem of hate crime. The recommendations follow closely those set out in previous years, which remain valid. The list includes a number of specific points endorsed by the Ministerial Council in Athens in December 2009. Recommendations cover areas such as data collection, legislation, improvements in action by criminal-justice agencies, co-operation with civil society organizations and possible programmatic activities.

Part IV: Country-by-Country Overview

The final section of this report provides a fact sheet for each OSCE participating State, summarizing key information provided to ODIHR, including facts about the basis used for data collection and, where available, statistics on hate crimes committed in 2011.

Annexes

A number of annexes provide additional information, including a compilation of OSCE commitments relevant to hate crimes, copies of the questionnaires sent to governments and NGOs and other information.

INTRODUCTION

Violent manifestations of prejudice and intolerance remain a continuing problem in the OSCE area. The OSCE has taken a leading role in recognizing the significance of this problem and initiating various forms of action to deal with it. A major focus has been on strengthening the rule of law as a fundamental aspect of democratic and pluralistic societies. As part of this effort, the OSCE has worked to reinforce the role of criminal legislation and law-enforcement agencies in addressing and responding to bias-motivated criminal conduct. The OSCE as an organization, and participating States individually, have worked to publicize and condemn hate crimes. At the same time, the OSCE has recognized that effective action to combat hate crime must be multi-faceted, including not just law enforcement, but also tolerance education, protection of and outreach to affected communities, prevention of discrimination, access to justice for victims, availability of social services for victims, and building community confidence.

This report presents information for the calendar year 2011. It builds on previous reports covering the years 2006-2010, as well as on the initial overview of hate crimes in the OSCE region, completed in 2005.⁶

OSCE commitments and ODIHR's mandate

The term “hate crime” was first used officially by the OSCE at the 2003 Ministerial Council Meeting in Maastricht.⁷ However, the concept was acknowledged by participating States more than a decade earlier, at the 1991 Geneva Meeting, where participating States expressed their concern about crimes based on prejudice, discrimination, hostility or hatred.⁸ The previous year, in the Copenhagen Document, participating States pledged to take effective measures to provide protection against any acts that constitute incitement to violence against people or groups based on national, “racial”, ethnic or religious discrimination, hostility or hatred.⁹

At Maastricht in 2003, participating States articulated “the importance of legislation regarding crimes fuelled by intolerance and discrimination”.¹⁰ This commitment recognized the key role hate crime legislation plays in ensuring that the criminal-justice system has the authority to investigate, prosecute and impose sentences for these offences.

The Ministerial Council decisions on hate crime in Brussels in 2006 focused on ODIHR's role in combating hate crime and encouraged the Office, within the scope of its resources:

- “To continue to serve as a collection point for information and statistics on hate

⁶ *Hate Crimes in the OSCE Region: Incidents and Responses – Annual Report 2010* (Warsaw: ODIHR, 2011), <<http://tandis.odihr.pl/hcr2010/>>; *Hate Crimes in the OSCE Region: Incidents and Responses – Annual Report 2009* (Warsaw: ODIHR, 2010), <<http://www.osce.org/odihr/73636>>; *Hate Crimes in the OSCE Region: Incidents and Responses – Annual Report 2008* (Warsaw: ODIHR, 2009), <<http://www.osce.org/odihr/40203>>; *Hate Crimes in the OSCE Region: Incidents and Responses – Annual Report 2007* (Warsaw: ODIHR, 2008), <<http://www.osce.org/odihr/33989>>; *Hate Crimes in the OSCE Region: Incidents and Responses – Annual Report 2006* (Warsaw: ODIHR, 2007), <<http://www.osce.org/odihr/26759>>; *Combating Hate Crimes in the OSCE Region: An Overview of Statistics, Legislation, and National Initiatives* (Warsaw: ODIHR, 2005), <<http://www.osce.org/odihr/16405>>.

⁷ OSCE Ministerial Council, Decision No. 4/03, *op. cit.*, note 2.

⁸ “Report of the CSCE Meeting of Experts on National Minorities”, *op. cit.*, note 1.

⁹ Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE”, 5-29 June 1990, para 40.1, <<http://www.osce.org/odihr/elections/14304>>.

¹⁰ OSCE Ministerial Council Decision No. 4/03, *op. cit.*, note 2.

crimes and relevant legislation provided by participating States and [to] make this information publicly available through its Tolerance and Non-Discrimination Information System and its report on Challenges and Responses to Hate-Motivated Incidents in the OSCE Region”;

- “To strengthen ... its early warning function to identify, report and raise awareness on hate-motivated incidents and trends”; and
- “... to provide recommendations and assistance to participating States, upon their request, in areas where more adequate responses are needed”.¹¹

ODIHR’s mandate in relation to hate crimes was developed further by the Ministerial Council in Athens in 2009, where participating States committed to:

- “Enact, where appropriate, specific, tailored legislation to combat hate crimes, providing for effective penalties that take into account the gravity of such crimes”;
- “Take appropriate measures to encourage victims to report hate crimes, recognizing that under-reporting of hate crimes prevents States from devising effective policies. In this regard, explore, as complementary measures, methods for facilitating, the contribution of civil society to combat hate crimes”;
- “In co-operation with relevant actors, explore ways to provide victims of hate crimes with access to counselling, legal and consular assistance as well as effective access to justice”;
- “Introduce or further develop professional training and capacity building activities for law enforcement, prosecution and judicial officials dealing with hate crimes”;
- “Nominate, if they have not yet done so, a national point of contact on hate crimes to periodically report to the ODIHR reliable information and statistics on hate crimes”; and
- “Consider drawing on resources developed by the ODIHR in the area of education, training and awareness-raising to ensure a comprehensive approach to the tackling of hate crimes”.¹²

OSCE participating States have also recognized the particular harm caused by specific types of hate crimes. In 2004, for example, the Ministerial Council tasked ODIHR to “follow closely ... anti-Semitic incidents in the OSCE area making full use of all reliable information available” and “incidents motivated by racism, xenophobia, or related intolerance, including against Muslims” and to “make these findings public”.¹³ OSCE decisions and declarations have also included specific commitments, such as “fighting prejudice, intolerance and discrimination against Christians and members of other religions”.¹⁴ Similar commitments related to Roma and Sinti were made as early as 1991.¹⁵

¹¹ OSCE Ministerial Council, Decision No. 13/06, *op. cit.*, note 4.

¹² OSCE Ministerial Council, Decision No. 9/09, *op. cit.*, note 3.

¹³ OSCE Ministerial Council, Decision No. 12/04, “Tolerance and Non-Discrimination”, Sofia, 7 December 2004, <<http://www.osce.org/mc/23114>>.

¹⁴ For example, OSCE Ministerial Council, Decision No. 10/05, “Tolerance and Non-discrimination: Promoting Mutual Respect and Understanding”, Ljubljana, 6 December 2005, <<http://www.osce.org/mc/17462>>.

Objective

As in previous years, the primary objective of this report is to provide information on the prevalence of and government responses to hate crimes in the OSCE region, in accordance with the decisions of the OSCE Ministerial Council set out above. There are substantial challenges to overcome in assessing the extent of hate crimes. Such crimes are significantly under-reported by victims, and many participating States have no effective monitoring or reporting systems in place to gather this information. While the governments of some participating States are able to provide statistics on hate crimes, these numbers almost certainly under-report their prevalence. Reports from NGOs and IGOs help fill out the picture, but these cannot always be verified. Therefore, while this report aims to present a comprehensive account of the prevalence of hate crimes, it can be more accurately seen as a compilation of reported hate crimes, primarily from participating States, supported by data compiled from reports by NGOs, IGOs and the media.

Some participating States did not report any data on hate crimes to ODIHR for 2011. In some cases this is because they do not have the facilities to do so, while in others it is because no hate crimes were reported to state authorities. However, it should be noted that this lack of data is unlikely to reflect an absence of hate crimes within these jurisdictions, just as the availability of more information on hate crimes in other states does not necessarily mean those states have a higher incidence of hate crimes. The availability of data and information may simply indicate that some participating States have a broader definition of hate crimes or are more effective at identifying, recording and reporting on specific types of hate crimes, or on hate crimes in general. These methodological limitations mean that comparisons across states in terms of the prevalence of hate crimes are extremely difficult to make.

Presenting an overview of government responses to hate crimes is less problematic than reporting on their extent. This report describes some interesting and innovative policy and legal responses by individual participating States to address the problem of hate crimes. One purpose of this report is to ensure that such positive initiatives are shared across the OSCE region.

Methodology

The methodology used for this report was developed through consultations with a large number of participating States and independent experts in 2008. It is designed to obtain, as accurately as possible, consistent and reliable information from participating States on hate crime statistics, notable incidents and policy responses. Particular attention has been devoted to gathering data relating to the specific bias motivations on which ODIHR has been asked to focus.

The report relies mainly on information and statistics provided by governments, since such data collection is primarily the responsibility of states,¹⁶ as is the responsibility to respond to hate crimes.¹⁷

¹⁵ “Report of the CSCE Meeting of Experts on National Minorities”, *op. cit.*, note 1.

¹⁶ OSCE Ministerial Council, Decision 9/09, *op. cit.*, note 3.

¹⁷ Participating States underscored that “the primary responsibility for addressing acts of intolerance and discrimination rests with participating States, including their political representatives”, OSCE Ministerial

As of 2011, 55 of the 56 OSCE participating States had appointed NPCs to support ODIHR in its task of serving “as a collection point for information and statistics collected by participating States”.¹⁸ As in previous years, the bulk of information for this report was gathered through the completion of an online questionnaire by NPCs. The questionnaire for 2011 contained questions about the following areas:¹⁹

1. Data-collection methods: including which authorities collect data, which bias motivations and types of crimes are recorded, and how data are shared publicly and used by participating States and their agencies;
2. Legislation: including whether there are any new developments, as well as the types of offences, biases and penalty enhancements that are present in participating States’ legislative approaches;
3. Reported hate crime data: including the number of hate crimes that have been reported by participating States, whether these have been reported by the police, prosecutors and/or the courts; whether they include hate speech, hate incidents and/or acts of discrimination; and what type of incidents they include (for example, single or multiple incidents, or incidents with single or multiple victims);
4. Policies and initiatives: including training, the creation of legislative committees or victim-support programmes, and more general government and NGO/IGO programmes.

Each NPC was given access to a restricted section of the Tolerance and Non-Discrimination Information System (TANDIS) website, where information provided in previous submissions could be accessed. NPCs were asked to submit their initial responses between mid-January and mid-March 2012. Revisions made in 2010 to the online questionnaire, which included improving the clarity of particular questions and providing examples of responses to more complex questions, remained in place. The “NPC Corner” was made available on TANDIS again for the 2011 report as a means to communicate with NPCs, and the entry of data directly through the online questionnaire was encouraged. As a result, the quality and detail of the information received from participating States continued to improve.

NGO data

A total of 72 NGOs contributed to this year’s report. As in 2010, an information sheet setting out a sample format for the reporting of hate crimes was distributed in several languages to NGO contacts.²⁰ Additionally, in accordance with the decision of the Maastricht Ministerial Council, ODIHR made use of publicly available information from IGOs and NGOs.²¹ In order to strengthen the capacities of these organizations to monitor and record information on hate crimes, ODIHR reached out to civil society partners by organizing 13 training sessions in 2011, at which more than 100 NGO representatives were trained.

Council, Decision No. 10/07, “Tolerance and Non-Discrimination: Promoting Mutual Respect and Understanding”, Madrid, 30 November 2007, <<http://www.osce.org/mc/29452>>.

¹⁸ The list of institutions serving as NPCs can be found in Annex B.

¹⁹ The full text of the questionnaire is available in Annex F.

²⁰ The information sheet provided to NGOs is available in Annex D.

²¹ OSCE Ministerial Council, Decision No. 4/03, *op cit.*, note 2; The list of NGOs is available in Annex D.

As a result of these efforts, the quality and usefulness of information received from NGOs continued to improve. Distinctions among hate crimes, hate speech and incidents of discrimination were more clearly elaborated, and more information about the impact of hate crimes on victims and communities was provided. Despite the limited capacity of many NGOs in the OSCE area to register and report on hate crimes, NGO submissions contributed substantially to this report.

IGO data

ODIHR received responses to the call for submissions from seven OSCE field operations in 2011.

ODIHR also organized a training programme on how to identify and respond to hate crime for field staff of the OSCE, the United Nations High Commissioner for Refugees (UNHCR) and the International Organization for Migration (IOM).

Among OSCE partner IGOs, this report draws on information from UNHCR; the United Nations Human Rights Council; the United Nations Human Rights Committee (HRC); the United Nations Committee on the Elimination of Racial Discrimination (CERD Committee); the United Nations Development Programme (UNDP); the IOM; several bodies of the European Union (EU), including, in particular, the Agency for Fundamental Rights (FRA); bodies of the Council of Europe, such as the European Commission against Racism and Intolerance (ECRI) and the Commissioner for Human Rights; and the Organisation of Islamic Cooperation Islamophobia Observatory (OIC). Specifically, UNHCR offices covering 24 locations, co-ordinated by the UNHCR office in Vienna, provided information to ODIHR on hate crimes in their areas of responsibility.²² ODIHR also received information from ten IOM field missions, co-ordinated by the IOM office in Vienna.²³

The media

As in previous years, ODIHR also drew on media reports of hate-motivated incidents to provide further background to NGO and IGO reports. The main sources used by the Office were international news services, such as the British Broadcasting Corporation (BBC) Monitoring Service, and specific news platform services, such as Internet Centre Anti Racism Europe (ICARE), as well as international or national newspapers, mainly in English.²⁴

²² Communication from UNHCR Liaison Office, Vienna, 5 April 2012. Information was received concerning: Austria, Azerbaijan, Belarus, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Czech Republic, Germany, Greece, Hungary, Moldova, Montenegro, Norway, Poland, Romania, Russian Federation, Serbia, Slovakia, Sweden and the United Kingdom. Information was also provided by UNHCR's office in Kosovo.

²³ Communication from IOM Vienna, 15 March 2012. The countries providing information were Azerbaijan, Hungary, Kazakhstan, Latvia, former Yugoslav Republic of Macedonia, Moldova, Portugal, Russian Federation, Turkey and Ukraine.

²⁴ A list of all media sources is available in Annex F.

Terminology

A hate crime is a criminal act committed with a bias motive.²⁵ ODIHR uses this definition as the analytical filter through which the data submitted by participating States, NGOs, IGOs and others are considered and presented.

Every hate crime has two elements. The first element is that an act is committed that constitutes a criminal offence under ordinary criminal law. The second element is that the offender intentionally chooses a target with a protected characteristic. A protected characteristic is a characteristic shared by a group, such as “race”, language, religion, ethnicity, nationality or any other similar common factor.²⁶ For example, if a person is assaulted because of his or her real or perceived ethnicity, this constitutes a hate crime.

Hate crimes always require a base offence to have occurred. If there is no base offence, there is no hate crime. The target may be one or more people, or it may be property associated with a group that shares a protected characteristic.

Because there are variations in legal provisions from country to country, there is some divergence in what constitutes a crime. In general, however, most OSCE countries have criminalized the same types of acts. This relative consistency in the criminal codes of participating States provides at least some basis for comparison among them in terms of statistical, policy and legal approaches.

The term “hate incident” or “hate-motivated incident” is used to describe an incident or act committed with a bias motive that does not reach the threshold of a hate crime, either because a criminal offence was not proven or because the act may not have been a criminal offence under a particular state’s legislation. Nonetheless, hate-motivated incidents may precede, accompany or provide the context for hate crimes. Since hate-motivated incidents can be precursors to more serious crimes, records of such incidents can be useful to demonstrate not only a context of harassment, but also evidence of escalating patterns of violence.²⁷

²⁵ This language is included in the preamble paragraphs of OSCE Ministerial Council Decision 9/09, *op. cit.*, note 3.

²⁶ *Hate Crime Laws: A Practical Guide*, (Warsaw: ODIHR, 2009), p. 16, <<http://www.osce.org/odihr/36426>>.

²⁷ *Preventing and Responding to Hate Crimes: A Resource Guide for NGOs in the OSCE Region*, (Warsaw: ODIHR, 2009), p. 16, <<http://www.osce.org/odihr/39821>>.

PART I – INFORMATION SUBMITTED BY PARTICIPATING STATES AND INTERGOVERNMENTAL ORGANIZATIONS

A. Introduction

Part I of this report consists of official information provided to ODIHR by participating States, primarily in response to the annual “Questionnaire for National Points of Contact on Combating Hate Crimes”. The questionnaire seeks information related to three principal sets of issues: data collection, legislative developments and improvements in institutional responses to hate crimes.

In 2011, participating States submitted data that were of higher overall quality and more relevant than in previous years. Nevertheless, there continue to be disparities in the quality and level of detail of the individual submissions from participating States. This presents an obstacle to making sound comparative analyses of the data. For example, even where statistics exist, they are not always disaggregated according to bias motivation, type of crime or outcome of prosecution. If submissions from different states were more uniform, it would be possible to undertake a more meaningful comparative analysis of the information and data compiled. Reliable data are needed to enable states to assess the extent and nature of hate crimes within their jurisdictions and, thus, to address the problem effectively. Data are also needed to test the extent to which policy responses have been successful.

Part I also includes information on legislative developments. This covers not only information on changes to national legislation, but also information about regional legislative frameworks, since these are binding in many countries in the OSCE region and may spur changes in national legislation.

With respect to institutional improvements, participating States submitted information on new policy initiatives aimed at addressing hate crimes. The full texts of these initiatives will be posted on ODIHR’s TANDIS website.

Part I also includes information provided by intergovernmental organizations.

B. Data collection

Overview

At the time this report was finalized, ODIHR had received completed questionnaires on hate crime for the year 2011 from 30 participating States,²⁸ reporting on the most current practices, as well as general information from six additional states, Bosnia and Herzegovina, Germany, Ireland, Moldova, Kazakhstan and Uzbekistan.

The description of data collection methods relies on information provided in the questionnaires submitted by participating States to ODIHR over the cumulative period of 2008–2011. During that time period, 50 participating States indicated to ODIHR that they

²⁸ The participating States submitting questionnaires were Andorra, Austria, Azerbaijan, Belgium, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Finland, Hungary, Iceland, Italy, Latvia, Liechtenstein, Lithuania, Montenegro, Norway, Poland, Portugal, Romania, Serbia, Slovenia, Spain, Sweden, Switzerland, Turkey, Ukraine and the United Kingdom.

collect some data on hate crimes.²⁹ Luxembourg and the former Yugoslav Republic of Macedonia stated that they do not compile any statistics of this type. Malta, Monaco and San Marino have not indicated whether they collect hate crime data. The Holy See reports on hate crimes in other participating States.

This section provides a brief overview of the hate crime data-collection systems used in participating States, including a comparative table with the number of reported hate crimes from the years 2009 through 2011.

While 50 states have reported that they collect hate crime data, and 33 states have provided information for 2011, 24 participating States submitted official statistics and Hungary provided information on incidents of hate crimes in 2011 at the time this report was completed.³⁰

Part IV of this report provides a country-by-country overview detailing the information submitted by each state to ODIHR.

Authorities responsible for hate crime data collection

The questionnaire asked participating States to provide a list of institutions responsible for gathering data on hate crimes. Responses indicated that the following institutions are involved:

- Law enforcement bodies (29 states);³¹
- Prosecutor's Office (26 states);³²
- Interior Ministry (24 states);³³
- Ministry of Justice (19 states);³⁴
- Statistic offices (11 states);³⁵
- Intelligence agencies (5 states);³⁶ and
- Other institutions (16 states).³⁷

²⁹ Albania, Andorra, Armenia, Austria, Azerbaijan, Belarus, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Kazakhstan, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Moldova, Montenegro, Netherlands, Norway, Poland, Portugal, Romania, Russian Federation, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Tajikistan, Turkey, Turkmenistan, Ukraine, United Kingdom, United States and Uzbekistan.

³⁰ The participating States that submitted official figures are reflected in the table on pages 23-28 and include: Austria, Azerbaijan, Belgium, Bulgaria, Croatia, Czech Republic, Finland, Germany, Ireland, Italy, Kazakhstan, Latvia, Lithuania, Norway, Poland, Serbia, Slovenia, Spain, Sweden, Switzerland, Turkey, Ukraine, United Kingdom and Uzbekistan. The Holy See reported on hate crimes in 11 other states.

³¹ Albania, Armenia, Austria, Belgium, Bosnia and Herzegovina, Cyprus, Czech Republic, Finland, Germany, Hungary, Iceland, Ireland, Italy, Kazakhstan, Latvia, Liechtenstein, Lithuania, Netherlands, Norway, Poland, Romania, Serbia, Slovenia, Spain, Sweden, Ukraine, United Kingdom, United States and Uzbekistan.

³² Armenia, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Czech Republic, Finland, Georgia, Greece, Hungary, Kazakhstan, Latvia, Lithuania, Moldova, Montenegro, Netherlands, Poland, Portugal, Romania, Russian Federation, Serbia, Slovakia, Sweden, Tajikistan, United Kingdom and Uzbekistan.

³³ Andorra, Austria, Azerbaijan, Belarus, Bosnia and Herzegovina, Bulgaria, Croatia, Finland, Georgia, Italy, Kazakhstan, Kyrgyzstan, Latvia, Lithuania, Moldova, Poland, Romania, Russian Federation, Serbia, Slovakia, Tajikistan, Turkey, Ukraine and Uzbekistan.

³⁴ Andorra, Austria, Belgium, Bosnia and Herzegovina, Croatia, Czech Republic, Estonia, Finland, France, Greece, Hungary, Latvia, Poland, Portugal, Serbia, Slovakia, Slovenia, Tajikistan and Turkey.

³⁵ Bosnia and Herzegovina, Canada, Finland, Georgia, Ireland, Moldova, Montenegro, Russian Federation, Serbia, Switzerland and Ukraine.

³⁶ Bosnia and Herzegovina, Denmark, Serbia, Spain and Tajikistan.

Bias-motivation categories

Statistics can be used to identify the most common types of bias motivations in hate crimes. This is dependent, however, on statistics being broken down to identify and provide details on specific bias motivations. The questionnaire asked participating States to indicate whether their statistics were broken down in this fashion and, if so, which bias motivations were included.

Participating States indicated that they collect data on the following bias categories:

- Ethnicity/origin/minority (35 states);³⁸
- Religion (34 states);³⁹
- “Race”/colour (33 states);⁴⁰
- Sexual orientation (19 states);⁴¹
- Citizenship (17 states);⁴²
- Gender (15 states);⁴³
- Language (13 states);⁴⁴
- Disability (13 states);⁴⁵
- Transgender (9 states);⁴⁶ and
- Other (14 states).⁴⁷

The graph below provides an overview of information received from participating States on bias-motivation categories.

³⁷ Armenia (Ombudsman), Finland (Police College of Finland), Georgia (Supreme Court), Iceland (The National Police Commissioner), Ireland (NGO), Kazakhstan (Committee of National Security), Latvia (Ombudsman and Court Administration), Montenegro (Supreme Court), Netherlands (NGO), Poland (Ombudsman), Romania (The Superior Council of Magistracy), Serbia (NGO, academic institutions, legal experts), Sweden (National Council for Crime Prevention), Switzerland (Federal Commission against Racism), United Kingdom (NGO) and Uzbekistan (National Security Service).

³⁸ Andorra, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Denmark, Finland, France, Germany, Greece, Iceland, Ireland, Italy, Kazakhstan, Latvia, Liechtenstein, Lithuania, Moldova, Netherlands, Norway, Poland, Portugal, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Tajikistan, United Kingdom, United States and Uzbekistan.

³⁹ Azerbaijan, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Denmark, Finland, France, Georgia, Germany, Greece, Iceland, Ireland, Italy, Kazakhstan, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Moldova, Netherlands, Norway, Poland, Russian Federation, Serbia, Slovakia, Sweden, Switzerland, Tajikistan, United Kingdom, United States and Uzbekistan.

⁴⁰ Andorra, Austria, Belgium, Bulgaria, Canada, Croatia, Cyprus, Estonia, Finland, France, Georgia, Germany, Greece, Iceland, Ireland, Italy, Kazakhstan, Latvia, Liechtenstein, Lithuania, Moldova, Netherlands, Norway, Poland, Portugal, Serbia, Slovakia, Sweden, Switzerland, Tajikistan, United Kingdom, United States and Uzbekistan.

⁴¹ Andorra, Belgium, Canada, Croatia, Cyprus, Denmark, Finland, France, Germany, Iceland, Ireland, Liechtenstein, Lithuania, Netherlands, Norway, Serbia, Sweden, United Kingdom and the United States.

⁴² Austria, Belgium, Cyprus, Finland, France, Germany, Hungary, Ireland, Liechtenstein, Moldova, Poland, Russian Federation, Serbia, Slovenia, Switzerland, Ukraine and the United Kingdom.

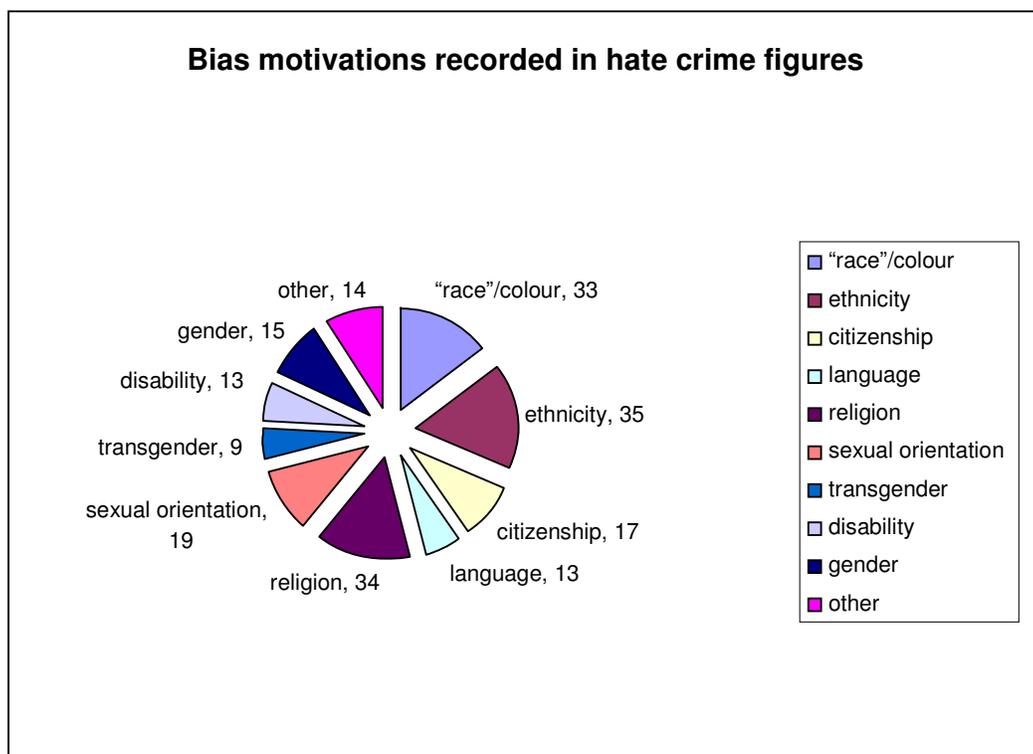
⁴³ Belgium, Canada, Croatia, Cyprus, Czech Republic, France, Hungary, Liechtenstein, Moldova, Netherlands, Serbia, Slovenia, Tajikistan, Ukraine and Uzbekistan.

⁴⁴ Belgium, Canada, Croatia, Cyprus, Finland, Georgia, Germany, Lithuania, Moldova, Serbia, Slovakia, United Kingdom and Uzbekistan.

⁴⁵ Belgium, Canada, Croatia, Cyprus, Finland, France, Georgia, Germany, Moldova, Netherlands, Serbia, United Kingdom and the United States.

⁴⁶ Belgium, Canada, Finland, Germany, Norway, Portugal, Serbia, Sweden and the United Kingdom.

⁴⁷ Austria, Belgium, Canada, Croatia, Cyprus, Czech Republic, Denmark, France, Germany, Hungary, Liechtenstein, Poland, Serbia and Ukraine.



Of a total of 43 responses concerning recorded bias motivations, 40 states reported recording data on more than one category.⁴⁸ For example, many states record data on "race"/colour, ethnicity and religion. Twenty-two participating States disaggregate these data and provide separate figures for the individual categories.⁴⁹ Twenty-five participating States reported that their data on hate crimes are simply recorded as one figure without specifying the number of crimes committed according to each bias motivation.⁵⁰ Nine participating States did not respond.⁵¹

Multiple biases in hate crimes – when a crime is committed because of more than one bias (such as "race" and religion) – were recorded by 17 states.⁵²

⁴⁸ Andorra, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Kazakhstan, Latvia, Liechtenstein, Lithuania, Moldova, Netherlands, Norway, Poland, Portugal, Russian Federation, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Tajikistan, Ukraine, United Kingdom, United States and Uzbekistan.

⁴⁹ Austria, Bosnia and Herzegovina, Canada, Croatia, Czech Republic, Denmark, Finland, France, Germany, Greece, Italy, Kazakhstan, Latvia, Liechtenstein, Lithuania, Netherlands, Norway, Slovenia, Sweden, Switzerland, United Kingdom and the United States.

⁵⁰ Albania, Andorra, Azerbaijan, Belarus, Belgium, Bulgaria, Cyprus, Estonia, Georgia, Hungary, Iceland, Ireland, Kyrgyzstan, Moldova, Poland, Portugal, Romania, Russian Federation, Serbia, Slovakia, Spain, Tajikistan, Turkey, Ukraine and Uzbekistan.

⁵¹ Armenia, Holy See, Luxembourg, former Yugoslav Republic of Macedonia, Malta, Monaco, Montenegro, San Marino and Turkmenistan.

⁵² Cyprus, Czech Republic, Finland, Georgia, Germany, Greece, Liechtenstein, Lithuania, Moldova, Netherlands, Norway, Portugal, Serbia, Slovenia, Spain, Switzerland and the United Kingdom.

Overview of specific bias motivations recorded in statistics

In 2011, few changes were reported with regard to the recording of crimes with specific bias motivations. The chart below provides an overview and shows that, among the specific bias motivations identified, 21 participating States recorded anti-Semitic crimes;⁵³ 20 recorded anti-Muslim crimes;⁵⁴ 15 recorded crimes motivated by bias against Christians and members of other religions;⁵⁵ and 13 recorded anti-Roma crimes.⁵⁶ It must be emphasized, however, that data submitted on hate crimes with specific bias motivations remain scarce.

Participating State	Cases recorded by police Overview of specific bias motivations recorded			
	Anti-Semitic crimes	Anti-Muslim crimes	Crimes motivated by bias against Christians or other religions	Anti-Roma crimes
Austria	x	x		
Belgium	x	x	x	
Bulgaria		x	x	x
Canada	x	x	x	
Croatia	x	x	x	x
Czech Republic	x	x	x	x
Finland	x	x	x	
France	x			
Germany	x			
Greece	x	x		
Iceland		x		
Ireland	x			
Italy	x			
Latvia				x
Liechtenstein	x	x		
Moldova	x	x	x	x
Netherlands	x	x	x	x
Poland	x	x	x	x
Portugal				x
Serbia	x	x	x	x
Spain	x	x	x	x
Sweden	x	x	x	x
Switzerland	x	x	x	x
Tajikistan		x		
United Kingdom	x	x	x	x
United States	x	x	x	

⁵³ Austria, Belgium, Canada, Croatia, Czech Republic, Finland, France, Germany, Greece, Ireland, Italy, Liechtenstein, Moldova, Netherlands, Poland, Serbia, Spain, Sweden, Switzerland, United Kingdom and the United States.

⁵⁴ Austria, Belgium, Bulgaria, Canada, Croatia, Czech Republic, Finland, Greece, Iceland, Liechtenstein, Moldova, Netherlands, Poland, Serbia, Spain, Sweden, Switzerland, Tajikistan, United Kingdom and the United States.

⁵⁵ Belgium, Bulgaria, Canada, Croatia, Czech Republic, Finland, Moldova, Netherlands, Poland, Serbia, Spain, Sweden, Switzerland, United Kingdom and the United States.

⁵⁶ Bulgaria, Croatia, Czech Republic, Latvia, Moldova, Netherlands, Poland, Portugal, Serbia, Spain, Sweden, Switzerland and the United Kingdom.

Methodological issues relating to categorizing data

Categorization of data on hate crimes by participating States varies greatly. For example, some countries include the categories of “social status”,⁵⁷ “education”,⁵⁸ or “foreigner”,⁵⁹ as well as “ethnicity” or “race”. These categories may well reflect the most common types of hate crimes that take place in particular states, but for the purposes of international comparisons, inconsistent categorization is problematic.

In addition, many hate crimes are complex, either due to the political and social context of the state, the circumstances of the offence, or a combination of both. A number of bias motivations may be at play, and it is not always possible to judge whether a victim was attacked because of, for example, bias against his or her “race”, ethnicity, religion or some combination of these. These complexities arise throughout the OSCE region.

Types of crimes

Forty-one participating States have reported that they classify data on hate crimes according to the type of crime committed.⁶⁰

The questionnaire indicated eight categories for types of crimes, with the responses noted below:

- Homicide (38 states);⁶¹
- Physical assault (37 states);⁶²
- Damage to property (34 states);⁶³
- Grave desecrations (32 states);⁶⁴
- Vandalism (34 states);⁶⁵

⁵⁷ For example, Croatia.

⁵⁸ For example, Belgium.

⁵⁹ For example, Ukraine.

⁶⁰ Albania, Andorra, Armenia, Austria, Belarus, Belgium, Bosnia and Herzegovina, Canada, Croatia, Czech Republic, Denmark, Finland, France, Georgia, Germany, Greece, Iceland, Ireland, Italy, Kazakhstan, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Moldova, Netherlands, Norway, Poland, Romania, Russian Federation, Slovakia, Slovenia, Spain, Sweden, Switzerland, Tajikistan, Turkey, Ukraine, United Kingdom, United States and Uzbekistan.

⁶¹ Andorra, Austria, Belarus, Belgium, Bosnia and Herzegovina, Canada, Croatia, Czech Republic, Denmark, Finland, France, Georgia, Germany, Greece, Ireland, Italy, Kazakhstan, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Moldova, Montenegro, Netherlands, Norway, Poland, Romania, Russian Federation, Serbia, Slovakia, Slovenia, Sweden, Switzerland, Tajikistan, Ukraine, United Kingdom, United States and Uzbekistan.

⁶² Andorra, Austria, Belarus, Belgium, Bosnia and Herzegovina, Canada, Czech Republic, Denmark, Finland, France, Georgia, Germany, Greece, Ireland, Italy, Kazakhstan, Latvia, Liechtenstein, Lithuania, Moldova, Montenegro, Netherlands, Norway, Poland, Romania, Russian Federation, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Tajikistan, Ukraine, United Kingdom, United States and Uzbekistan.

⁶³ Andorra, Austria, Belgium, Bosnia and Herzegovina, Canada, Croatia, Czech Republic, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Kazakhstan, Latvia, Liechtenstein, Lithuania, Moldova, Netherlands, Norway, Poland, Romania, Russian Federation, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Ukraine, United Kingdom, United States and Uzbekistan.

⁶⁴ Albania, Belarus, Belgium, Bosnia and Herzegovina, Canada, Croatia, Czech Republic, Denmark, Finland, France, Georgia, Germany, Greece, Ireland, Kazakhstan, Latvia, Lithuania, Moldova, Norway, Poland, Romania, Russian Federation, Serbia, Slovakia, Slovenia, Switzerland, Tajikistan, Turkey, Ukraine, United Kingdom, United States and Uzbekistan.

⁶⁵ Andorra, Belarus, Belgium, Bosnia and Herzegovina, Canada, Croatia, Czech Republic, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Kazakhstan, Latvia, Liechtenstein, Lithuania, Moldova,

- Threats/threatening behaviour (35 states);⁶⁶
- Attacks on places of worship (25 states);⁶⁷ and
- Other (24 states).⁶⁸

Difficulties may arise in categorizing types of crimes, just as they do in categorizing different bias motivations. For example, if an attack on a place of worship is accompanied by theft, the motive may be economic, religious bias or both.

Some states collect data under the rubric of “extremism”.⁶⁹ In general, extremist crimes are those committed for political or ideological purposes, or by members of extremist political groups. Laws on extremism can be relevant to hate crimes. Extremism laws were often enacted to combat the promulgation of fascist or neo-Nazi ideologies, which can potentially motivate the commission of hate crimes. In some instances, extremist crimes may also be hate crimes when members of extremist groups commit a criminal act with a bias motivation. In many instances, however, these laws have different effects than hate crime laws. For example, under some extremism laws racist crimes committed by individuals with no affiliation to an extremist group are not recognized as hate crimes and no data are recorded.

Some states collect hate crime data under the classification of “hate-motivated offences” or “discrimination”, which often include such acts as incitement to hatred, forms of hate speech and other propaganda-related crimes, in addition to hate crimes. Oftentimes, the data on hate crimes are subsumed into the larger scheme of such bias offences and, therefore, it is difficult to discern exact figures on hate crimes. While these laws can also be important tools for combating intolerance in society, there is no consensus on such laws in the OSCE region.

An overview of data-collection methods reported to ODIHR from 2008 to 2011 highlights the difficulties in distinguishing between hate crimes and other manifestations of intolerance in this report’s data. Among the 50 participating States that have reported collecting data, 29 states reported to ODIHR that they collect data on both hate crimes and crimes of incitement to hatred and/or of discrimination.⁷⁰ The table comparing hate crime statistics from 2009 with those from 2011 at the end of Part I B draws attention to such

Montenegro, Netherlands, Norway, Poland, Russian Federation, Serbia, Slovakia, Slovenia, Sweden, Switzerland, Tajikistan, Ukraine, United Kingdom, United States and Uzbekistan.

⁶⁶ Andorra, Austria, Belgium, Bosnia and Herzegovina, Canada, Croatia, Czech Republic, Denmark, Finland, France, Georgia, Germany, Greece, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Moldova, Montenegro, Netherlands, Norway, Poland, Romania, Russian Federation, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Ukraine, United Kingdom, United States and Uzbekistan.

⁶⁷ Belarus, Belgium, Bosnia and Herzegovina, Canada, Czech Republic, Denmark, Finland, Germany, Greece, Iceland, Ireland, Latvia, Lithuania, Moldova, Montenegro, Norway, Poland, Russian Federation, Serbia, Slovakia, Slovenia, Switzerland, Turkey, United Kingdom and the United States.

⁶⁸ Austria, Belarus, Belgium, Canada, Croatia, Czech Republic, Denmark, Finland, France, Georgia, Germany, Iceland, Italy, Kazakhstan, Latvia, Lithuania, Norway, Serbia, Slovakia, Slovenia, Switzerland, Turkey, Ukraine and the United States.

⁶⁹ For example, Austria, Czech Republic, Germany, Slovakia, Switzerland and the Russian Federation all have such laws, although of very different scopes. In Germany, for example, data collection under the rubric “extremism” corresponds to politically motivated crimes (*politisch motivierte Kriminalität*), including right-wing or left-wing crimes, crimes committed by foreigners and other politically motivated crimes.

⁷⁰ For the full list of states collecting data, see the states listed in footnote 29. The states reporting they collect data on both hate crimes and crimes of incitement to hatred and/or discrimination in one total figure are: Armenia, Austria, Belarus, Bulgaria, Canada, Croatia, Czech Republic, Denmark, Estonia, Finland, France, Germany, Hungary, Iceland, Italy, Kazakhstan, Kyrgyzstan, Latvia, Liechtenstein, Netherlands, Norway, Poland, Romania, Russian Federation, Slovakia, Spain, Sweden, Switzerland, Turkey and Ukraine.

differences in data collection and whether hate crimes are distinguished in the figures presented.

All of these uses of data make it difficult for ODIHR or others to categorize types of crimes appropriately or to make meaningful comparisons on the basis of data from different states.

Uses of data

Most participating States that have responded to questions concerning uses of hate crime data have indicated that they use the information to formulate policy and to address domestic security issues.

A total of 49 participating States have responded to questions concerning how hate crime data is shared with the public. Thirty-four participating States have indicated that they have some form of data on hate crimes publicly available.⁷¹ Ten states have reported that data can be obtained by the public upon request and if appropriate procedures are followed,⁷² while five states do not disclose any information to the public.⁷³

Number of hate crimes

States were asked in the questionnaire to indicate the number of hate crimes they recorded between 2009 and 2011.

The different concepts of hate crimes and the various methodologies applied in recording the number of cases (in some jurisdictions the number of cases is recorded, in some the number of offences, and in others the number of perpetrators) highlight the challenges to making valid comparisons. The table below presents an overview of the number of hate crimes recorded in each year from 2009 to 2011 and reported by participating States to ODIHR. The number of reported cases of hate crimes needs to be analyzed with great caution. Some states record hate crimes specifically, while others look to crime statistics for general figures. This underscores the point that the number of recorded cases of hate crimes simply indicates incidents acknowledged by the authorities as hate crimes or reported by victims.

In light of these circumstances, ODIHR has limited itself in the table below to presenting an overview of the data submitted by participating States.

⁷¹ Andorra, Armenia, Austria, Belarus, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Cyprus, Czech Republic, Denmark, Finland, France, Georgia, Greece, Hungary, Iceland, Ireland, Kazakhstan, Liechtenstein, Montenegro, Moldova, Norway, Poland, Romania, Russian Federation, Serbia, Slovakia, Slovenia, Sweden, Switzerland, Ukraine, United Kingdom and the United States.

⁷² Croatia, Estonia, Greece, Kyrgyzstan, Latvia, Lithuania, Netherlands, Portugal, Spain and Turkey.

⁷³ Albania, Azerbaijan, Italy, Tajikistan and Uzbekistan.

Table: Hate Crimes in the OSCE Region: Police Reports, Prosecutions and Convictions in 2009, 2010 and 2011

Participating State	Type of data	Cases recorded by police 2011	Cases recorded by police 2010	Cases recorded by police 2009	Cases prosecuted 2011	Cases prosecuted 2010	Cases prosecuted 2009	Cases sentenced 2011	Cases sentenced 2010	Cases sentenced 2009
Albania										
Andorra										
Armenia										
Austria	Data includes crimes of incitement to hatred.	57	99	61	38					
Azerbaijan		1	1					1		
Belarus	Police data include crimes of incitement to hatred and those of damaging historical/cultural values.			72			3			
Belgium	Data refer to crimes with a racist/xenophobic motive and include crimes of incitement to hatred and crimes of discrimination.	1152	815	1198	865	860	974	75		
Bosnia and Herzegovina	Data include crimes of incitement to hatred.		15	15						
Bulgaria	Data include crimes of incitement to hatred and crimes of discrimination.	29	20	20	41	34	22	10	4	9
Canada		not yet available	1401	1482						
Croatia	Data include crimes of incitement to hatred and discrimination.	57	34	32	20	34		10	3	
Cyprus	Data include crimes involving hate speech.		32	8	not yet available	27	16		16	3
Czech Republic	Data represent total number of criminal offences with an extremist context.	238 (including 31 crimes involving violence against people or property)	252 (including 55 crimes involving violence against people or property)	265 (including 34 crimes involving violence against people or property)	246 (including 31 crimes involving violence against people or property)	231 (including 48 crimes involving violence against people or property)	188 (including 66 crimes involving violence against people or property)	106 people	52 people	103 people
Denmark	Police data include discrimination and propaganda crimes. Prosecution and sentencing data refer only to cases of incitement to hatred.	not yet available	334	306	not yet available	9	5	not yet available	4	1
Estonia	Data include crimes of incitement to hatred.			2						

C. *Legal framework: overview of developments*

European Union and European Court of Human Rights

The EU Framework Decision on combating certain forms and expressions of racism and xenophobia by means of criminal law was adopted in November 2008.⁷⁴ The decision seeks to ensure harmonization across the EU of clear and comprehensive legislation on racist and xenophobic crimes. Article 4 of the decision requires that racist and xenophobic motives for criminal acts be considered as aggravating features of crimes that courts should take account of when imposing sentences.

EU Member States were required to review their legislation for compliance with the framework decision by November 2010. In the 2011 annual report of the EU Fundamental Rights Agency (FRA), it was reported that 23 Member States had notified the Commission of their implementing measures, with Belgium, Estonia, Greece and Spain yet to respond. The Commission will analyse the submissions, once received from all Member States, in 2013, and the Council of the European Union will have until November 2013 to review the Framework Decision and its implementation by Member States.⁷⁵

In 2011, the European Court of Human Rights ruled on one case involving potential racist motivation in the violation of the right to life (Article 2) and inhumane treatment (Article 3) in conjunction with the non-discrimination principle (Article 14). In *Soare and Others v. Romania*, the incident at issue was when police officers shot and killed a Roma man during a chase involving the applicant and two others.⁷⁶ The Court held that there were violations of Article 2 concerning excessive use of force in the killing and a procedural violation concerning the investigation of the death. Additionally, the Court held that there was a violation of Article 3 with respect to the treatment of the two other individuals involved in the incident during their questioning by police. However, by a vote of four votes to three, the Court did not find a violation of Article 14, the principle of non-discrimination in the procedural violation of failing to adequately investigate the killing. It held that the police officer's statement that he was "attacked by a Gypsy" on its own, was insufficient to require authorities to investigate whether the violation of the right to life was motivated by bias against Roma.

National developments

The following information was submitted by OSCE participating States regarding legislative changes related to hate crimes in 2011.

Bulgaria: Bulgarian legislation was amended to increase the applicable penalty range for the specific crimes of homicide and bodily harm when committed due to racist or

⁷⁴ Council Framework Decision 2008/913/JHA of 28 November 2008 on combating certain forms and expressions of racism and xenophobia by means of criminal law, Official Journal of the European Union L 328, 6 December 2008, pp. 55-58, <<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:328:0055:0058:EN:PDF>>.

⁷⁵ Annual Report 2011 Fundamental Rights: challenges and achievements for 2011, (Luxembourg: European Union Agency for Fundamental Rights, 2012), p. 228.

⁷⁶ *Soare and Others v. Romania*, no 24329/02, ECHR 2011-III.

xenophobic motives.⁷⁷ The Criminal Code already contains some hate crime provisions that prohibit the use of violence against a person or his or her property, as well as participating in a group attack against a person, because of his or her “race”, nationality, ethnic origin, religion or political conviction. These provisions were also amended to increase the applicable penalty range.⁷⁸

Croatia: A new Criminal Code introducing new provisions on hate crime was adopted by Parliament in October 2011, with an effective date of 1 January 2012.⁷⁹ While the previous provisions only included a general definition of hate crime that was applied to convictions for bias-motivated crime, the new provisions specifically cite bias motivation as an aggravating circumstance for all crimes, except for specific crimes that already provide for bias motivation in its aggravated form. Those provisions include murder, female genital mutilation, crimes involving bodily injury, sexual assault, coercion, threats, inciting riots and public incitement to violence and hatred.

Cyprus: A new law was enacted on 21 October 2011 (The Combating Certain Forms and Expressions of Racism and Xenophobia by means of Criminal Law of 2011, Law No. 134(I)/2011). The law expressly states that racist motivation is an aggravating circumstance for any offence and to be taken into account by the court at the time of sentencing.⁸⁰

Finland: New hate crime amendments introduced in 2010 were adopted in March 2011 and entered into force on 1 June 2011, as reported in ODIHR’s 2010 annual report *Hate Crimes in the OSCE Region – Incidents and Responses*. These amendments increased the applicability of the general sentencing enhancement for bias-motivated crime to specifically include motivations against “race”, religion, sexual orientation and disability. Additionally, the provision no longer requires the victim to be a member of a specific group, provided that the victim or targeted property was perceived by the offender to be associated with a particular group.⁸¹

Georgia: In 2011, the adopted amendments to the Criminal Code, authorize courts, when imposing a sentence, to consider the commission of an offence on the basis of bias motivation on such grounds as “race, colour, language, sex, sexual orientation, gender identity, age, religion, political or other opinion, disability, nationality, citizenship, ethnic or social origin” among other factors, as an aggravating circumstance for all relevant crimes in the Criminal Code.⁸² This expands upon Georgia’s previous hate crime laws, which had already included penalty enhancements for the specific crimes of murder, intentional severe damage to health, torture and disrespect for the deceased when such crimes are committed out of racial, religious, national or ethnic intolerance.⁸³

⁷⁷ Questionnaire from the Bulgarian NPC, 16 March 2012.

⁷⁸ *Ibid.*

⁷⁹ Questionnaire from the Croatian NPC, 16 March 2012.

⁸⁰ Questionnaire from the Cyprus NPC, 25 January 2012.

⁸¹ Questionnaire for the Finnish NPC, 16 March 2012.

⁸² Communication from UNHCR, *op. cit.*, note 22.

⁸³ *Ibid.*

D. Activities by international organizations to address hate crimes

OSCE and ODIHR activities

The OSCE Chairmanship-in-Office (Lithuania) and ODIHR organized three high-level meetings in 2011 on racism and related issues. Much of the discussion at these meetings dealt with hate crimes. The meetings generated numerous recommendations for addressing hate crimes. The topics, dates and locations of the three meetings were:

- “Confronting Anti-Semitism in Public Discourse”, held in Prague on 23 and 24 March 2011;⁸⁴
- “Preventing and Responding to Hate Incidents and Crimes against Christians”, held in Rome on 12 September 2011;⁸⁵ and
- “Confronting Intolerance and Discrimination against Muslims in Public Discourse”, held in Vienna on 28 October 2011.⁸⁶

In addition, one of the OSCE’s Supplementary Human Dimension Meetings (SHDM) in 2011 focused on prevention of racism, xenophobia and hate crimes through educational and awareness-raising initiatives. The meeting, which was held on 10 and 11 November in Vienna, highlighted the need to develop comprehensive measures to combat racism, including manifestations of intolerance.⁸⁷ On the margins of the SHDM, ODIHR organized a roundtable for people of African descent, focusing on prevention of racism, xenophobia and hate crimes through educational and awareness-raising initiatives.

In line with its mandate, ODIHR assists participating States and civil society to combat hate crimes. In 2011, ODIHR conducted a range of programmes to address hate crimes, including on such issues as:

- Collecting and disseminating information;
- Developing practical materials and handbooks;
- Working with international organizations and OSCE field operations;
- Supporting and training law-enforcement agencies; and
- Supporting and training civil society.

The following paragraphs describe ODIHR’s activities in 2011 in each of these fields.

Collecting information: ODIHR continued to work with intergovernmental agencies and civil society to collect additional information on hate-motivated crimes and produced its annual report *Hate Crimes in the OSCE Region – Incidents and Responses*.

⁸⁴ See “Summary Report of the OSCE High Level Meeting on Confronting Anti-Semitism in Public Discourse”, (Warsaw: ODIHR) May 2011, <<http://www.osce.org/odihr/77450>>.

⁸⁵ See “Summary Report of the OSCE High-Level Meeting on Preventing and Responding to Hate Incidents and Crimes Against Christians”, (Warsaw: ODIHR) 18 October 2011, <<http://www.osce.org/odihr/85579>>.

⁸⁶ See “Summary Report of the OSCE High-Level Meeting on Confronting Intolerance and Discrimination Against Muslims in Public Discourse, Vienna, 27-28 October 2011” (Warsaw: ODIHR) 7 February 2012, <<http://www.osce.org/odihr/87968>>.

⁸⁷ See “Final Report of the Supplementary Human Dimension Meeting on Prevention of Racism, Xenophobia and Hate Crimes through Educational and Awareness-Raising Initiatives”, (Warsaw: ODIHR) 10 February 2012, <<http://www.osce.org/odihr/87966>>.

Developing practical materials and handbooks: To help participating States address the data deficit, ODIHR began developing a practical guide for policymakers on how to collect hate crime data. The guide, developed in partnership with NGOs, IGOs and public authorities, is the first step of a larger programme that will provide tailored assistance to interested participating States.

In co-operation with the International Association of Prosecutors, ODIHR began to develop a publication entitled, *Prosecuting Hate Crime: A Practical Guide..* ODIHR held two consultation events, in Vienna on 7 and 8 March and on 17 November, to gather feedback on the draft guide, which will be published in 2012.

ODIHR's *Guidelines for Educators on Countering Intolerance and Discrimination against Muslims, Addressing Islamophobia through Education* was issued in October 2011.⁸⁸ Developed jointly by ODIHR, the Council of Europe and the UN Educational, Scientific and Cultural Organization (UNESCO), the guidelines include information about preventing and responding to hate crimes.

Working with international organizations and OSCE field operations: In June 2011, ODIHR signed a Memorandum of Understanding with UNHCR to co-operate on activities aimed at combating racism, xenophobia and related intolerance. In this framework, ODIHR prepared technical guidance for UNHCR staff on hate crime monitoring. ODIHR also organized its annual training seminar on hate crimes. The event, held from 28 to 30 March in Warsaw, was attended by nine OSCE field operations as well as representatives from the International Organization for Migration and UNHCR.

In co-operation with the OSCE Mission in Kosovo, ODIHR published the second in a planned series of the booklets in local languages, aimed at helping police, prosecutors, government officials and NGOs better understand the concept of hate crime and associated issues. The booklets, entitled *Understanding Hate Crimes*, are adapted to incorporate the local laws and context.⁸⁹

Supporting and training law-enforcement agencies: ODIHR consulted police experts across the OSCE region in May 2011 as part of the continuing development of its new TAHCLE programme. TAHCLE, a successor of ODIHR's Law Enforcement Officers Programme, is tailored to the needs and experiences of each country, with the aim of being integrated with other training efforts. TAHCLE draws on existing resources and curricula of police training institutions and can be delivered directly to police or as a training of trainers. ODIHR helps authorities maximize the results of training efforts through the provision of support in identifying and developing measures necessary to help police use the skills acquired during the training. In December 2011, ODIHR piloted TAHCLE in Kosovo with the support of the OSCE Mission in Kosovo. Forty investigators and police trainers were given instruction on identifying hate crimes and providing adequate and rapid responses to them.

ODIHR conducted workshops on hate crimes for government officials in Bulgaria and in Slovakia and delivered training for the Kosovo Judicial Institute in November 2011.

⁸⁸ The guide is available at: <<http://www.osce.org/odihr/84495>>.

⁸⁹ *Understanding Hate Crimes*, (ODIHR, Warsaw, 2011).

ODIHR also worked to strengthen the capacity of prosecutors in the OSCE region to identify and prosecute hate crimes. In particular, ODIHR facilitated an exchange of experiences among Croatian, Hungarian and Polish prosecutors at a conference hosted by the General Prosecutor's Office of Hungary in Balatonlelle on 20 and 21 October 2011.

Supporting and training civil society: In 2011, ODIHR trained more than 100 representatives from civil society organizations from Bosnia and Herzegovina, France, Greece, Italy, the Russian Federation, Serbia and Turkey. Two training seminars were also organized for more than 40 Roma representatives, from 13 to 15 April in Poland and from 13 to 15 July in Italy.

United Nations activities

In 2011, the issue of hate crimes continued to be a concern for a number of UN bodies working in the areas of human rights and discrimination, including treaty bodies and specialized agencies.

The UN General Assembly adopted Resolution 65/249, which addressed states' responsibility to address hate crimes, noting the need to adopt effective measures to combat criminal acts motivated by racism, xenophobia and related intolerance, including adopting measures to ensure that such motivations are considered as aggravating circumstances for sentencing purposes.

The CERD Committee, which oversees states' implementation of the Covenant for the Elimination of all forms of Racial Discrimination, provided comments, concerns and recommendations for states in responding to hate crimes. In its Concluding Observations, the Committee recommended that:

- Czech Republic conduct effective investigation and prosecutions of hate crimes;⁹⁰
- Georgia amend legislation to ensure racist motivation is considered an aggravating circumstance for all crimes; conduct awareness-raising campaigns on criminal laws on hate crime; deliver training for the criminal justice system (police, prosecutors and judges); and collect disaggregated hate crime data;⁹¹
- Ireland create systems to encourage reporting of hate crimes; ensure racist motivation is consistently taken into account in sentencing for bias crimes; and deliver training for judiciary on racist crimes;⁹²

⁹⁰ "Concluding Observations of the Committee on the Elimination of Racial Discrimination: Czech Republic", CERD/C/CZE/CO/8-9, p. 5, 14 September 2011, available at <<http://tb.ohchr.org/default.aspx?country=cz>>.

⁹¹ "Concluding Observations of the Committee on the Elimination of Racial Discrimination: Georgia", CERD/C/GEO/CO/4-5, p. 3, 20 September 2011, available at <<http://www2.ohchr.org/english/bodies/cerd/cerds79.htm>>.

⁹² "Concluding Observations of the Committee on the Elimination of Racial Discrimination: Ireland", CERD/C/IRL/CO/3-4, pp. 4-5, 4 April 2011, available at <<http://www2.ohchr.org/english/bodies/cerd/cerds78.htm>>.

- Lithuania ensure hate crimes are effectively prosecuted and punished, including providing remedies to victims and conducting awareness-raising campaigns;⁹³
- Moldova ensure hate crimes are effectively prosecuted and punished;⁹⁴
- Norway provide more information on judicial statistics on prosecution, convictions and sentences on racist acts, noting a considerable lack of such information;⁹⁵
- Serbia enact specific legislation on hate crimes and intensify enforcement of racially motivated crimes;⁹⁶
- Spain provide more details in its next report on judicial statistics on prosecutions, convictions and sentences for racially motivated crimes, noting a considerable lack of such information;⁹⁷ and
- Ukraine re-activate its working group on xenophobia and ethnic and racial intolerance, as well as systems for investigating and combating ethnic crimes; effectively investigate reported hate crimes and ensure that police refrain from racial profiling; prosecute and punish hate crimes; and expand human rights training for law-enforcement authorities.⁹⁸

The CERD Committee also issued General Policy Recommendation No. 34 on racial discrimination against people of African descent.⁹⁹ It recommended that states ensure they have “criminal law provisions that committing an offence with racist motivation or aim constitutes an aggravating circumstance allowing for a more severe punishment” and “ensure prosecution of all persons who commit racist crimes against persons of African descent and guarantee adequate compensation for victims of such crimes.”¹⁰⁰

⁹³ “Concluding Observations of the Committee on the Elimination of Racial Discrimination: Lithuania”, CERD/C/LTU/CO/4-5, pp. 2-3, 4 April 2011, available at <<http://www2.ohchr.org/english/bodies/cerd/cerds78.htm>>.

⁹⁴ “Concluding Observations of the Committee on the Elimination of Racial Discrimination: Moldova”, CERD/C/MDA/CO/8-9, p. 3, 6 April 2011, available at <<http://www2.ohchr.org/english/bodies/cerd/cerds78.htm>>.

⁹⁵ “Concluding Observations of the Committee on the Elimination of Racial Discrimination: Norway”, CERD/C/NOR/CO/19-20, p. 6, 8 April 2011, available at <<http://www2.ohchr.org/english/bodies/cerd/cerds78.htm>>.

⁹⁶ “Concluding Observations of the Committee on the Elimination of Racial Discrimination: Serbia”, CERD/C/SRB/CO/1, p. 3, 13 April 2011, available at <<http://www2.ohchr.org/english/bodies/cerd/cerds78.htm>>.

⁹⁷ “Concluding Observations of the Committee on the Elimination of Racial Discrimination: Spain”, CERD/C/ESP/CO/18-20, p. 3, 8 April 2011, available at <<http://www2.ohchr.org/english/bodies/cerd/cerds78.htm>>.

⁹⁸ “Concluding Observations of the Committee on the Elimination of Racial Discrimination: Ukraine”, CERD/C/UKR/CO/19-21, pp. 2-4, 14 September 2011, available at <<http://www2.ohchr.org/english/bodies/cerd/cerds79.htm>>.

⁹⁹ “General Recommendation No. 34: racial discrimination against people of African descent” Committee on the Elimination of Racial Discrimination, CERD/C/GC/34, 3 October 2011, <http://www2.ohchr.org/english/bodies/cerd/docs/GR34_English.pdf>.

¹⁰⁰ *Ibid.*, p. 5.

The UN Human Rights Council, in its Universal Periodic Review, encouraged:

- Austria to establish a comprehensive system for recording and monitoring racist crimes;¹⁰¹
- Croatia to continue its efforts to create specially trained police units to investigate hate crimes, which have resulted in an increase in the investigation of hate crimes;¹⁰²
- Denmark to take measures to protect vulnerable groups from hate crimes, noting the launch of an awareness-raising campaign to increase reporting of hate crimes;¹⁰³
- Greece to ensure racially motivated crimes are effectively prosecuted and punished;¹⁰⁴
- Hungary to take measures to prevent and combat hate crime; to ensure training for police, prosecutors and judges; and to effectively investigate and prosecute racially motivated violence and other hate crimes;¹⁰⁵
- Ireland to develop a training programme for the judiciary to ensure judges take into account racist motivation in sentencing; to establish a system to encourage reporting of racist crimes; and to investigate the reports of knife stabbings of people of African descent, ensuring the perpetrators are prosecuted and appropriately punished;¹⁰⁶
- Latvia to intensify its efforts to combat hate crime, noting improved criminal law provisions and training;¹⁰⁷
- Lithuania to further strengthen its measures to investigate and prosecute hate crimes, noting that the criminal law has already been amended to include racial motivation as an aggravating circumstance in all crimes;¹⁰⁸

¹⁰¹ “Report of the Working Group on the Universal Periodic Review: Austria”, Human Rights Council on the Working Group on the Universal Periodic Review, A/HRC/17/8, p. 20, 18 March 2011, available at <<http://www2.ohchr.org/english/bodies/hrcouncil/17session/reports.htm>>.

¹⁰² “Report of the Working Group on the Universal Periodic Review: Croatia”, Human Rights Council on the Working Group on the Universal Periodic Review, A/HRC/16/13, p. 8, 4 January 2011, <<http://www2.ohchr.org/english/bodies/hrcouncil/docs/16session/A-HRC-16-13.pdf>>.

¹⁰³ “Report of the Working Group on the Universal Periodic Review: Denmark”, Human Rights Council on the Working Group on the Universal Periodic Review, A/HRC/18/4, p. 17, 11 July 2011, <http://www2.ohchr.org/english/bodies/hrcouncil/docs/18session/A-HRC-18-4_en.pdf>.

¹⁰⁴ “Report of the Working Group on the Universal Periodic Review: Greece”, Human Rights Council on the Working Group on the Universal Periodic Review, A/HRC/18/13, p. 15, 11 July 2011, <http://www2.ohchr.org/english/bodies/hrcouncil/docs/18session/A-HRC-18-13_en.pdf>.

¹⁰⁵ “Report of the Working Group on the Universal Periodic Review: Hungary”, Human Rights Council on the Working Group on the Universal Periodic Review, A/HRC/18/17, pp. 18, 21, 11 July 2011, <http://www2.ohchr.org/english/bodies/hrcouncil/docs/18session/A-HRC-18-17_en.pdf>.

¹⁰⁶ “Report of the Working Group on the Universal Periodic Review: Ireland”, Human Rights Council on the Working Group on the Universal Periodic Review, A/HRC/19/9, pp. 18-19, 21 December 2011, <http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session19/A-HRC-19-9_en.pdf>.

¹⁰⁷ “Report of the Working Group on the Universal Periodic Review: Latvia”, Human Rights Council on the Working Group on the Universal Periodic Review, A/HRC/18/9, p. 14, 11 July 2011, available at <http://www2.ohchr.org/english/bodies/hrcouncil/docs/18session/A-HRC-18-9_en.pdf>.

- Moldova to further strengthen measures to prevent and investigate hate crimes;¹⁰⁹ and
- United States to ensure prosecution, punishment and fair compensation to victims under the law for cases of racial and xenophobic violence.¹¹⁰

The UN General Assembly adopted Resolution 65/249, as part of the follow-up to the Durban Declaration, which addressed the state's responsibility to address hate crime, noting the need to adopt effective measures to combat criminal acts motivated by racism, xenophobia and related intolerance, including adopting measures to ensure that such motivations are considered as aggravating circumstances for sentencing purposes.¹¹¹

European Commission

In May 2011, the European Commission issued a proposal for a directive of the European Parliament and the European Council establishing minimum standards on the rights, support and protection of crime victims. Among the many provisions in the proposal is the explicit recognition that victims of hate crimes, as well as certain victims of other crimes, often require special support services due to the nature of the crime to which they have been subjected.¹¹²

Council of Europe

The European Commission against Racism and Intolerance (ECRI) issued a number of reports in its country monitoring cycle. In 2011, ECRI recommended that:

- Azerbaijan establish a system for systematic monitoring of incidents of racial violence and improve the information available to it concerning racist crime;¹¹³
- Cyprus train prosecutors and judges in relation to hate crime and other forms of discrimination; ensure all acts of racist violence are thoroughly investigated for

¹⁰⁸ “Report of the Working Group on the Universal Periodic Review: Lithuania”, Human Rights Council on the Working Group on the Universal Periodic Review, A/HRC/19/15, pp. 7, 15, 19 December 2011, <http://www2.ohchr.org/english/bodies/hrcouncil/docs/18session/A-HRC-18-9_en.pdf>.

¹⁰⁹ “Report of the Working Group on the Universal Periodic Review: Moldova”, Human Rights Council on the Working Group on the Universal Periodic Review, A/HRC/19/18, p. 19, 14 December 2011, <http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session19/A-HRC-19-18_en.pdf>.

¹¹⁰ “Report of the Working Group on the Universal Periodic Review: United States of America”, Human Rights Council on the Working Group on the Universal Periodic Review, A/HRC/16/11, p. 20, 4 January 2011, <<http://www2.ohchr.org/english/bodies/hrcouncil/docs/16session/A-HRC-16-11.pdf>>.

¹¹¹ UN General Assembly Resolution 65/240 “Global efforts for the total elimination of racism, racial discrimination, xenophobia and related intolerance and the comprehensive implementation of and follow-up to the Durban Declaration and programme of action”, A/RES/65/240, p. 4-5 April 2011, <http://www.un.org/ga/search/view_doc.asp?symbol=A/RES/65/240>.

¹¹² “Proposal for a Directive of the European Parliament and of the Council establishing minimum standards on the rights, support and protection of victims of crime”, European Commission, COM(2011)275final, p. 15, 18 May 2011, <<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2011:0275:FIN:EN:PDF>>.

¹¹³ “ECRI Report on Azerbaijan (fourth monitoring cycle)”, ECRI, adopted on 23 March 2011, published 31 May 2011, CRI(2011)19, p. 22, <<http://www.coe.int/t/dghl/monitoring/ecri/Country-by-country/Azerbaijan/AZE-CbC-IV-2011-019-ENG.pdf>>.

appropriate prosecution and punishment; and improve its hate crime data-collection system, noting that the recorded number of racially motivated incidents is low compared with reports of such incidents in the community;¹¹⁴

- Iceland introduce provisions in criminal law that expressly consider racist motivation as an aggravating circumstance of an offence, and strengthen in-service and initial training for police, prosecutors and judges on recognizing racist motivation;¹¹⁵
- Italy intensify efforts to monitor hate crimes and adopt a broader definition of racist incidents that would include any incident that is perceived as such by the victim or any other person, noting that the current approach, in which official figures are recorded according to the perception of law enforcement, most likely under-represents the number of actual hate crimes;¹¹⁶
- Latvia strengthen training on hate crimes for police, judges and prosecutors;¹¹⁷
- Lithuania include systems for better monitoring and continue training of police, lawyers, judges and prosecutors on hate crime provisions, noting improvements to legislation and the system for recording criminal acts motivated by racism;¹¹⁸
- Luxembourg conduct research to ascertain the lack of case law on racist crimes and conduct awareness-raising campaigns designed to increase reporting by victims;¹¹⁹
- Montenegro strengthen initial and in-service training for police, lawyers, public prosecutors and judges on issues related to hate crime;¹²⁰
- Serbia ensure more vigorous implementation of criminal law in cases of racist crime, strengthen judicial training on issues relating to racist crime and encourage witnesses and victims to report hate crimes;¹²¹ and

¹¹⁴ “ECRI Report on Cyprus (fourth monitoring cycle)”, ECRI, adopted on 23 March 2011, published 31 May 2011, CRI(2011)20, pp. 13-15; 27-28; 43, <<http://www.coe.int/t/dghl/monitoring/ecri/Country-by-country/Cyprus/CYP-CbC-IV-2011-020-ENG.pdf>>.

¹¹⁵ “ECRI Report on Iceland (fourth monitoring cycle)”, ECRI, adopted on 6 December 2011, published 21 February 2012, CRI(2012)1, pp. 11-13; 17, <<http://www.coe.int/t/dghl/monitoring/ecri/Country-by-country/Iceland/ISL-CbC-IV-2012-001-ENG.pdf>>.

¹¹⁶ “ECRI Report on Italy (fourth monitoring cycle)”, ECRI, adopted 6 December 2011, published 21 February 2012, CRI(2012)2, p. 24-25, <<http://www.coe.int/t/dghl/monitoring/ecri/Country-by-country/Italy/ITA-CbC-IV-2012-002-ENG.pdf>>.

¹¹⁷ “ECRI Report on Latvia (fourth monitoring cycle)”, ECRI, adopted on 9 December 2011, published 21 February 2012, CRI(2012)3, pp. 16-17, <<http://www.coe.int/t/dghl/monitoring/ecri/Country-by-country/Latvia/LVA-CbC-IV-2012-003-ENG.pdf>> .

¹¹⁸ “ECRI Report on Lithuania (fourth monitoring cycle)”, ECRI, adopted on 22 June 2011, published 13 September 2011, CRI(2011)38, pp. 15-18; 20; 25, <<http://www.coe.int/t/dghl/monitoring/ecri/Country-by-country/Lithuania/LTU-CbC-IV-2011-038-ENG.pdf>>.

¹¹⁹ “ECRI Report on Luxembourg (fourth monitoring cycle)”, ECRI, adopted on 8 December 2011, published 21 February 2012, CRI(2012)4, pp. 13-14; 25, <<http://www.coe.int/t/dghl/monitoring/ecri/Country-by-country/Luxembourg/LUX-CbC-IV-2012-004-ENG.pdf>>.

¹²⁰ “ECRI Report on Montenegro (fourth monitoring cycle)”, ECRI, adopted on 8 December 2011, published 21 February 2012, CRI(2012)5, pp. 11-14, <<http://www.coe.int/t/dghl/monitoring/ecri/Country-by-country/Montenegro/MNE-CbC-IV-2012-005-ENG.pdf>>.

- Ukraine ensure that racist offences are consistently reported and recorded in the criminal justice system as a means to improve tracking of cases across the criminal justice system; intensify its efforts to combat bias-motivated violence through effective punishment; and deliver training for all criminal justice system agencies on implementing criminal provisions.¹²²

The Commissioner for Human Rights of the Council of Europe in 2011 Thomas Hammarberg published a book on the implementation gap regarding major human rights issues in Europe, which included a comprehensive section on hate crimes.¹²³ He also undertook several country visits, during which he raised issues regarding governments' efforts to combat hate crime. In Serbia, the Commissioner noted that the authorities could use more "vigorous implementation" of criminal law provisions in relation to hate crimes, and called for active prosecution of such cases, as well as a review of sentencing policies and training throughout the criminal justice system.¹²⁴ In Italy, he highlighted the need to improve police response to racist offences, including by making the system for monitoring racist incidents and offences more flexible and the system for reporting more victim-friendly.¹²⁵ In Slovakia, the Commissioner called on the authorities to address shortcomings in the implementation of the criminal law against racially-motivated violence, notably the provision that establishes racial motivation as an aggravating circumstance in respect of all crimes.¹²⁶

E. Institutional developments

A number of participating States undertook initiatives in 2011 to improve their institutional responses to hate crimes. These actions did not require legislative changes, but instead used existing powers to develop programmes or to improve the skills and capacities of staff.

¹²¹ "ECRI Report on Serbia (fourth monitoring cycle)", ECRI, adopted on 23 March 2011, published 31 May 2011, CRI(2011)21, pp. 9; 22; 31, <<http://www.coe.int/t/dghl/monitoring/ecri/Country-by-country/Serbia/SRB-CbC-IV-2011-021-ENG.pdf>>.

¹²² "ECRI Report on Ukraine (fourth monitoring cycle)", ECRI, adopted on 8 December 2011, published 21 February, 2012, CRI(2012)6, pp. 13-15; 18-20, <<http://www.coe.int/t/dghl/monitoring/ecri/Country-by-country/Ukraine/UKR-CbC-IV-2012-006-ENG.pdf>>.

¹²³ "Human rights in Europe: no ground for complacency. Viewpoints by the Council of Europe Commissioner for Human Rights", Council of Europe, April 2011, pp. 46-49, <http://www.coe.int/t/commissioner/Viewpoints/ISBN2011_en.pdf>.

¹²⁴ "Report by Thomas Hammarberg, Commissioner for Human Rights of the Council of Europe, following his visit to Serbia on 12-15 June 2011", Council of Europe, CommDH(2011)29, pp. 3, 21-22, 7 September 2011, <<https://wcd.coe.int/com.instranet.InstraServlet?Index=no&command=com.instranet.CmdBlobGet&InstranetImage=1943194&SecMode=1&DocId=1786360&Usage=2>>.

¹²⁵ "Report by Thomas Hammarberg, Commissioner for Human Rights of the Council of Europe, following his visit to Italy on 26-27 May 2011", Council of Europe, CommDH(2011)26, p. 2, 7 September 2011, <<https://wcd.coe.int/com.instranet.InstraServlet?Index=no&command=com.instranet.CmdBlobGet&InstranetImage=1914817&SecMode=1&DocId=1778094&Usage=2>>.

¹²⁶ "Report by Thomas Hammarberg, Commissioner for Human Rights of the Council of Europe, following his visit to Slovakia on 26-27 September 2011", Council of Europe, CommDH(2011)42, pp. 9-11, 20 December 2011, <<https://wcd.coe.int/com.instranet.InstraServlet?Index=no&command=com.instranet.CmdBlobGet&InstranetImage=2000080&SecMode=1&DocId=1839228&Usage=2>>.

Bulgaria: The Prosecutor General issued guidelines on investigation and prosecution of crimes against the equality of citizens.¹²⁷

Croatia: The Working Group for Hate Crime, a multidisciplinary working group supported by the Office for Human Rights and Rights of National Minorities, adopted a new Protocol on Hate Crime. This Protocol aims to ensure better co-ordination between all levels of the criminal justice system (police, prosecutors and judges) for responding to and recording hate crimes.¹²⁸

Cyprus: A series of training courses on discrimination, racism and xenophobia were implemented at the Cyprus Police Academy at various levels (basic police training, courses for sergeants and inspectors). Law-enforcement authorities also translated and published leaflets and booklets on human rights, discrimination, racism and xenophobia, which were distributed to all police officers, as well as made available to the public.¹²⁹

Czech Republic: The Judicial Academy organized seminars for prosecutors and judges on extremist crime, including sessions on hate crime.¹³⁰

Finland: The National Police Board issued instructions for police on recording and categorizing hate crime, which entered into force in January 2012. The categorization method aims to provide more detailed information on hate crimes, including prevalence, victims and perpetrators, in order to improve understanding of the issues around hate crime and better detect patterns of linked incidents for better informed policing responses.¹³¹

Hungary: The Head of the National Police Service issued his instruction on effective policing for multicultural communities, which addressed some aspects of policing events where there is a high risk of hate crime.¹³²

Liechtenstein: The government continued implementation of its Action Plan against Right Wing Extremism REX 2010-2015, which includes awareness-raising activities with professional groups, such as the justice sector and police.¹³³

Lithuania: The government approved the Non-Discrimination Inter-Institutional Action Plan for 2012-2014, which obliges the Ministry of the Interior and the IT and Communications Department under the Ministry of the Interior to prepare and regularly publish statistics on criminal acts committed on the grounds of the victim's nationality, "race", ethnic origin, religion, language or belonging to another group.¹³⁴

Poland: Continuing the implementation of ODIHR's law-enforcement training programme on hate crimes, five rounds of train-the-trainer sessions were held at the national level,

¹²⁷ Questionnaire from the Bulgarian NPC, *op. cit.*, note 77.

¹²⁸ Questionnaire from the Croatian NPC, *op. cit.*, note 79; Communication from UNHCR, *op. cit.*, note 22.

¹²⁹ Questionnaire from the Cyprus NPC, *op. cit.*, note 80.

¹³⁰ Questionnaire from the Czech NPC, 15 March 2012.

¹³¹ Questionnaire from the Finnish NPC, 16 March 2012.

¹³² Questionnaire from the Hungarian NPC, 4 April 2012.

¹³³ Questionnaire from the Liechtenstein NPC, 28 January 2012.

¹³⁴ Questionnaire from the Lithuanian NPC, 16 March 2012.

resulting in a total of 115 expert trainers on hate crime by the end of 2011.¹³⁵ Local training sessions on hate crimes also continued, bringing the total number of police officers trained on hate crimes to 38,000. These also included the national launch and distribution to police officers of leaflets on hate crime and common hate symbols. On the basis of an audit review concerning criminal cases based on racism or xenophobia, the Preparatory Proceedings Office of General Prosecutor's Office conducted an analysis of hate crimes and outlined methodological guidelines for prosecutors who lead or supervise preparatory proceedings in hate crime cases. This analysis was sent to all Appeals Prosecutor's offices with a request to further distribute it to subordinate prosecution units.

Spain: An office of the Public Prosecutor was set up in Malaga to deal specifically with hate crimes and discrimination. This is the third such office in Spain, after Madrid and Barcelona.¹³⁶ As reported in last year's edition of this report, the Interior Ministry and the Ministry of Labour and Immigration collaborated in 2010 on designing and implementing a data-collection system on assault and other crimes with racist or xenophobic motivation. That system was implemented on 1 January 2011 and provides for the collection of statistical data related to racism and xenophobia to inform performance management tools.¹³⁷ After consultations with other government agencies, the Ministry of Work and Immigration adopted a "Comprehensive Strategy against Racism, Racial Discrimination, Xenophobia and Related Intolerance" in November 2011, which includes addressing issues related to hate crime.¹³⁸

Sweden: The Police Authority of Skane County continued to develop and implement the training of specialized police officers in each district in order to improve their ability to register and record hate crimes.¹³⁹ The Crime Victim Compensation and Support Authority funded several projects on hate crimes, aimed to increase knowledge of victims. The Authority funded a research project in 2011 to explore the causes and consequences of hate crime, and to examine possible means of prevention, with a focus on identifying strategies to improve the situation for victims. Other awareness-raising and capacity-building initiatives targeting specific groups are included in this report under the relevant sections.

Details of all the initiatives described above are available on the TANDIS website.¹⁴⁰

¹³⁵ Questionnaire from the Polish NPC, 29 March 2012.

¹³⁶ Information from Centro de Investigaciones en Derechos Humanos <http://world.kph.org.pl>, 4 February 2012.

¹³⁷ Questionnaire from the Spanish NPC, 15 March 2012.

¹³⁸ *Ibid.*; The full document is available at

<http://www.oberaxe.es/files/datos/4ef19b2b618db/ESTRATEGIA%20INGLES%20LINEA.2.pdf>.

¹³⁹ Questionnaire from the Swedish NPC, 15 March 2012.

¹⁴⁰ See TANDIS website: <http://tandis.odihr.pl/>.

PART II – ADDITIONAL INFORMATION GATHERED BY ODIHR AND INFORMATION ON SPECIFIC BIAS MOTIVATIONS

A. Introduction

Unlike Part I of this report, which is drawn almost entirely from information provided to ODIHR by the governments of participating States, Part II incorporates information from a variety of other sources, including IGOs and NGOs. These sources have been consulted in accordance with ODIHR's mandate from the OSCE Ministerial Council to make use of such information.¹⁴¹

Part II begins by placing the information provided by governments into a wider context. It describes the danger of individual hate crimes escalating into broader conflicts that can threaten social stability. It also discusses issues relating to the under-reporting of hate crimes and highlights potential reasons for this. In addition, Part II sets out how intolerant discourse can be a contributing factor to hate crimes. The problem of crimes against human rights defenders is also examined.

Finally, the bulk of Part II addresses particular bias motivations specified in OSCE commitments. While hate crimes share many common features, the OSCE Ministerial Council has recognized “the specificity of different forms of intolerance”¹⁴² and “the uniqueness...of the historical background of each form”.¹⁴³ Taking this into account, separate sections of Part II focus on racist and xenophobic crimes, anti-Roma and Sinti crimes, anti-Semitic crimes, anti-Muslim crimes and crimes motivated by bias against Christians and members of other religions. Hate crimes against a number of other groups are also addressed, on the basis of data received, including crimes motivated by bias against lesbian, gay, bisexual or transgender (LGBT) people, as well as crimes motivated by bias against people with disabilities. Some responses to hate crimes by governments and NGOs with regard to specific target groups or types of hate crimes are also described in the relevant sections.

B. Context

In 2011, there were a number of high-profile cases of hate crimes in the OSCE region, as detailed below. These cases raised awareness of hate crime at the national and international levels and highlighted several key features of these acts. In Bulgaria, the attack against the Sofia Mosque demonstrated that hate crimes can be committed by groups, cause widespread fear among affected communities and lead to welcome expressions of solidarity from society at large. The discovery that a series of murders of Turkish and Greek small-business owners in Germany were actually hate crimes committed by members of a neo-Nazi group exposed the hidden nature of some hate crimes, the devastating impact on victims' families and the importance of fully exploring evidence of motive in these cases. The 22 July killing spree in Norway demonstrated that a large number of hate crimes can be committed by a single individual, with deadly and devastating consequences.

¹⁴¹ OSCE Ministerial Council, Decision No. 4/03, *op. cit.*, note 5; See also, “Methodology”, in Part I.

¹⁴² OSCE Ministerial Council, Decision No. 10/07, *op. cit.*, note 17.

¹⁴³ OSCE Ministerial Council, Decision No. 13/06, *op. cit.*, note 11.

Bulgaria: On 20 May 2011 at about 1 p.m., minutes before the Friday prayer at the Sofia Mosque, a group of 150 supporters of the political party Ataka organized a protest against the loudspeakers of the mosque. Protesters chanted offensive words and then approached the mosque, throwing eggs, paving stones and other hard objects at the worshippers. Some of the Ataka supporters attempted to jump over the fence surrounding the mosque and place their own loudspeakers inside. Five worshippers were seriously injured when struck by hard objects, one of whom suffered severe head trauma. In media interviews, representatives of Ataka referred to worshippers as “Islamic fundamentalists” and claimed that they were attacked by them. Following the incident, the Bulgarian Prosecutor’s Office began criminal proceedings against two people who were arrested during the incident, as well as unknown perpetrators. The attack was widely condemned by civil and religious organizations. The day after the incident, people placed flowers in front of the mosque as a sign of solidarity. The Grand Mufti expressed his gratitude officially to all Bulgarian citizens who supported the initiative and showed sympathy.¹⁴⁴

Germany: In November 2011, it emerged that ten murders, including those of eight people of Turkish origin, one person of Greek origin and one police officer, were committed over a period of 11 years by a neo-Nazi group. The victims were shot in the face. The German authorities are currently investigating the failure to detect the emergence of what is being called a right-wing terrorism network.

Norway: On 22 July 2011 in Oslo, a car bomb exploded in front of the office of Prime Minister Jens Stoltenberg and near other government buildings. The explosion killed eight people and injured at least 209, 12 of them seriously. Less than two hours later, at a summer camp on Utøya Island organized by the AUF, the youth division of the ruling Norwegian Labour Party (AP), a gunman dressed in a homemade police uniform and showing false identification gained access to the island. He subsequently opened fire on the participants, killing 69 of them and injuring at least 110, 55 of them seriously.

The Norwegian Police arrested Anders Behring Breivik and charged him with both attacks. The main court trial began on 16 April 2012. Breivik has claimed he carried out the massacre on Utøya in order to wipe out the next generation of a political party he blamed for encouraging a multicultural Norway.¹⁴⁵

C. Danger of escalation

Hate crimes and incidents can escalate rapidly into broader social unrest, as can ordinary crimes alleged to have been committed by members of minority communities, when members of the majority engage in retaliation. This occurred in the OSCE region in 2011. Escalation can be particularly dangerous in post-conflict situations in which ethnicity played a part in the conflict. However, hate crimes can also escalate into wider disturbances in countries with no recent history of conflict. Although an analysis of the causes of ethnic conflict is beyond the scope of this report, the danger of hate crimes escalating into broader

¹⁴⁴ “Bulgarian Nationalist Party to Face ‘Maximum’ Fine over Mosque Incident,” <http://www.novinite.com/view_news.php?id=128806>; Communication from Office of the Grand Mufti, 1 March 2012.

¹⁴⁵ “Timeline: How Norway’s Attacks Unfolded”, <<http://www.bbc.co.uk/news/world-europe-14260297>>.

unrest – or ordinary crimes escalating into a pattern of hate crimes – are particularly relevant issues for a security organization such as the OSCE.

One example of escalation took place on 10 May 2011 in Athens, when a Greek man was robbed of his video camera and stabbed to death by three migrants. This led to an anti-migrant protest by demonstrators who marched from the site of the murder to Athens City Hall, chasing and attacking migrants as they moved through the city centre. The protest rapidly turned into a series of violent anti-migrant attacks, lasting for about one week. Hooded people smashed windows in apartment buildings and storefronts, shouting “Foreigners leave Greece”, and gangs of youths reported to be supporters of the Golden Dawn political party set up checkpoints along main roads and patrolled some areas, attacking passing migrants and creating so-called “migrant-free zones”. Riot police intervened on various occasions, and some demonstrators threw Molotov cocktails at police officers who tried to disperse them. Although the number of injured is unknown, NGOs and migrant community representatives asserted there were more than 100 victims. Members of far right political groups were arrested by police.¹⁴⁶

D. Under-reporting

Under-reporting of hate crimes continues to be a significant problem across the OSCE region. NGOs in numerous countries have reported to ODIHR that victims and members of their communities often do not report these crimes for a number of reasons, including fear of the police and a lack of trust that the authorities will follow up on their cases seriously. In some instances, victims may not identify the crime against them as a hate crime, either because the experience is so common among those in their circumstances or because they are unaware that a crime with a hate motive is more serious than the same crime without such a motive. Some victims may report the offence to another person, such as a teacher or social worker, but may not report it to the police. Even if they do report the offence, the police or another agency may not have a hate crime-reporting system to capture this information.

For example, during focus groups held by ODIHR in preparation for hate crime training for NGOs, participants regularly reported that their concerns about discrimination in relation to the police reduced their confidence to come forward and report hate crimes to authorities. Such under-reporting distorts statistics and may create the impression that hate crimes are less prevalent than they actually are.

E. Intolerant discourse

Hate crimes do not happen in a vacuum. Participating States have acknowledged that “hate crimes can be fuelled by racist, xenophobic and anti-Semitic propaganda”¹⁴⁷ and have repeatedly expressed their concern regarding “racist, xenophobic and discriminatory public discourse”.¹⁴⁸ Intolerant speech can lend a sense of social acceptance to potential perpetrators of violence. Even where intolerant speech or hate speech does not result in hate

¹⁴⁶ Communication from UNHCR, *op. cit.*, note 22.

¹⁴⁷ OSCE Permanent Council, Decision No. 607, “Combating Anti-Semitism”, Vienna, 22 April 2004, <<http://www.osce.org/pc/30980>>.

¹⁴⁸ OSCE Ministerial Council, Decision No. 13/06, *op. cit.*, note 11.

crimes, it can inflame social tensions and induce fear among targeted groups. This concern has been echoed in the reports of ECRI on Azerbaijan¹⁴⁹ and Italy.¹⁵⁰ The Commissioner for Human Rights of the Council of Europe expressed concern about the use of anti-Roma rhetoric by public figures in the Republic of Moldova.¹⁵¹

Instances of intolerant public speech and hate speech were reported in the OSCE region in 2011. By way of example, NGOs reported intolerant discourse against Muslims in the United Kingdom¹⁵² and Italy;¹⁵³ against Roma and Sinti in Hungary¹⁵⁴; and against LGBT people in Moldova.¹⁵⁵

F. Human rights defenders

Participating States have specifically recognized the importance of protecting human rights defenders.¹⁵⁶ Reports by IGOs and NGOs make clear that crimes against human rights defenders remained a serious issue of concern in 2011. Defenders were subject to harassment, threats, abuse and murder for their activities. There are no official data on hate crimes against human rights defenders because their status is not recognized as a protected characteristic. However, crimes against human rights defenders are sometimes recorded as hate crimes against a specific religious, ethnic or other group, or as political crimes, because they are targeted due to their association with one of these protected groups.

On 24 March 2011, the Human Rights Council adopted Resolution 16/5 on the Mandate of the Special Rapporteur on the situation of human rights defenders, according to which the Human Rights Council “decides to extend the mandate of the Special Rapporteur for a period of three years, and requests the Special Rapporteur [...] to recommend concrete and effective strategies to better protect human rights defenders through the adoption of a universal approach, and to follow up on these recommendations.”¹⁵⁷ In her 2011 report to the UN General Assembly, the Special Rapporteur expressed extreme concern about allegations of threats, attacks, arbitrary arrests, ill-treatment, torture and killings of human rights defenders.¹⁵⁸

¹⁴⁹ “ECRI Report on Azerbaijan (fourth monitoring cycle)”, ECRI, *op. cit.*, note 113.

¹⁵⁰ “ECRI Report on Italy (fourth monitoring cycle)”, ECRI, *op. cit.* note 116.

¹⁵¹ “Letter from the Council of Europe Commissioner for Human Rights to the Prime Minister of the Republic of Moldova”, CommDH(2012)3, 21 December 2011, <<https://wcd.coe.int/ViewDoc.jsp?id=1891925>>.

¹⁵² Information from ENGAGE, 5 April 2012.

¹⁵³ Information received from Lunaria, 31 January 2012.

¹⁵⁴ Communication from UNHCR, *op. cit.*, note 22.

¹⁵⁵ Information from Gender Doc, received through ILGA-Europe, 29 March 2012.

¹⁵⁶ “Budapest Document 1994: Towards a General Partnership in a New Era”, CSCE, 5-6 December 1994, <<http://www.osce.org/mc/39554>>. “The participating States emphasize that all action by public authorities must be consistent with the rule of law, thus guaranteeing legal security for the individual... [and] also emphasize the need for protection of human rights defenders.”

¹⁵⁷ “Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development / Resolution adopted by the Human Rights Council 16/5 Mandate of the Special Rapporteur on the situation of human rights defenders”, Human Rights Council, 8 April 2011, A/HRC/RES/16/5, <http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/RES/16/5>.

¹⁵⁸ “Report of the Special Rapporteur on the situation of human rights defenders”, UN General Assembly, 28 July 2011, A/66/203, <<http://www.un.org/Docs/journal/asp/ws.asp?m=A/66/203>>.

ODIHR received information on the following incidents and responses involving the targeting of human rights defenders based on their work on behalf of groups threatened with hate crimes:

Greece: The International Federation for Human Rights reported a series of threats against the legal counsel for the human rights organization Greek Helsinki Monitor (GHM), the GHM spokesperson and a member of the General Assembly of the Observatory for the Protection of Human Rights Defenders (OPHRD).¹⁵⁹

Hungary: The Regional Centre for Minorities reported graffiti on the doorway of the home of its co-ordinator for Roma matters.¹⁶⁰

Republic of Moldova: GenderDoc-M reported one case of threats, one case of criminal damage and one case of physical assault against LGBT activists.¹⁶¹

Russian Federation: Human Rights Watch reported the physical assault of a prominent Russian human rights activist of Uzbek origin working for the Moscow-based Memorial Human Rights Center¹⁶², repeated threats against members of the Anti-Discrimination Center Memorial in St. Petersburg¹⁶³ and the murder of a leading newspaper columnist who was covering human rights abuses.¹⁶⁴ The OPHRD reported repeated threats against the head of the Novorossiysk Human Rights Committee and his family, leading to their leaving the region.¹⁶⁵

Spain: The Cabinet of Social Studies (GES) and the Movement Against Intolerance (MAI) reported one case of threats and physical assault against a woman of Bolivian origin who was helping migrants obtain documentation.¹⁶⁶

Turkey: The Council of Europe's Commissioner for Human Rights expressed concern about the number of attempts at intimidation, attacks and murders perpetrated against journalists and human rights defenders.¹⁶⁷ The OPHRD reported the assault of one of the

¹⁵⁹ "Threats and abusive and racist messages against Messrs. Thanassis Tartis and Panayote Dimitras - GRE 001/1011/OBS 120", International Federation for Human Rights, 26 October 2011, <http://www.fidh.org/IMG/article_PDF/article_a10868.pdf>.

¹⁶⁰ Information from the Regional Centre for Minorities, 16 March 2012.

¹⁶¹ Information from Gender Doc, received through ILGA-Europe, *op. cit.*, note 155.

¹⁶² *Human Rights Watch World Report 2012* (New York: Human Rights Watch, 2012), p. 480, <<http://www.hrw.org/world-report-2012>>.

¹⁶³ *Observatory for the Protection of Human Rights Defenders Annual Report 2011*, Observatory for the Protection of Human Rights Defenders, pp. 473-474, <http://www.omct.org/files/2011/10/21443/obs_2011_uk_europecis.pdf>.

¹⁶⁴ "Russia: Investigate Murder of Dagestan Publisher", Human Rights Watch, 16 December 2011, <<http://www.hrw.org/news/2011/12/16/russia-investigate-murder-dagestan-publisher>>.

¹⁶⁵ *Observatory for the Protection of Human Rights Defenders Annual Report 2011*, p. 475, *op. cit.*, note 163.

¹⁶⁶ Information from the Cabinet of Social Studies, 10 February 2012.

¹⁶⁷ "Report by Thomas Hammarberg, Commissioner for Human Rights of the Council of Europe, following his visit to Turkey from 27 to 29 April 2011", Council of Europe, CommDH(2011)25, 12 July 2011, <<https://wcd.coe.int/com.instranet.InstraServlet?Index=no&command=com.instranet.CmdBlobGet&InstranetImage=1884670&SecMode=1&DocId=1765908&Usage=2>>.

founders of the LGBT NGO Pink Life, who required hospital treatment following the attack.¹⁶⁸

Uzbekistan: Human Rights Watch reported threats and physical assaults against members of the Human Rights Alliance of Uzbekistan.¹⁶⁹

¹⁶⁸ “*Observatory for the Protection of Human Rights Defenders Annual Report 2011*, p. 421, *op. cit.*, note 163.

¹⁶⁹ *Human Rights Watch World Report 2012* (New York: Human Rights Watch, 2012), p. 523, <<http://www.hrw.org/world-report-2012>>.

G. *Hate crimes against specific target groups*

RACIST AND XENOPHOBIC CRIMES AND INCIDENTS

Background

The OSCE has long recognized the threat to international security posed by racism, xenophobia and related forms of intolerance. As early as 1990, the Copenhagen Document¹⁷⁰ and the Charter of Paris for a New Europe¹⁷¹ condemned racial and ethnic hatred. These statements and related commitments were reiterated and strengthened at a number of subsequent Ministerial Council meetings and other conferences.¹⁷²

At the Ministerial Council meeting in Maastricht in 2003, participating States committed themselves to taking steps against discrimination, intolerance and xenophobia targeting migrants and migrant workers; to combating hate crimes fuelled by racist or xenophobic propaganda; and to publicly denounce such crimes.¹⁷³

The Astana Declaration, issued on 30 June 2010 by the Chairperson-in-Office at the end of the “OSCE High-Level Conference on Tolerance and Non-discrimination”, reiterated commitments and concerns about hate crimes, including those based on racism or xenophobia.¹⁷⁴

In furtherance of its mandate, ODIHR organized a number of events and activities in 2011 to address the problems of racism and xenophobia. In November, ODIHR convened a Supplementary Human Dimension Meeting (SHDM) on the prevention of racism, xenophobia and hate crimes through educational and awareness-raising initiatives. In addition, the SHDM included a roundtable for NGOs dealing with hate crimes, racism and xenophobia faced by people of African descent in the OSCE region. The aim of the roundtable was to discuss these issues and explore effective responses. The roundtable also provided ODIHR useful examples of how various state and non-state stakeholders address racist and xenophobic acts, including hate crimes.

¹⁷⁰ “Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE”, p. 21, *op. cit.*, note 9.

¹⁷¹ “Charter of Paris for a New Europe”, Meeting of the participating States of the Conference on Security and Co-operation in Europe (CSCE), Paris, 19-21 November 1990, p. 7, <<http://www.osce.org/mc/39516>>.

¹⁷² “Document of the Moscow Meeting of the Conference on the Human Dimension of the CSCE”, Moscow, 3 October 1991, p. 46, <<http://www.osce.org/odihr/elections/14310>>; Fourth Meeting of the CSCE Council of Ministers, “CSCE and the New Europe - Our Security is Indivisible Decisions of the Rome Council Meeting”, Rome, 30 November - 1 December 1993, p. 18, <<http://www.osce.org/mc/40401>>; “CSCE Budapest Document 1994: Towards a Genuine Partnership in a New Era”, Budapest, corrected version 21 December 1994, p. 35, <<http://www.osce.org/mc/39554>>; OSCE Ministerial Council, Decision No. 5/01, “Decisions of the Bucharest Ministerial Council Meeting”, Bucharest, 3-4 December 2001, p. 29, <<http://www.osce.org/mc/40515>>; OSCE Ministerial Council Decision No. 6/02, “Tolerance and Non-Discrimination”, Porto, 7 December 2002, <<http://tandis.odihr.pl/documents/03547.pdf>>; OSCE Ministerial Council, Decision No. 4/03, *op. cit.*, note 5; OSCE Ministerial Council, Decision No. 12/04, *op. cit.*, note 13; OSCE Ministerial Council, Decision No. 10/05, *op. cit.*, note 14; OSCE Ministerial Council, Decision No. 10/07, *op. cit.*, note 17.

¹⁷³ OSCE Ministerial Council, Decision No. 4/03, *op. cit.*, note 5.

¹⁷⁴ Astana Declaration by the Chairperson-in-Office, Astana, 30 June 2010, <<http://www.osce.org/cio/68972>>.

The Personal Representative on Combating Racism, Xenophobia and Discrimination, also focusing on Intolerance and Discrimination against Christians and Members of Other Religions, Massimo Introvigne, visited France, the Holy See, Italy, Switzerland and Ukraine. During these country visits he emphasized the importance of improving the collection of data on hate crimes.

Information and data on crimes and incidents motivated by racism and xenophobia

As detailed in Part I B (data collection), the participating States use a variety of approaches in classifying bias motivations in relation to racism and xenophobia. Looking at the broadest spectrum, 40 participating States reported recording data according to at least one category related to racism or xenophobia, which could include “race”/colour, ethnicity/nationality/national origin, citizenship or language.¹⁷⁵ At the time this report was prepared, 11 states had provided figures to ODIHR,¹⁷⁶ while the NPCs from Poland and Belgium had also identified specific cases.

In addition to official information from governments, 15 NGOs and civil society organizations from 13 participating States submitted information on hate crimes or incidents motivated by racism and xenophobia.¹⁷⁷ The OSCE Mission to Bosnia and Herzegovina, OSCE Mission in Kosovo and OSCE Mission to Skopje provided information. Information from UNHCR, covering seven locations, and the IOM offices covering Moldova and Ukraine was also included.¹⁷⁸

The country listing below summarizes the information received by ODIHR about each participating State regarding racist and xenophobic crimes. If a participating State is not listed, this indicates that ODIHR did not receive any information concerning such crimes from the government, IGOs or NGOs. In some cases, information provided from different sources may overlap.

Austria: Official law-enforcement figures record 57 hate crimes: four physical assaults, 15 cases of damage to property, five cases of threats/threatening behaviour and 33 other racist or xenophobic crimes.¹⁷⁹ The NGO ZARA reported one murder and two physical assaults involving serious injury against members of the same family of Romanian heritage in Traun; five additional physical assaults, two of which involved serious injury; and two cases of threats. The victims were mainly of African origin, and two were of German origin.¹⁸⁰

¹⁷⁵ Andorra, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Estonia, Denmark, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Kazakhstan, Latvia, Liechtenstein, Lithuania, Moldova, Netherlands, Norway, Poland, Portugal, Russian Federation, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Tajikistan, Ukraine, United Kingdom, United States and Uzbekistan.

¹⁷⁶ Austria, Croatia, Germany, Ireland, Italy, Kazakhstan, Latvia, Lithuania, Poland, Sweden and the United Kingdom.

¹⁷⁷ Austria, Czech Republic, Finland, France, Greece, Hungary, Italy, Lithuania, Poland, Russian Federation, Serbia, Spain and Ukraine.

¹⁷⁸ The UNHCR offices provided information from Belarus, Belgium, Canada, Czech Republic, Greece and Ireland. The UNHCR office in Kosovo also provided information.

¹⁷⁹ Questionnaire from the Austrian NPC, 14 March 2012.

¹⁸⁰ Information from ZARA, 20 March 2012.

Belarus: No official data on racist or xenophobic crimes were reported to ODIHR. UNHCR reported one physical assault involving serious injury against an asylum-seeker from Cameroon in Vitebsk.¹⁸¹ No information was provided by NGOs.

Belgium: The NPC and UNHCR reported one physical assault and one case of property damage against a mixed-race couple in Schaerbeek, carried out by a group.¹⁸² No information was provided by NGOs.

Bosnia and Herzegovina: No official data on racist or xenophobic crimes were reported to ODIHR. The OSCE Mission to Bosnia and Herzegovina reported 78 racist and xenophobic incidents, most of which were ethnically-motivated.¹⁸³ No information was provided by NGOs.

Canada: No official data on racist or xenophobic crimes were reported to ODIHR. UNHCR reported three cases of graffiti carried out by the same group of offenders during the course of one night in Nova Scotia.¹⁸⁴ No information was provided by NGOs.

Croatia: Official law-enforcement figures recorded 12 cases in the category of ethnicity/national origin/minority group.¹⁸⁵ No information was provided by NGOs.

Czech Republic: No official data on racist or xenophobic crimes were reported to ODIHR. UNHCR reported two attacks by a group involving five assaults, two of which resulted in serious injury; and one physical assault against an African-American singer in Prague.¹⁸⁶ The NGO In IUSTITIA reported four physical assaults, including two carried out by a group, one of which involved a knife and resulted in serious injury.¹⁸⁷

Finland: No official data on racist or xenophobic crimes were reported to ODIHR. The NGO A World Without Nazism reported two spates of attacks, carried out several months apart, against houses owned by Russians in Imatra, resulting in “dozens” of cases of property damage.¹⁸⁸

France: No official data on racist or xenophobic crimes were reported to ODIHR. The NGO International League Against Racism and Anti-Semitism (LICRA) reported 22 physical assaults.¹⁸⁹

Germany: Official law-enforcement figures record 2,528 xenophobic crimes, 373 of which involved violence, and 484 racist crimes, 71 of which involved violence.¹⁹⁰

¹⁸¹ Communication from UNHCR, *op. cit.*, note 22.

¹⁸² Questionnaire from the Belgian NPC, 16 March 2012, <http://www.diversiteit.be/diversiteit/files/File//Rechtspraak_jurisdiction/discriminatie_discrimination/2012/2011_12_01%20Trib%20%20Bruxelles.pdf>; Communication from UNHCR, *op. cit.*, note 22.

¹⁸³ Communication from the OSCE Mission to Bosnia and Herzegovina, 17 May 2012.

¹⁸⁴ Communication from UNHCR, *op. cit.*, note 22.

¹⁸⁵ Questionnaire from the Croatian NPC, *op. cit.*, note 79.

¹⁸⁶ Communication from UNHCR, *op. cit.*, note 22.

¹⁸⁷ Information from In IUSTITIA, 30 September 2012.

¹⁸⁸ Information from A World Without Nazism, 12 April 2012.

¹⁸⁹ Information received from International League Against Racism and Anti-Semitism (LICRA), 29 March 2012.

¹⁹⁰ Information from the German NPC, 8 October 2012.

Greece: No official data on racist or xenophobic crimes were reported to ODIHR. UNHCR reported 15 physical assaults, four of which involved serious injury and two of which were attacks by a group; one murder; one violent break-in; and one series of attacks in apparent retaliation for the stabbing of a 44-year-old Greek man for his video camera.¹⁹¹ The attacks were mainly against migrants from Pakistan, Somalia and Bangladesh. In addition, UNHCR's Network for Recording Incidents of Racist Violence, which includes 18 NGOs, monitored hate crimes in Athens and recorded 30 physical assaults, including 12 physical assaults involving serious injury, five cases of threats, one case of sexual harassment, two cases of damage to property, one case of theft, one attempted physical assault and one case of threats.¹⁹² The Federation of Western Thrace Turks in Europe (ABTTF) reported two cases of graffiti on Turkish community sites in Asagimahalle and Xanthi; one case of graffiti on the Turkish war cemetery in Athens-Piraeus; an incident where 30 sheep were killed; an arson attack on a cattle shelter; and one case of criminal damage to a tractor.¹⁹³

Hungary: No official data on racist or xenophobic crimes were reported to ODIHR. The NGO Athena reported two physical assaults in Budapest.¹⁹⁴

Ireland: Official law-enforcement figures record 136 racist hate crimes. No information was provided by NGOs.¹⁹⁵

Italy: Official law-enforcement figures record 24 hate crimes under the category of "race/colour" and ten hate crimes under the category of "ethnicity/national origin/minority".¹⁹⁶ The NGO Lunaria reported nine cases of damage to property, including two cases of arson, and 81 physical assaults, ten of which led to hospital treatment and eight of which were carried out by a group. The majority of the assaults were against migrant workers from North Africa and sub-Saharan Africa.¹⁹⁷ The NGO A World Without Nazism reported two murders and three cases of physical assault committed by the same man, who then went on to shoot himself. All of the victims were from Senegal.¹⁹⁸

Kazakhstan: Official law-enforcement figures record ten murders under the category of "social, ethnic, racial or religious hatred".¹⁹⁹ No information was provided by NGOs.

Latvia: Official figures record four cases prosecuted and sentenced against bias based on ethnicity/national origin/minority group, including one grave desecration.²⁰⁰ No information was provided by NGOs.

¹⁹¹ Communication from UNHCR, *op. cit.*, note 22.

¹⁹² Communication from UNHCR, *op. cit.*, note 22.

¹⁹³ Information from the Federation of Western Thrace Turks in Europe, 28 March 2012.

¹⁹⁴ Information from Athena, 28 February 2012.

¹⁹⁵ Information from the Irish NPC, 12 October 2012.

¹⁹⁶ Questionnaire from the Italian NPC, 26 March 2012.

¹⁹⁷ Information from Lunaria, 27 February 2012.

¹⁹⁸ Information from the A World Without Nazism, *op. cit.*, note 188.

¹⁹⁹ Information from the Kazakh NPC, 13 March 2012.

²⁰⁰ Questionnaire from the Latvian NPC, 8 March 2012.

Lithuania: Official law-enforcement figures record five hate crimes, including two cases of grave desecration based on ethnicity and one threat based on “race”.²⁰¹ The NGO A World Without Nazism reported one physical assault against a man of Pakistani origin.

The former Yugoslav Republic of Macedonia: No official data on racist or xenophobic crimes were reported to ODIHR. The OSCE Mission to Skopje reported an incident involving physical attacks by ethnic Albanians against ethnic Macedonians, and vice versa, over the building of a museum styled like a church.²⁰² No information was provided by NGOs.

Moldova: No official data on racist or xenophobic crimes were reported to ODIHR. IOM reported one case of physical assault by a group against a man of Nigerian origin.²⁰³

Poland: Official law-enforcement figures record 222 hate crimes, including two homicides, 105 physical assaults and 33 attacks against places of worship.²⁰⁴ Officials also recorded 43 cases prosecuted and 22 cases sentenced.²⁰⁵ The NPC reported one case in which a man was physically assaulted while defending a man of Nigerian origin who was being verbally harassed by the perpetrator.²⁰⁶ The NGO Never Again reported one case of damage to property involving a car, and two cases of physical assault against football players of African descent.²⁰⁷

Russian Federation: No official data on racist or xenophobic crimes were reported to ODIHR. The SOVA Center for Information and Analysis reported 22 murders, including those of ten migrants from Central Asia and six people from the Caucasus; 128 physical assaults, including of 25 migrants from Central Asia and 14 people from the Caucasus; one attack by a group; one attack with explosives; and two attempted attacks with explosives, including against a Chinese restaurant; one arson attack; one case of incitement to violence; and one threat.²⁰⁸

Serbia: No official data on racist or xenophobic crimes were reported to ODIHR. The Regional Centre for Minorities reported several attacks on a youth centre over a period of three months, involving rocks being thrown, windows being broken, and Molotov cocktails being thrown, and one case of physical assault.²⁰⁹

Spain: No official data on racist or xenophobic crimes were reported to ODIHR. The Cabinet of Social Studies and the Union of Islamic Communities in Spain both reported a physical assault by a group resulting in the serious injury of three victims of Arab background in a Madrid prison; a physical assault against a Senegalese man resulting in his

²⁰¹ Information from the Lithuanian NPC, 16 March 2012.

²⁰² Communication from OSCE Mission to Skopje, 23 March 2012.

²⁰³ Communication from IOM Vienna, *op. cit.*, note 23.

²⁰⁴ Questionnaire from the Polish NPC, *op. cit.*, note 128.

²⁰⁵ *Ibid.*

²⁰⁶ *Ibid.*

²⁰⁷ Information from Never Again Association, 11 April 2012.

²⁰⁸ Natalia Yudina, Vera Alperovich, Alexander Verkhovsky, “Between Manezhnaya and Bolotnaya: Xenophobia and Radical Nationalism in Russia, and Efforts to Counteract Them in 2011”, The SOVA Center for Information and Analysis, 5 April 2012, <<http://www.sova-center.ru/en/xenophobia/reports-analyses/2012/04/d24088/>>.

²⁰⁹ Information from Regional Centre for Minorities, 16 March 2012.

falling into a coma; a physical assault by a group against a Senegalese man involving a knife and serious injuries; and a physical assault by two men against two young men of African origin. The Cabinet of Social Studies reported a further 11 physical assaults, four of which involved serious injury and six of which involved an attack by a group; and one case of threats.²¹⁰ The majority of victims were of African origin. The Union of Islamic Communities in Spain reported a further two physical assaults, both of which involved attacks by a group.²¹¹

Sweden: Official law-enforcement figures record a total of 3,936 racist/xenophobic hate crimes. That figure specifically includes 803 hate crime cases motivated by racism, including 183 cases of physical assault, 23 cases of damage to property, 27 cases of vandalism, 445 cases of threats/threatening behaviour and 125 cases classified as “other.”²¹² The remaining hate crime cases that were motivated by ethnic biases include 520 cases of physical assault, 146 cases of damage to property, 100 cases of vandalism, 1,848 cases of threats/threatening behaviour and 519 cases classified as “other.”²¹³ No information was provided by NGOs.

Ukraine: No official data on racist or xenophobic crimes were reported to ODIHR. The IOM and Diversity Initiative reported 23 physical assaults, including 12 assaults by groups and four assaults resulting in serious injury. The majority of victims were migrants of African and Asian origin. The IOM and Diversity Initiative also reported two cases of property damage, including one case of arson.²¹⁴ The Euro-Asian Jewish Congress reported 48 physical assaults.²¹⁵

United Kingdom: Official law-enforcement figures in England, Wales and Northern Ireland record 35,875 racist crimes.²¹⁶ UNHCR reported one incident of racist threats and one physical assault against a shopkeeper of South Asian origin in Surrey.

The Kosovo Police recorded 26 “ethnically motivated crimes” in 2011. The majority of victims were Kosovo Albanians.²¹⁷ The OSCE Mission in Kosovo reported 42 bias-motivated incidents against Kosovo Serbs in the Istog/k Municipality, including 30 cases of theft, ten cases of property damage and two cases of threats, which were perceived by the local community as bias-motivated attempts to pressure them to leave the area.²¹⁸ The OSCE Mission also reported one physical assault involving serious injury of a Kosovo Serb in Oprashke/Oprasake Village in Istog/k Municipality and the shooting of a Kosovo Serb father and son, in which the father was killed and the son was very seriously injured. The latter case is under investigation, including the possible ethnic motivation of the crimes.²¹⁹

²¹⁰ Information from the Cabinet of Social Studies, 10 February 2012; “Observador Andalusi: Institución para la observación y seguimiento de la situación del ciudadano musulmán y la islamofobia en España”,

Information from the Union of Islamic Communities in Spain, 3 March 2012.

²¹¹ “Institución para la observación y seguimiento de la situación del ciudadano musulmán y la islamofobia en España”, Information from the Union of Islamic Communities in Spain, *op. cit.* note 210.

²¹² Information from the Swedish NPC, 2 July 2012.

²¹³ *Ibid.*

²¹⁴ Communication from IOM and Diversity Initiative, 15 March 2012.

²¹⁵ Information from Euro-Asian Jewish Congress, 10 May 2012.

²¹⁶ Information received from the UK NPC, 24 September 2012.

²¹⁷ Communication from OSCE Mission in Kosovo, 14 March 2012.

²¹⁸ *Ibid.*

²¹⁹ *Ibid.*

The OSCE Mission further reported an incident in which a bus transporting 50 Serbian pilgrims visiting Orthodox graveyards and attending church services was stoned as it left the area, and one case of graffiti against a primary school attended mainly by Kosovo Albanians and Kosovo Ashkali.²²⁰

UNHCR in Kosovo reported one murder of a Serbian displaced person, two incidents of theft, several incidents of burglary and threats targeting returnees in the Drenovc/Drenovac in Klina/e Municipality, and two cases involving the physical assault of two Serb returnees in Dobrushë/a Village, Istog/k Municipality.²²¹ UNHCR also reported seven physical assaults by a group, including one causing serious injury and one against international staff, and one arson attack. The majority of the latter incidents were committed against Kosovo Albanians and took place in northern Mitrovicë/a.

Key statements and resolutions from international organizations

The UN Human Rights Council adopted Resolution 18/15, on the incompatibility between democracy and racism, which recognizes that groups in vulnerable situations, such as migrants, refugees, asylum-seekers and people belonging to national, ethnic, religious and linguistic minorities, are subject to violence and attacks perpetrated by extremist groups, and emphasizes states' obligation under international law to prevent crimes against migrants perpetrated with racist or xenophobic motivations, and to investigate and punish such crimes.²²²

The CERD Committee encouraged Ireland to investigate reports of knife stabbings against people from sub-Saharan Africa and ensure that the perpetrators of these acts are prosecuted and appropriately sentenced.²²³

In a 2011 report on contemporary forms of racism, racial discrimination, xenophobia and related intolerance and the implementation of General Assembly Resolution 65/199, the UN Special Rapporteur on Racism made a number of recommendations with regard to combating hate crimes. After welcoming reports by states with legislation to ensure that racial motivation is considered an aggravating circumstance, the Special Rapporteur encouraged more states to enact such laws.²²⁴

The Special Rapporteur also recalled the statement from the Durban Declaration that any form of impunity for racist crimes can contribute to the weakening of the rule of law and democracy and can encourage further racist criminal conduct. He encouraged states to ensure “prompt, thorough and impartial investigations of racist and xenophobic crimes and

²²⁰ *Ibid.*

²²¹ Communication from UNHCR, *op. cit.*, note 22.

²²² “Resolution 18/15 adopted by the Human Rights Council: the incompatibility between democracy and racism” A/HRC/RES/18/15, pp. 2-3, 14 October 2011, available at <http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/RES/18/15>.

²²³ “Concluding observations of the Committee on the Elimination of Racial Discrimination: Ireland”, *op. cit.*, note 90.

²²⁴ “Report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance on the implementation of General Assembly resolution 65/199”, A/66/312, 19 August 2011, pp.2-22, <http://www.un.org/ga/search/view_doc.asp?symbol=A/66/312>.

ensure that those responsible are adequately sanctioned.” The Special Rapporteur also encouraged awareness-raising about hate crimes, especially with regard to victims’ rights to judicial remedies, including reparations, and engagement with affected communities to increase their confidence in authorities, which typically leads to increased reporting of hate crimes. In addition, the Special Rapporteur identified the lack of disaggregated data as an obstacle to addressing racist crimes. The Special Rapporteur advocated training to enable law-enforcement officers and members of the judiciary dealing with racist and xenophobic crimes to work in a more effective, appropriate and human rights-based manner.

In his 2011 report on the human rights of migrants, the Special Rapporteur noted with concern that migrants face increasing intolerance and are vulnerable to potential racist and xenophobic violence, especially in cases where their irregular status makes them unable or afraid to seek protection.²²⁵

In 2011, the UN Special Rapporteurs on the Promotion and Protection of the Rights to Freedom of Opinion and Expression, and on Contemporary Forms of Racism, Racial Discrimination, Xenophobia and Related Intolerance expressed concerns about xenophobia, racism and related intolerance encountered by refugees and asylum-seekers in Hungary.²²⁶

ECRI noted cases of violence against migrants, especially those from Africa, Asia and Romania, in its fourth periodic report on Italy.²²⁷

The Commissioner for Human Rights of the Council of Europe expressed concern about ongoing incidents and reports of ethnically motivated violence in Bosnia and Herzegovina that act as a barrier for returnee communities.²²⁸

Government, IGO and NGO responses to racist and xenophobic crimes and incidents

In December 2011 two men were charged for hate crime offences, dating back to 2008, according to the Royal Canadian Mounted Police (RCMP). The crimes included setting a sleeping Filipino man on fire in Vancouver in October 2009, seriously physically assaulting a black man, and three counts of assault against an aboriginal woman in 2010. A spokesperson from RCMP stated, “We believe because of the arrests and us being public about it, we’ve really put a dampener on ...recruiting [by far right gangs].”

UNHCR in Greece, together with the National Commission for Human Rights, set up a Network for Recording Incidents of Racist Violence. Eighteen NGOs and other bodies, including the main human rights and refugee rights organizations, participated in the network. Recognizing the need to use a common and reliable recording tool, the network

²²⁵ “Report of the Special Rapporteur on the human rights of migrants, Jorge Bustamante”, A/HRC/17/33, 21 March 2011, p. 20, available at <<http://www2.ohchr.org/english/bodies/hrcouncil/17session/reports.htm>>.

²²⁶ Communication from UNHCR, *op. cit.*, note 22.

²²⁷ “ECRI Report on Italy (fourth monitoring cycle)”, *op. cit.*, note 111.

²²⁸ “Report by Thomas Hammarberg, Commissioner for Human Rights of the Council of Europe, following his visit to Bosnia and Herzegovina on 27-30 November 2010”, Council of Europe, CommDH(2011)11, 29 March 2011, pp. 20, 25,

<<https://wcd.coe.int/com.instranet.InstraServlet?Index=no&command=com.instranet.CmdBlobGet&InstranetImage=1839961&SecMode=1&DocId=1718600&Usage=2>>.

drafted and adopted a “Racist Incident Record Form”. In October, the network launched a pilot programme aimed at systematically recording racially motivated acts of violence.

The Equality Authority of Ireland commissioned and published a report reviewing policy, provisions and practices in relation to dealing with racist crimes and racist incidents in Ireland, with a specific focus on police responses.²²⁹

UNHCR in Russia coordinated and contributed to a number of activities related to its commitment to “reduce the level of xenophobic attitudes, frequent manifestations of xenophobia and migrant-phobia in Russian society, especially among youth”. These included contributing to an international/regional seminar “Towards a Coherent National Policy to Prevent and Combat Racial Discrimination and Related Intolerance: Developing and Implementing National Action Plans”, coordinating a set of eight programmes devoted to tolerance issues entitled, “New Place of Residence” on the UNHCR sponsored, nationwide channel Radio of Russia, and working with a local NGO to award diplomas for the best project on tolerance relating to refugees and migrants at a regular international competition: “Dialogue – Road to Understanding”.²³⁰

A court in Moscow found 12 people guilty of murder, inciting racial hatred, attempted terrorism and participation in extremism. At least one attack was filmed and posted on the Internet. Five members of the outlawed Nationalist Socialist Society, a neo-Nazi gang, were sentenced to life in prison for the racially motivated murders of 27 people. Several other members of the gang were given jail terms of up to 23 years. The gang targeted and pursued people in Moscow who were or appeared to be from Central and South East Asia, Africa or the Caucasus region and brutally attacked them. The presiding judge in the case described the ringleader of the attacks as “an extraordinary danger to Russian society”.

In Ukraine, the Social Action Centre implemented a project entitled “Legal Assistance to Victims of Racist Crimes in the City of Kyiv”, funded by the German foundation Stiftung Erinnerung, Verantwortung und Zukunft. Within the framework of the project, *pro bono* legal assistance was offered to victims of 13 incidents in Kyiv, Lugansk, Khmelnytskyi, Kharkiv, Vinnytsa and Donetsk.²³¹

²²⁹ “Responding to Racist Incidents And Racist Crimes in Ireland”, October 2011, The Equality Authority of Ireland, available at <http://www.equality.ie/Files/Responding%20to%20Racist%20Incidents%20And%20Racist%20Crimes%20in%20Ireland.doc>.

²³⁰ Communication from UNHCR, *op. cit.*, note 22.

²³¹ Communication from IOM, *op. cit.*, note 23.

Box 1: Racist assault of a street vendor, Austria

Mr. M. was born in Cameroon and has been living in Vienna for a long time. He is a pavement vendor of the Vienna newspaper “Augustin”. On the 12 February, he finished his rounds and went into a petrol station to buy a few things. The time was around 4 a.m.. He entered the toilet and met two men who were smoking. One of the men began to drop ash from his cigarette on Mr. M.’s head, against which Mr. M. protested. The other man began to insult Mr. M., using racial epithets and profanities. They then began to strike him. They pushed him to the ground and started to kick him. Mr. M. called for help, causing a staff member to enter the toilet area. Mr. M. asked her to call the police, which she failed to do. The men then ceased their attack and left Mr. M., who was then able to drag himself outside and call the police from his mobile phone. After a short time the police entered the petrol station and Mr. M. explained what had happened. Both attackers were still drinking in the area of the petrol station and were arrested. Mr. M. was taken to a hospital. He was found to be injured in several places, including several bruised ribs and a broken leg.

In September 2011, both attackers were given 13 months sentences, 11 months of which were to be spent on probation. The racist motive behind the attack was taken into account by the judge as an aggravating factor, as prescribed by Austrian law.²³²

²³² Information from ZARA, *op. cit.*, note 180.

CRIMES AND INCIDENTS MOTIVATED BY BIAS AGAINST ROMA AND SINTI

Background

In 1990, the participating States recognized the particular problems faced by Roma and Sinti as targets of racial and ethnic hatred.²³³ In 1994, the participating States decided to establish a Contact Point for Roma and Sinti Issues within ODIHR to “act as a clearinghouse for the exchange of information on Roma and Sinti (Gypsies) issues, including information on the implementation of commitments pertaining to Roma and Sinti (Gypsies)”.²³⁴ The 1999 Istanbul Summit Declaration deplored violence and other manifestations of racism and discrimination against minorities, including specifically those against Roma and Sinti.²³⁵

In 2003, in Maastricht, the OSCE Ministerial Council adopted the Action Plan on Improving the Situation of Roma and Sinti within the OSCE Area, including measures to combat violence against Roma and Sinti.²³⁶ Subsequent Ministerial Council decisions reiterated the importance of these commitments.²³⁷ In 2009, the Ministerial Council, meeting in Athens, adopted Decision No. 8/09 on “Enhancing OSCE Efforts to Ensure Roma and Sinti Sustainable Integration”.²³⁸ In this decision, the Ministerial Council “expressed concern over the increase of violent manifestations of intolerance against Roma and Sinti” and urged participating States to address this trend.²³⁹

The Astana Declaration, issued on 30 June 2010 by the Chairperson-in-Office at the end of the “OSCE High-Level Conference on Tolerance and Non-discrimination”, reiterated commitments and concerns about hate crimes, including those against Roma and Sinti.²⁴⁰

²³³ “Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE”, *op. cit.*, note 9.

²³⁴ “CSCE Budapest Document 1994: Towards a Genuine Partnership in a New Era”, *op. cit.*, note 156.

²³⁵ “Istanbul Summit Declaration”, Istanbul Document 1999, p. 52, <<http://www.osce.org/mc/39569>>.

²³⁶ OSCE Ministerial Council, Decision No. 3/03, “Action Plan on Improving the Situation of Roma and Sinti within the OSCE Area”, Maastricht, 1-2 December 2003, <<http://www.osce.org/odihr/17554>>. Among other points, the Action Plan calls on participating States to ensure through legislation the imposition of heavier sentences for racially motivated crimes by both private individuals and public officials (paragraph 9) and pledges States to “ensure the vigorous and effective investigation of acts of violence against Roma and Sinti people, especially where there are reasonable grounds to suspect that they were racially motivated, and prosecute those responsible in accordance with domestic law and consistent with relevant standards of human rights” (paragraph 16).

²³⁷ OSCE Ministerial Council, Decision No. 10/07, *op. cit.*, note 17; “Bucharest Declaration by the Chairman-in-Office”, 8 June 2007, <<http://www.osce.org/cio/25598>>; OSCE Ministerial Council, Decision No. 6/08, “Enhancing OSCE Efforts to Implement the Action Plan on Improving the Situation of Roma and Sinti within the OSCE Area”, Helsinki, 5 December 2008, <<http://www.osce.org/mc/35488>>.

²³⁸ OSCE Ministerial Council, Decision No. 8/09, “Enhancing OSCE Efforts to Ensure Roma and Sinti Sustainable Integration”, Athens, 2 December 2009, <<http://www.osce.org/cio/40707>>.

²³⁹ *Ibid.* The Ministerial Council tasked ODIHR, in co-operation and co-ordination with the OSCE High Commissioner on National Minorities (HCNM), the OSCE Representative on Freedom of the Media and other relevant OSCE executive structures to continue to assist participating States to combat acts of discrimination and violence against Roma and Sinti, and to counter negative stereotyping of Roma and Sinti in the media taking into account relevant OSCE freedom of the media commitments.”

²⁴⁰ Astana Declaration by the Chairperson-in-Office, *op. cit.*, note 174.

In 2011, the OSCE held a number of key events in relation to addressing hate crimes and intolerance against Roma and Sinti. The 2011 Human Dimension Implementation Meeting (HDIM) hosted a Special Day on Roma and Sinti, paying particular attention to effective responses to intolerance directed at Roma and Sinti in public discourse, the media and civil society. In addition, ODIHR hosted training on combating hate crimes for more than 25 Roma NGOs from various OSCE participating States, in Warsaw and Rome.

ODIHR's Contact Point on Roma and Sinti Issues continued its work to promote the improvement of relations between the police and Roma and Sinti. In co-operation with the OSCE Strategic Police Matters Unit, the OSCE manual *Police and Roma and Sinti: Building Trust and Understanding* was launched in Bucharest on 7 and 8 July and in Budapest on 8 November in follow-up to the recommendations of the 2010 ODIHR field assessment report on Hungary. Further, ODIHR facilitated a special session on combating hate crimes at the "Annual Scientific Conference of Prosecutors in Hungary" in Budapest on 20 and 21 October.

The Personal Representative of the OSCE Chairmanship-in-Office on Combating Racism, Xenophobia and Discrimination paid particular attention to Roma and Sinti and the different forms of racism and discrimination they face in his country visits to France, the Holy See, Italy and Ukraine. In his statement at the HDIM in Warsaw on 5 October, the Personal Representative underlined the need to pay special attention to combating anti-Roma rhetoric by extremist groups, prominent politicians and institutional authorities.²⁴¹ In addition, the Director of ODIHR expressed concern about the violence and discrimination faced by Roma people through a press release stating that he "noted a pattern of extremists using incidents involving Roma individuals to incite hatred and violence against the entire community: The incentive to seek political gain from scapegoating Roma and other minorities for existing grievances is particularly high at the time of elections."²⁴²

Information and data on crimes and incidents motivated by bias against Roma and Sinti

Official monitoring of crimes and incidents motivated by bias against Roma and Sinti is limited among OSCE participating States. Thirteen participating States reported collecting this data in 2011.²⁴³ However, at the time this report was written, only Bulgaria, Czech Republic, Hungary and Serbia had provided information on specific cases and Sweden provided general figures.

The country listing below summarizes the information received by ODIHR about each participating State. If a participating State is not listed, this indicates that ODIHR did not receive any relevant information from the government, IGOs or NGOs. In some cases, the information provided from different sources may overlap.

²⁴¹ "Statement of Dr. Massimo Introvigne Personal Representative of the OSCE Chairperson-in-Office on Combating Racism, Xenophobia and Discrimination, also Focusing on Intolerance and Discrimination against Christians and Member of Other Religions", HDIM, Warsaw, 5 October 2011, <<http://www.osce.org/odihhr/83555>>.

²⁴² "Violent anti-Roma protests in Bulgaria show urgent need to combat extremism, OSCE human rights chief says", ODIHR press release, 29 September 2011, <<http://www.osce.org/odihhr/83229>>.

²⁴³ Bulgaria, Croatia, Czech Republic, Latvia, Moldova, Netherlands, Poland, Portugal, Serbia, Spain, Sweden, Switzerland and the United Kingdom.

In addition to official information from governments, eight NGOs and civil society organizations covering six participating States submitted information on hate crimes or incidents with an Anti-Roma bias.²⁴⁴ Information from the OSCE Missions to Bosnia and Herzegovina and the OSCE Mission in Kosovo was also included.

Bosnia and Herzegovina: No official data on crimes or incidents motivated by bias against Roma and Sinti were reported to ODIHR. The OSCE Mission to Bosnia and Herzegovina reported three incidents.²⁴⁵ No information was provided by NGOs.

Bulgaria: The NPC reported a case of incitement to violence.²⁴⁶ No information was provided by NGOs.

Czech Republic: The NPC reported two cases, one in which young men shouted racist slogans and threw an incendiary device into the home of a Roma family, and another in which three individuals entered a restaurant and verbally harassed and threatened a group of Roma and then physically attacked one of them.²⁴⁷ The NPC indicated that both cases were under investigation. The NGO In IUSTITIA reported five physical assaults including against two girls which then resulted in the serious injury of their uncle, three attacks by a group, including two involving serious injury and one taking place in a home; two arson attacks against the homes of Roma families, including one carried out by a group and three cases of threats, including one resulting in a family needing to move.²⁴⁸

Hungary: The NPC reported two cases, one assault against a man who was not Roma but was perceived by the alleged perpetrator to be involved in “Roma issues”; and another incident in which a man threatened, with a sword, six people for their presumed Roma origin, shouting death threats and causing damage to a vehicle with the sword.²⁴⁹ The NGO NEKI reported one physical assault by a group.²⁵⁰ The NGO Athena reported two shootings directed at a house containing Roma residents, two cases of graffiti, in Szeged and Tamási, respectively, and one physical assault involving serious injury.²⁵¹ The Regional Centre for Minorities reported graffiti on the doorway of the house of its co-ordinator for Roma matters.²⁵² The NGO A World Without Nazism reported one case of harassment, including against children, in the village of Dendeshpata.²⁵³

Italy: No official data on crimes or incidents motivated by bias against Roma and Sinti were reported to ODIHR. The NGO Lunaria reported two cases of physical violence and three cases of damage to property.²⁵⁴

Romania: No official data on crimes or incidents motivated by bias against Roma and Sinti were reported to ODIHR. The NGO Romani CRISS reported a series of clashes between

²⁴⁴ Czech Republic, Hungary, Italy, Romania, Serbia and Slovakia.

²⁴⁵ Communication from the OSCE Mission to Bosnia and Herzegovina, *op. cit.*, note 183.

²⁴⁶ Questionnaire from the Bulgarian NPC, *op. cit.*, note 77.

²⁴⁷ Questionnaire from the Czech NPC, *op. cit.*, note 130.

²⁴⁸ Information received from In IUSTITIA, *op. cit.*, note 187.

²⁴⁹ Questionnaire from the Hungarian NPC, 12 March 2012.

²⁵⁰ Information from NEKI, 30 March 2012.

²⁵¹ Information from Athena, *op. cit.*, note 194.

²⁵² *Ibid.*

²⁵³ Information from A World Without Nazism, *op. cit.*, note 188.

²⁵⁴ Information from Lunaria, *op. cit.*, note 197.

Roma and the majority community over the course of 24 hours in Racos, resulting in seven physical assaults committed by a group, including two involving serious injury and one against a child.²⁵⁵

Serbia: The NPC reported one case of a third-grade Roma boy who was beaten and verbally abused by three young men. Three suspects were identified and the case is under investigation.²⁵⁶ The Regional Centre for Minorities reported two physical assaults, including one involving serious injury and one against a Roma woman in a container settlement after a forced eviction by authorities; three cases of graffiti; and one arson attack against a community centre.²⁵⁷

Slovakia: No official data on crimes or incidents motivated by bias against Roma and Sinti were reported to ODIHR. The European Roma Rights Center (ERRC) reported three men physically assaulted a group of Roma while using racist slurs, including two women, who were searching through refuse.²⁵⁸

Sweden: Of the official law-enforcement figures that record 3,936 racist/xenophobic crimes, 184 of those were motivated by bias against Roma and Sinti and include 17 cases of physical assault, four cases of damage to property, 111 cases of threatening behaviour and 52 cases classified as “other.”²⁵⁹ No information was provided by NGOs.

The OSCE Mission in Kosovo reported one physical assault involving bias harassment of a Roma boy by other teenagers, which resulted in the victim’s collarbone being broken.²⁶⁰

Key resolutions and statements from international organizations

The CERD Committee encouraged the investigation of anti-Roma violence in the Czech Republic, ensuring that the perpetrators are identified, prosecuted and appropriately punished. The Committee also recommended the active recruitment of Roma to law enforcement.²⁶¹

During the Human Rights Council Universal Periodic Review, the Council encouraged increased efforts to combat violence and discrimination against Roma in Austria,²⁶² Bulgaria²⁶³ and Hungary.²⁶⁴

²⁵⁵ Information from Romani CRISS, 18 May 2012.

²⁵⁶ Information from the Serbian NPC, 29 August 2012.

²⁵⁷ Information from the Regional Centre for Minorities, *op. cit.*, note 209.

²⁵⁸ Information from European Roma Rights Center, 19 July 2012.

²⁵⁹ Information from the Swedish NPC, *op. cit.* note 212.

²⁶⁰ Communication from the OSCE Mission in Kosovo, *op. cit.*, note 217.

²⁶¹ “Concluding Observations of the Committee on the Elimination of Racial Discrimination: Czech Republic”, *op. cit.*, note 90.

²⁶² “Report of the Working Group on Universal Periodic Review: Austria”, A/HRC/17/8, p. 16, 18 March 2011, available at <<http://www2.ohchr.org/english/bodies/hrcouncil/17session/reports.htm>>.

²⁶³ “Report of the Working Group on Universal Periodic Review: Bulgaria”, A/HRC/16/9, p. 20, 4 January 2011, available at <<http://www2.ohchr.org/english/bodies/hrcouncil/docs/16session/A-HRC-16-9.pdf>>.

²⁶⁴ “Report of the Working Group on Universal Periodic Review: Hungary”, A/HRC/18/17, p.16, 11 July 2011, available at <http://www2.ohchr.org/english/bodies/hrcouncil/docs/18session/A-HRC-18-17_en.pdf>.

In its adopted reports for 2011, ECRI noted cases of violence against Roma in Italy,²⁶⁵ Latvia²⁶⁶ and Ukraine.²⁶⁷

ECRI published its General Policy Recommendation No. 13 on combating anti-Gypsyism and discrimination against Roma.²⁶⁸ The recommendation includes measures on combating intolerance against Roma in the media, while respecting the principle of media freedom, and on combating racist violence and crimes against Roma by, *inter alia*, training criminal justice practitioners, recording hate crimes against Roma and Sinti and encouraging victims to report these crimes to the police.

The Council of Europe Commissioner for Human Rights visited Slovakia, where he expressed concern about hate crimes targeting the Roma population. His recommendations included adopting a broad definition of “racist incident” so that police are required to investigate potential racist motivation as soon as such incidents are reported and having authorities unequivocally and publicly condemn attacks against Roma as unacceptable in Slovak society, whenever they occur.²⁶⁹

The Commissioner also visited Italy, noting that violent attacks against Roma reflect a need for the government to improve its responses to racially motivated violence in general.²⁷⁰

Government and NGO responses to crimes and incidents motivated by bias against Roma and Sinti

Hungarian authorities charged four people in connection with nine attacks against Roma in their homes in 2008 and 2009, which resulted in the murders of six Roma, including one child, and several serious injuries. The verdict is expected in 2012.²⁷¹

The Romanian Police, in collaborating with OSCE and ODIHR on the publication and launch of the Romanian version of the manual, *Police and Roma and Sinti: Good Practices in Building Trust and Understanding*, aim to use the guide in the development of its 2013 educational curriculum for the police academy.²⁷²

²⁶⁵ “ECRI Report on Italy (fourth monitoring cycle)” *op. cit.*, 116.

²⁶⁶ “ECRI Report on Latvia (fourth monitoring cycle)”, *op. cit.*, 117.

²⁶⁷ “ECRI Report on Ukraine (fourth monitoring cycle)”, *op. cit.*, 122.

²⁶⁸ “ECRI General Policy Recommendation No. 13 on combating anti-Gypsyism and discrimination against Roma”, adopted 24 June 2011 (Strasbourg: Council of Europe, 2011), <http://www.coe.int/t/dghl/monitoring/ecri/activities/GPR/EN/Recommendation_N13/e-RPG%2013%20-%20A4.pdf>.

²⁶⁹ “Report by Thomas Hammarberg, Commissioner for Human Rights of the Council of Europe, following his visit to Slovakia, from 26 to 27 September 2011” Council of Europe, CommDH(2011)42, pp. 2, 9-10, 20 December 2011,

<<https://wcd.coe.int/com.instranet.InstraServlet?Index=no&command=com.instranet.CmdBlobGet&InstranetImage=2000080&SecMode=1&DocId=1839228&Usage=2>>.

²⁷⁰ “Report by Thomas Hammarberg, Commissioner for Human Rights of the Council of Europe, following his visit to Italy, from 26 to 27 May 2011” Council of Europe, 7 September 2011, CommDH(2011)26, pp. 2, 11-12,

<<https://wcd.coe.int/com.instranet.InstraServlet?Index=no&command=com.instranet.CmdBlobGet&InstranetImage=1914817&SecMode=1&DocId=1778094&Usage=2>>.

²⁷¹ “Hungary: Murders of Roma people were planned”, Romea.cz website, 16 May 2012,

<http://www.romea.cz/english/index.php?id=detail&detail=2007_2290>.

²⁷² Information from the Romanian NPC, 13 September 2012.

Box 2: Incitement to violence against Roma, Bulgaria

A series of incidents against Roma in Bulgaria began on 24 September 2011, after a young boy was run over and killed by a car in which members of a local, wealthy Romani family in Katunitsa were travelling. Following the boy's death, many people attacked the home of the Romani family thought to be involved in the incident and also set fire to the homes of other Romani families.²⁷³ During the attack on the family, a 17-year-old Romani boy collapsed unconscious and died on the way to hospital. Anti-Roma violence spread to other communities, and the police acted to prevent attacks in Roma districts and against mosques.

Within this climate of groups targeting Roma populations, a young man in Varna created a public event on Facebook, naming it "Slaughter of Romas (Gypsies)" and including a photo of a hand with a knife.²⁷⁴ He invited his Facebook friends and other Facebook users to join the event, which was planned to take place in the city centre on 28 September 2011 and involved the gathering of weapons.²⁷⁵ Hundreds of Facebook users visited the event's website, some of whom confirmed their participation, while others posted racist comments. Prior to the start of the event, police officers identified the IP address and initiated criminal proceedings. The page creator was found guilty of inciting violence and hatred and sentenced to ten months' imprisonment (suspended for three years). The court judgment was made public, and the personal computer that was used to commit the crime was seized. The sentence entered into force in October 2011.

²⁷³ "Fatal accident in Bulgaria sparks ethnic unrest and another fatality" Czech News Agency, 25 September 2011, <<http://www.icare.to/articleHC.php?id=35887&lang=en>>.

²⁷⁴ Questionnaire from the Bulgarian NPC, *op. cit.*, note 77.

²⁷⁵ "Bulgarian in court on charges of inciting racial hatred on Facebook", 13 October 2011, *The Sophia Echo* <<http://www.icare.to/articleHC.php?id=36188&lang=en>>.

ANTI-SEMITIC CRIMES AND INCIDENTS

Background

Anti-Semitism was first condemned by the OSCE participating States in the Copenhagen Document, in 1990.²⁷⁶ A few years later, the Rome Ministerial Council listed anti-Semitism as one among several phenomena that can increase political and social tensions and undermine international stability.²⁷⁷ In 2004, the participating States committed themselves to collecting reliable information on anti-Semitic hate crimes.²⁷⁸ Since then, OSCE commitments against anti-Semitism have been repeated in a number of Ministerial Council decisions and declarations.²⁷⁹

The Astana Declaration, issued by the Chairperson-in-Office in Astana on 30 June 2010, at the conclusion of the “OSCE High-Level Conference on Tolerance and Non-discrimination”, reiterated commitments and concerns about hate crimes, including those motivated by anti-Semitism.²⁸⁰

In March 2011, an OSCE high-level meeting on anti-Semitism in public discourse was held in Prague, co-organized by the OSCE Chairperson-in-Office and ODIHR and hosted by the Foreign Minister of the Czech Republic. Much of the discussion centred around the problem of anti-Semitic hate crimes, with participants citing the need for monitoring and responding effectively to such acts. Participants, including government and political figures, civil society leaders and media representatives, sought to identify pragmatic steps that could be taken to curb anti-Semitic hate crimes and other manifestations of anti-Semitism.²⁸¹

In 2011, the Personal Representative of the OSCE Chairperson-in-Office on Anti-Semitism, Rabbi Andrew Baker, visited a number of participating States: France, Netherlands, Switzerland and Ukraine. During these visits, he highlighted the issue of anti-Semitic hate crimes, the importance of providing security to Jewish organizations that are at risk of being targets of hate crime, and the need to effectively tackle anti-Semitic discourse.

At the OSCE’s annual Human Dimension Implementation Meeting, Rabbi Baker highlighted the corrosive effect of anti-Semitism in public discourse on the security and

²⁷⁶ “Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE”, p. 21, *op. cit.*, note 9.

²⁷⁷ Fourth Meeting of the CSCE Council of Ministers, “CSCE and the New Europe - Our Security is Indivisible Decisions of the Rome Council Meeting”, p. 18, *op. cit.*, note 172.

²⁷⁸ OSCE Ministerial Council, Decision No. 12/04, *op. cit.*, note 13.

²⁷⁹ OSCE Ministerial Council, Decision No. 10/05, *op. cit.*, note 14; OSCE Ministerial Council, Decision No. 13/06, *op. cit.*, note 11; OSCE Ministerial Council, Decision No. 10/07, *op. cit.*, note 17; “Bucharest Declaration by the Chairman-in-Office”, *op. cit.*, note 237; “Cordoba Declaration by the Chairman-in-Office”, Cordoba, 9 June 2005, <<http://www.osce.org/cio/15548>>; Astana Declaration by the Chairman-in-Office, *op. cit.*, note 174.

²⁸⁰ Astana Declaration by the Chairperson-in-Office, *op. cit.*, note 174.

²⁸¹ See “Summary Report of the OSCE High Level Meeting on Confronting Anti-Semitism in Public Discourse”, (Warsaw: ODIHR) May 2011, <<http://www.osce.org/cio/15548>>.

well-being of Jewish communities throughout the OSCE region, as well as the importance of education as a means to combat anti-Semitism.²⁸²

Information and data on anti-Semitic crimes and incidents

Twenty-one participating States report that they collect data on anti-Semitic crimes.²⁸³ At the time this report was written, only five states, Germany, Ireland, Italy, Sweden and the United Kingdom had provided figures, while Austria had provided case examples.

In addition to official information from governments, 20 NGOs and civil society organizations from 20 participating States submitted information on anti-Semitic crimes and incidents.²⁸⁴ Information from the OSCE Mission in Kosovo was also included.

The country listing below summarizes the information received by ODIHR about each participating State with regard to anti-Semitic crimes. If a participating State is not listed, this indicates that ODIHR did not receive any information concerning such crimes from the government, IGOs or NGOs. In some cases, the information provided from different sources may overlap.

Austria: The NPC reported that two commemorative plaques belonging to the society Remembrance of National Socialist Violence were destroyed. The incident was categorized as “anti-Semitic”.²⁸⁵ The NGO ZARA reported one physical assault.²⁸⁶

Belgium: No official data on anti-Semitic crimes were reported to ODIHR. The NGO Antisemitisme.be reported seven physical assaults, including one against a person who was speaking Hebrew on the street and one against a girl, which was also reported by the Kantor Center.²⁸⁷ Antisemitisme.be reported a further three cases of vandalism, including two against buildings belonging to Jewish organisations; and five cases of threats, including three against Jewish institutions and two against individuals.²⁸⁸

Bosnia and Herzegovina: No official data on anti-Semitic crimes were reported to ODIHR. The Interreligious Council of Bosnia and Herzegovina reported one incident targeting Jewish religious property.²⁸⁹

²⁸² “Statement of Rabbi Baker Personal Representative of the OSCE Chairperson-in-Office on Combating Anti-Semitism”, HDIM, Warsaw, 5 October 2011, <<http://www.osce.org/odihr/83458>>.

²⁸³ Austria, Belgium, Canada, Croatia, Czech Republic, Finland, France, Germany, Greece, Ireland, Italy, Liechtenstein, Moldova, Netherlands, Poland, Serbia, Spain, Sweden, Switzerland, United Kingdom and the United States.

²⁸⁴ Austria, Belgium, Bosnia and Herzegovina, Canada, Czech Republic, France, Germany, Greece, Hungary, Italy, Lithuania, Netherlands, Poland, Russian Federation, Spain, Sweden, Switzerland, Ukraine, United Kingdom and the United States.

²⁸⁵ Questionnaire from the Austrian NPC, *op. cit.*, note 179.

²⁸⁶ Information received from ZARA, *op. cit.*, note 180.

²⁸⁷ Information received from Antisemitisme.be, 15 April 2012; “Anti-Semitism Worldwide, 2011”, Kantor Center for the Study of Contemporary European Jewry, <http://www.kantorcenter.tau.ac.il/sites/default/files/GA-ALL_2.pdf>.

²⁸⁸ Information received from Antisemitisme.be, *op. cit.* note 287.

²⁸⁹ Information received from Interreligious Council of Bosnia and Herzegovina, through Bosnia and Herzegovina NPC, 23 August 2012 <http://www.mrv.ba/images/stories/documents/izvjetaj_monitoring_kratki_engl.pdf>.

Canada: No official data on anti-Semitic crimes were reported to ODIHR. The League for Human Rights of B’Nai B’rith Canada reported 363 cases of vandalism, including many cases of graffiti on and property damage against synagogues, cemeteries, homes, schools and community centres; 19 cases of violence, including one against a girl at school; two attacks by a group; and five threats.²⁹⁰

Czech Republic: No official data on anti-Semitic crimes were reported to ODIHR. The Jewish Community in Prague and In IUSTITIA reported one physical assault; two cases of threats; four cases of property damage, including three cases of graffiti, (on a holocaust memorial, a synagogue and private property respectively) and one case of criminal damage against two *Stolpersteine* (Holocaust memorial stones set in pavement). The Jewish community in Prague reported a further three cases of criminal damage and two threats.²⁹¹

France: No official data on anti-Semitic crimes were reported to ODIHR. The NGO Protection Service of the Jewish Community (SPCJ) reported 57 violent acts, seven cases of arson or attempted arson, 65 cases of vandalism, 114 cases of threats of violence, and 100 cases involving graffiti.²⁹² The NGO LICRA reported 27 physical assaults and six cases of damage to property, including one against private property and five against synagogues or cemeteries.²⁹³ The Kantor Center reported three physical assaults, one of which involved serious injury.²⁹⁴

Germany: Official law-enforcement figures recorded 1,239 anti-Semitic crimes, 29 of which involved violence.²⁹⁵ The Amadeu Antonio Foundation reported five cases of physical assault, one of which involved serious injury, five cases of vandalism to Holocaust memorials, four cases of vandalism to Jewish memorials, three cases of cemetery desecration, one case of graffiti and one case of arson of a residence.²⁹⁶

Greece: No official data on anti-Semitic crimes were reported to ODIHR. The Kantor Center reported one case of arson against a synagogue.²⁹⁷

Hungary: No official data on anti-Semitic crimes were reported to ODIHR. The NGO Athena reported two cases of graffiti, one against a synagogue and one against a Jewish institution.²⁹⁸

²⁹⁰ “2011 Audit of Anti-Semitic Incidents”, League for Human Rights of B’nai B’rith Canada, <<http://bnaibrith.ca/files/audit2011/AUDIT2911.pdf>>.

²⁹¹ “The Annual Report on Anti-Semitism Symptoms in the Czech Republic in 2011”, the Jewish Community in Prague, 4 May 2012, <http://antisemitism.org.il/webfm_send/34>; Information from In IUSTITIA, *op. cit.* note 187.

²⁹² “Rapport sur l’antisémitisme en France 2011,” Service de Protection de la Communauté Juive, <<http://http://spcj.org/dl/SPCJ-2011.pdf>>.

²⁹³ Information from International League Against Racism and Anti-Semitism (LICRA), 29 March 2012.

²⁹⁴ “Anti-Semitism Worldwide, 2011”, Kantor Center for the Study of Contemporary European Jewry, *op. cit.*, note 287.

²⁹⁵ Information from the German NPC, *op. cit.* note 190.

²⁹⁶ “Chronicle of anti-Semitic incidents in 2011” Amadeu Antonio Foundation, <<http://www.amadeu-antonio-stiftung.de/die-stiftung-aktiv/gegen-as/antisemitismus-heute/chronik-antisemitischer-vorfaelle/chronik-antisemitischer-vorfaelle-2011>>.

²⁹⁷ *Ibid.*

²⁹⁸ Information from Athena, *op. cit.*, note 194.

Italy: Official figures record 30 anti-Semitic hate crimes.²⁹⁹ The NGO Lunaria reported one case of property damage.³⁰⁰ The Kantor Center reported several cases of graffiti throughout Rome on Holocaust Remembrance Day.³⁰¹

Lithuania: No official data on anti-Semitic crimes were reported to ODIHR. The NGO A World Without Nazism and the Kantor Center reported one case of graffiti on a synagogue.³⁰² The Kantor Center reported a further case of graffiti on a Holocaust memorial.³⁰³

Netherlands: No official data on anti-Semitic crimes were reported to ODIHR. The NGO Center for Information and Documentation Israel (CIDI) reported four cases of physical violence or intimidation with violence and six cases of vandalism against Jewish property.³⁰⁴

Poland: No official data on anti-Semitic crimes were reported to ODIHR. The Kantor Center reported one case of graffiti on a Holocaust memorial.³⁰⁵

Russian Federation: No official data on anti-Semitic crimes were reported to ODIHR. The SOVA Center for Information and Analysis reported one physical assault, 13 cases of damage to property and one case of arson.³⁰⁶ The Moscow Bureau for Human Rights reported one case of graffiti against a cemetery.³⁰⁷ The Kantor Center reported three cases of graffiti, including two on cemeteries and one on a Jewish community centre; one case of property damage against a cemetery in Petrozavodsk; and one case of arson against a synagogue in Moscow.³⁰⁸

Spain: No official data on anti-Semitic crimes were reported to ODIHR. The Cabinet of Social Studies reported two cases of graffiti and one case of grave desecration.³⁰⁹

Sweden: Official law-enforcement figures record 194 anti-Semitic crimes.³¹⁰ The Kantor Center reported one case of threats in Malmö and several cases of vandalism against Jewish

²⁹⁹ Questionnaire from the Italian NPC, *op. cit.*, note 196.

³⁰⁰ Information from Lunaria, *op. cit.*, note 197.

³⁰¹ “Anti-Semitism Worldwide, 2011”, Kantor Center for the Study of Contemporary European Jewry, *op. cit.*, note 287.

³⁰² Information from A World Without Nazism, *op. cit.*, note 188; “Anti-Semitism Worldwide, 2011”, Kantor Center for the Study of Contemporary European Jewry, *op. cit.*, note 287.

³⁰³ “Anti-Semitism Worldwide, 2011”, Kantor Center for the Study of Contemporary European Jewry, *op. cit.*, note 287.

³⁰⁴ “2011 Monitor Report of Anti-Semitic Incidents in the Netherlands”, Centrum Informatie en Documentatie Israeli; <<http://www.cidi.nl/CIDI-in-the-media/CIDI-Anti-Semitism-Monitor-2011-Fewer-hate-mails-more-street-confrontations.html?lang=en>>.

³⁰⁵ “Anti-Semitism Worldwide, 2011”, Kantor Center for the Study of Contemporary European Jewry, *op. cit.*, note 287.

³⁰⁶ Natalia Yudina, Vera Alperovich, Alexander Verkhovsky, “Between Manezhnaya and Bolotnaya: Xenophobia and Radical Nationalism in Russia, and Efforts to Counteract Them in 2011”, The SOVA Center for Information and Analysis, 5 April 2012, *op. cit.*, note 208.

³⁰⁷ Information from the, Moscow Bureau for Human Rights, received through A World without Nazism, *op. cit.*, note 188.

³⁰⁸ “Anti-Semitism Worldwide, 2011”, Kantor Center for the Study of Contemporary European Jewry, *op. cit.*, note 287.

³⁰⁹ Information from the Cabinet of Social Studies, *op. cit.*, note 210.

cemeteries and against a memorial to Raoul Wallenberg, who saved Jews during the Holocaust.³¹¹

Switzerland: No official data on anti-Semitic crimes were reported to ODIHR. The NGO, Intercommunal Coordination against Antisemitism and Defamation (CICAD) and the Kantor Center reported two physical assaults, both involving serious injuries. One of the assaults involved a knife and was committed against a man in front of his family, and the other was committed against an assistant rabbi.³¹² CICAD reported a further attempted assault with a car against a group of men; one case of graffiti on a bus; and two death threats, one against the Secretary General of CICAD and one against a man in the presence of his family.³¹³

Ukraine: No official data on anti-Semitic crimes were reported to ODIHR. The Kantor Center reported five cases of graffiti on memorials to Jewish individuals; one case of graffiti on a synagogue; two cases of graffiti on a Holocaust memorial; one case of property damage to gravestones in a cemetery; and one case in which a mass Jewish grave was uncovered and the remains scattered. The remains were re-buried by the Jewish community.³¹⁴

United Kingdom: Official law enforcement figures in England, Wales and Northern Ireland record 438 Anti-Semitic hate crimes.³¹⁵ The Community Security Trust reported 92 physical assaults, including two involving serious injury which were also reported by the Kantor Center.³¹⁶ The Community Security Trust reported a further 63 incidents of damage and desecration of Jewish property, including against 14 synagogues, 26 homes and four cemeteries, and 29 threats. The incidents mainly took place in London and Greater Manchester.³¹⁷

United States: No official data on anti-Semitic crimes were reported to ODIHR. The NGO A World Without Nazism reported one case of a series of acts of graffiti on walls and buildings in New York City.³¹⁸ The Kantor Center reported one case of property damage to several cars, and several cases of graffiti on synagogues.³¹⁹ The Anti-Defamation League reported one case of arson against a synagogue and a plot to attack a synagogue in New York City.³²⁰

³¹⁰ Information from the Swedish NPC, *op. cit.* note 212. This figure is part of Sweden's total number of 651 anti-religious hate crimes, as noted on page 79.

³¹¹ "Anti-Semitism Worldwide, 2011", Kantor Center for the Study of Contemporary European Jewry, *op. cit.*, note 287.

³¹² *Ibid.*; "Rapport Sur La Situation de L'Antisemitisme en Suisse Romande", CICAD, <<http://www.swissjews.ch/pdf/fr/praevention/Rapport-2011.pdf>>.

³¹³ "Rapport Sur La Situation de L'Antisemitisme en Suisse Romande", CICAD, *op. cit.*, note 312.

³¹⁴ "Anti-Semitism Worldwide, 2011", Kantor Center for the Study of Contemporary European Jewry, *op. cit.*, note 287.

³¹⁵ Information received from the UK NPC, *op. cit.*, note 216.

³¹⁶ Information from the Community Security Trust, 1 February 2012; "Anti-Semitism Worldwide, 2011", Kantor Center for the Study of Contemporary European Jewry, *op. cit.*, note 287.

³¹⁷ Information from the Community Security Trust, *op. cit.*, note 316.

³¹⁸ Information from A World Without Nazism, *op. cit.*, note 188.

³¹⁹ "Anti-Semitism Worldwide, 2011", Kantor Center for the Study of Contemporary European Jewry, *op. cit.*, note 287.

³²⁰ "Anti-Defamation League Annual Report: From Problems to Solutions", Anti-Defamation League, <http://www.adl.org/annual_report/Annual_Report_20111.pdf>.

The OSCE Mission in Kosovo reported one case of desecration of a Jewish cemetery.³²¹

Key resolutions and statements from international organizations

The CERD Committee noted the need for better response by Moldovan authorities to anti-Semitic incidents, including vandalism of religious sites.³²²

In 2011, EU-FRA issued its *Working Paper on Anti-Semitism*, which included developments for 2010.³²³ EU-FRA also announced that, due to the lack of robust and comparable data showing the extent to which Jews in the EU are subject to discrimination, hate crime and hate speech, it would launch a major survey of the Jewish population in EU Member States on issues of discrimination and experiences and perceptions of hate crime, as well as awareness of available legal remedies.³²⁴

In its reports for 2011, ECRI noted cases of damage to property and a monument in Latvia.³²⁵

Government and NGO responses to anti-Semitic crimes and incidents

In the United Kingdom, the Community Security Trust published *A Guide to Fighting Hate Crime* in March 2011. The guide sets out how to monitor and report incidents of hate crime and work with the police to improve responses. It is aimed at minority groups and potential victims of hate crime.³²⁶

The Canadian Parliamentary Coalition to Combat Anti-Semitism published its final report, which made several recommendations, including a recommendation to introduce national standards relating to hate crime for police services across the country and another recommendation to report and analyse data, including a breakdown of crimes by bias motivation, as part of the annual Uniform Crime Reporting Survey.³²⁷

In connection with the above, the Canadian Government signed the *Ottawa Protocol on Combating Antisemitism*, which calls for leaders of faith groups to combat hatred and discrimination, including anti-Semitism; for governments to reaffirm and implement the United Nations 1948 Genocide Convention; for the establishment of an international task

³²¹ Communication from the OSCE Mission in Kosovo, *op. cit.*, note 217.

³²² “Concluding Observations of the Committee on the Elimination of Racial Discrimination: Moldova”, *op. cit.*, note 94.

³²³ “Anti-Semitism: summary overview of the situation in the European Union 2001-2010” (European Union Agency for Fundamental Rights (FRA): Vienna, 2011), <<http://fra.europa.eu/fraWebsite/attachments/Antisemitism-update-2011.pdf>>.

³²⁴ *Ibid.*, p. 3. For a link to the survey factsheet, see: <http://fra.europa.eu/fraWebsite/research/publications/publications_per_year/2012/pub-factsheet-antisemitism-survey_en.htm>.

³²⁵ ECRI Report on Latvia (fourth monitoring cycle), *op. cit.*, note 117.

³²⁶ Information from the Community Security Trust, *op. cit.*, note 317. The publication is available at <<http://www.thecst.org.uk/docs/Hate%20Crime%20booklet%20-%20Web%20version.pdf>>.

³²⁷ “Report of the Inquiry Panel of the Canadian Parliamentary Coalition to Combat Anti-Semitism”, The Canadian Parliamentary Coalition to Combat anti-Semitism, <http://www.cpcca.ca/CPCCA_Final_Report_English.pdf>.

force to identify and monitor hate on the Internet; and for the development of a comprehensive system to record all hate crimes.³²⁸

In Sweden, the Swedish Committee Against Anti-Semitism (SCAA), has several ongoing projects in the educational field to address of anti-Semitic hate crime, including two different educational programmes targeting students in secondary schools. The first programme focuses on the life story of a person who survived Auschwitz-Birkenau and includes exercises to encourage students to reflect upon modern-day Sweden and a “hate crime quiz”.³²⁹ The second programme uses interactive materials addressing anti-Semitism and other modern forms of intolerance, including Islamophobia and racism against different types of ethnic groups. The latter programme was developed and published by SCAA and the Living History Forum, together with the Anne Frank House and ODIHR. A third educational programme is aimed primarily at teachers and day-care providers and explores anti-Semitism and Islamophobia in the educational setting, including how to respond and counter prejudices, while also discussing issues around hate crime.³³⁰

Box 3: Attack connected to Jewish pilgrimage, Ukraine

In 2011, the annual pilgrimage of Orthodox Jews to the Ukrainian town of Uman during the September Jewish festival of Rosh Hashanah was met with a hostile climate, with segments of the local population mobilizing against the impending arrival of Jewish pilgrims months before their arrival. On 7 June, the participants in a rally reportedly tore down Hebrew signs and also tried to demolish a memorial plaque commemorating a deceased Jewish resident. They claimed that the pilgrims’ presence was illegal and announced that they would “clear up this mess”. On 11 June, participants in another rally used loudspeakers to disrupt the prayers of the resident Jewish community in Uman. During the rally, a flagpole with the Ukrainian flag was reportedly placed in the local Jewish cemetery. Six days later, a drunken local threatened a group of Jewish worshippers with a knife near the synagogue. A group of Jewish residents stopped the attacker and handed him over to the police. By September, national right-wing groups had joined the movement, with tensions escalating on 9 September with a violent clash between local Jews and non-Jews. Over the course of September, right-wing groups continued to mobilize against Jewish residents, including through anti-Semitic abuse and leaflets showing the crossed-out head of a supposed alien with sidelocks and kippah. Following the request of local authorities, an administrative court did not permit a right-wing parade scheduled for 25 September. However, a “walk in the city”, organized by the far-right group Svoboda, was attended by a reported 67 people, mainly from outside Uman. The event was broken up by the police and resulted in several arrests.³³¹

³²⁸ “Canada becomes first country to sign the Ottawa Protocol”, Citizenship and Immigration Canada Website, 19 September 2011, <<http://www.cic.gc.ca/english/departement/media/releases/2011/2011-09-19.asp>>.

³²⁹ Questionnaire from the Swedish NPC, *op. cit.*, note 139.

³³⁰ *Ibid.*

³³¹ Vyacheslav Likhachev, 30 January, 2011, “Anti-Semitism in Ukraine: Preliminary Results of the 2011 Monitoring”, <<http://eajc.org/page34/news28184.html>>.

ANTI-MUSLIM CRIMES AND INCIDENTS

Background

Specific OSCE commitments to combat intolerance and discrimination against Muslims date to the 2002 Porto Ministerial Council Meeting, which explicitly condemned acts of discrimination and violence against Muslims and firmly rejected the identification of terrorism and extremism with a particular religion or culture.³³² Moreover, at the 2007 “OSCE Chairmanship Conference on Intolerance and Discrimination against Muslims”, the OSCE Chairmanship issued a declaration encouraging the participating States to follow anti-Muslim hate crimes closely, by maintaining and improving methods to gather reliable information and statistics on such crimes.³³³ The Astana Declaration on Combating Intolerance and Discrimination, issued by the Chairperson-in-Office on 30 June 2010, also stressed that international developments and political issues cannot justify any forms of intolerance and discrimination against Muslims and encouraged the participating States to challenge anti-Muslim prejudice and stereotypes.³³⁴

ODIHR carried out a range of activities in 2011 in relation to hate crime and other forms of intolerance against Muslims. The OSCE convened a high-level meeting on “Confronting Intolerance and Discrimination against Muslims in Public Discourse” in Vienna on 28 October 2011. The meeting was co-organized by the OSCE Chairmanship and ODIHR, involving 161 participants and including the presentation of *Guidelines for Educators on Countering Intolerance against Muslims*, a joint publication by ODIHR, UNESCO and the Council of Europe.³³⁵ Among many other topics, participants discussed ways of addressing hate speech and reforming hate crime legislation. A number of specific recommendations on addressing hate crimes against Muslims emerged from the meeting. In addition, ODIHR conducted a number of training events on hate crime for French NGOs, and a seminar for German NGOs, in partnership with local NGOs.

The Personal Representative of the OSCE Chairperson-in-Office on Combating Intolerance and Discrimination against Muslims, Adil Akhmetov, visited the France, Holy See, Italy, and Switzerland as part of his activities for 2011. During these visits, he drew attention to the fact that hate crimes against Muslims are under-reported and under-recorded, and also emphasized that Muslim women wearing headscarves and Islamic places of worship are especially vulnerable to hate crimes. He encouraged participating States to establish monitoring and data-collection mechanisms; to support civil society programmes to monitor, report and provide assistance to victims; and to increase co-operation and trust between law-enforcement officers and Muslim communities. The Personal Representative also issued a press statement in response to the attacks in Oslo in July 2011 and the spate of

³³² “Tenth Meeting of the Ministerial Council”, Porto, 6- 7 December 2002, <<http://www.osce.org/mc/40521>>.

³³³ Press release, “Countering intolerance and discrimination against Muslims purpose of OSCE meeting in Cordoba”, OSCE, Cordoba, 9 October 2007, <<http://www.osce.org/cio/48998>>.

³³⁴ Astana Declaration by the Chairperson-in-Office, *op. cit.*, note 174.

³³⁵ “Summary Report of the OSCE High-Level Meeting on Confronting Intolerance and Discrimination Against Muslims in Public Discourse, Vienna, 27-28 October 2011”, *op. cit.*, note 86.

neo-Nazi killings in Germany, urging participating States to take cases of hate crimes against Muslims seriously.³³⁶

Information and data on anti-Muslim hate crimes and incidents

Eighteen participating States³³⁷ collect data on anti-Muslim hate crimes. However, at the time this report was completed, only Sweden and Switzerland had submitted figures on anti-Muslim hate crimes.

In addition, 16 NGOs and civil society organisations in 14 participating States submitted information on anti-Muslim hate crimes and incidents.³³⁸ The OSCE Mission to Bosnia and Herzegovina, the OSCE Mission in Kosovo, and the OSCE Mission to Skopje reported crimes and incidents. Information was received from UNHCR offices covering Bulgaria and Greece and as well as information from the Organisation of Islamic Cooperation (OIC) concerning Belgium, the United Kingdom and the United States.

The country listing below summarizes the information received by ODIHR about each participating State with regard to anti-Muslim crimes. If a participating State is not listed, this indicates that ODIHR did not receive any information concerning such crimes from the government, IGOs or NGOs. In some cases, the information provided by different sources may overlap.

Austria: No official data on anti-Muslim crimes were reported to ODIHR. The NGO ZARA reported three cases of threats, one of which also involved physical assault against a Muslim woman that resulted in serious injuries; and one case of attempted arson and graffiti on the prayer house of the Turkish-Islamic association ATIB in Kufstein, Tyrol.³³⁹

Belgium: No official data on anti-Muslim crimes were reported to ODIHR. The OIC Observatory reported that a pig's head was buried under a cross on a proposed mosque site.³⁴⁰

Bosnia and Herzegovina: No official data on anti-Muslim crimes were reported to ODIHR. The OSCE Mission to Bosnia and Herzegovina reported 38 incidents against Muslims that directly targeted Islamic symbols and sites, such as mosques and Muslim graveyards.³⁴¹ The Interreligious Council of Bosnia and Herzegovina reported 25 incidents targeting Islamic religious property.³⁴²

Bulgaria: No official data on anti-Muslim crimes were reported to ODIHR. The Office of the Grand Mufti reported seven cases of graffiti, including four against mosques and three

³³⁶ Press release, "OSCE Personal Representative urges participating States to take hate crimes against Muslims seriously", OSCE, Astana, 22 February 2012, <<http://www.osce.org/cio/88342>>.

³³⁷ Austria, Belgium, Bulgaria, Canada, Croatia, Czech Republic, Finland, Greece, Liechtenstein, Moldova, Netherlands, Poland, Serbia, Sweden, Switzerland, Tajikistan, United Kingdom and the United States.

³³⁸ Austria, Bulgaria, France, Germany, Greece, Italy, Netherlands, Russian Federation, Spain, Switzerland and the United Kingdom.

³³⁹ Information from ZARA, *op. cit.*, note 180.

³⁴⁰ Information from OIC Observatory, 30 June 2011.

³⁴¹ Communication from the OSCE Mission to Bosnia and Herzegovina, *op. cit.*, note 183.

³⁴² Information received from Interreligious Council of Bosnia and Herzegovina, through Bosnia and Herzegovina NPC, *op. cit.*, note 289.

against the offices of the Grand Mufti; five cases of property damage, including four against mosques and one against graves; and nine physical assaults, three of which resulted in serious injury.³⁴³ UNHCR, the Office of the Grand Mufti and the NGO A World Without Nazism all reported a series of physical assaults against worshippers and damage to the Sofia Mosque, connected to the demonstrations staged by the Ataka party, and one case of threats at a mosque.³⁴⁴

Canada: No official data on anti-Muslim crimes were reported to ODIHR. The Canadian Council on American-Islamic Relations (CAIR-CAN) reported one physical assault against a woman wearing a niqab, two incidents of graffiti, both on mosques, one theft from a mosque, one arson attack against the sign marking the location of the future South Nepean Muslim Community Centre.³⁴⁵

Czech Republic: No official data on anti-Muslim crimes were reported to ODIHR. The NGO in IUSTITIA reported one physical assault involving a woman's headscarf and earrings being pulled off.³⁴⁶

France: No official data on anti-Muslim crimes were reported to ODIHR. The NGO Conseil de la Jeunesse Pluriculturelle (COJEP) reported five cases of graffiti on a mosque, two cases of a pig's head and internal organs being left outside a mosque, one case of an arson attack against a mosque, and one case of a bomb and fire accelerator placed inside a mosque.³⁴⁷ The NGO LICRA reported 14 cases of damage to property, including ten against private property and four against mosques or cemeteries.³⁴⁸

Germany: No official data on anti-Muslim crimes were reported to ODIHR. The Immigrants Union reported one arson attack against a Turkish community centre in Schlesweig-Holstein that involved the attacker entering the building with a knife, axe and a container of fuel, causing injury to 15 people. The perpetrator was sentenced to three years and nine months in prison.³⁴⁹

Greece: No official data on anti-Muslim crimes were reported to ODIHR. UNHCR reported an arson attack on a mosque by a group of people that also included graffiti.³⁵⁰ The Federation of Western Thrace Turks in Europe (ABTTF) reported one case of graffiti on the Turkish war cemetery in Athens-Piraeus, one case of destruction of graves at the Muslim cemetery of Pospos.³⁵¹ In addition, the Federation of Western Thrace Turks in Europe (ABTTF) and the Western Thrace Minority University Graduates Association reported one case of a pig's head nailed to the front door of a mosque, and a further case of property damage against a mosque.³⁵²

³⁴³ Communication from Office of the Grand Mufti, *op. cit.*, note 144.

³⁴⁴ *Ibid.*; Communication from UNHCR, *op. cit.*, note 22; Information from A World Without Nazism, *op. cit.*, note 188.

³⁴⁵ Information from CAIR-CAN, 3 August, 2012.

³⁴⁶ Information from In IUSTITIA, *op. cit.*, note 187,

³⁴⁷ Information from COJEP, 20 February 2012.

³⁴⁸ Information from the International League Against Racism and Anti-Semitism (LICRA), *op. cit.*, note 293.

³⁴⁹ Information received from the Immigrants Union, 24 February 2012.

³⁵⁰ Communication from UNHCR, *op. cit.*, note 22.

³⁵¹ Information from The Federation of Western Thrace Turks in Europe, *op. cit.*, note 193.

³⁵² Information from The Federation of Western Thrace Turks in Europe, *op. cit.*, note 193, Information from the Western Thrace Minority University Graduates Association, 17 September 2012.

Italy: No official data on anti-Muslim crimes were reported to ODIHR. The NGO Lunaria reported two cases of damage to property and two cases of physical violence.³⁵³

Netherlands: No official data on anti-Muslim crimes were reported to ODIHR. The Turks Forum reported two cases of damage to property, three cases of graffiti on mosques and one arson attack.³⁵⁴

The former Yugoslav Republic of Macedonia: No official data on anti-Muslim crimes were reported to ODIHR. The OSCE Mission to Skopje reported several incidents of anti-Muslim graffiti.³⁵⁵ No information was provided by NGOs.

Russian Federation: No official data on anti-Muslim crimes were reported to ODIHR. The NGO A World Without Nazism reported one case of desecration that involved throwing pigs' heads at a monument.³⁵⁶

Spain: No official data on anti-Muslim crimes were reported to ODIHR. The Union of Islamic Communities in Spain reported three cases of pigs' body parts being left outside mosques or future mosque sites, one case of graffiti on a mosque, one case of physical assault and one case of threats.³⁵⁷

Sweden: Official law-enforcement figures record 278 anti-Muslim hate crimes.³⁵⁸ No information was provided by NGOs.

Switzerland: The NPC reported information on the desecration of a proposed mosque site.³⁵⁹ The NGO Turkish Community in Switzerland reported one case of threats against the mayor of Spreitenbach following an interview in which he discussed the positive contributions of the Muslim community in Switzerland. The mayor resigned from his post as a result of the threats.³⁶⁰

United Kingdom: No official data on anti-Muslim crimes were reported to ODIHR. The OIC Observatory reported three cases of graffiti, including one against a mosque and one against graves, and one case of theft.³⁶¹ The NGO Engage reported 13 physical assaults, two of which involved serious bodily injury; two threats; three cases of arson, one of which was against a mosque; one bomb threat against a mosque; and 12 cases of criminal damage, three of which were against a mosque and one against a cemetery. Engage also reported ten cases of graffiti, seven of which were on a mosque; two cases where a pig's head was left outside a mosque; one theft; one threat; and one case of harassment.³⁶²

³⁵³ Information from Lunaria, *op. cit.*, note 197.

³⁵⁴ Information from Turks Forum Netherlands, 2 April 2012.

³⁵⁵ Communication from OSCE Mission to Skopje, *op. cit.*, note 202.

³⁵⁶ Information from A World Without Nazism, *op. cit.*, note 188.

³⁵⁷ "Institución para la observación y seguimiento de la situación del ciudadano musulmán y la islamofobia en España", Information received from the Union of Islamic Communities in Spain, *op. cit.*, note 211.

³⁵⁸ Information from the Swedish NPC, *op. cit.*, note 212. This figure is part of Sweden's total number of 651 anti-religious hate crimes, as noted on page 79.

³⁵⁹ Information from the Swiss NPC, 19 June 2012,

³⁶⁰ Information from the Turkish Community in Switzerland, 20 March 2012.

³⁶¹ Information received from OIC Observatory, *op. cit.*, note 340.

³⁶² Information from ENGAGE, *op. cit.*, note 152.

United States: No official data on anti-Muslim crimes were reported to ODIHR. The OIC Observatory reported one case of property damage against a mosque and one murder.³⁶³

The OSCE Mission in Kosovo reported 20 anti-Muslim incidents, including six cases of cemetery desecration, two arson incidents, one case of damage to a monument and one case of harassment or intimidation.³⁶⁴

Key resolutions and statements from international organizations

The UN Human Rights Council Universal Periodic Review encouraged the United States to take effective measures to counter violence against Muslims.³⁶⁵ The Human Rights Committee, overseeing implementation of the International Covenant on Civil and Political Rights, noted recent manifestations of intolerance against religious minorities, especially Muslims, in Bulgaria.³⁶⁶ The Committee further recommended that Bulgaria take measures to promote the prevention, prosecution and punishment of hate crimes, including against Muslims, and to conduct awareness-raising campaigns targeting both affected communities and society at large.

Government and NGO responses to crimes and incidents motivated by bias against Muslims

German Chancellor Angela Merkel led a remembrance ceremony for the victims of a series of murders by a neo-Nazi terror cell over the period of 11 years.³⁶⁷

In Sweden, the Swedish Committee Against Anti-Semitism (SCAA) engaged in several ongoing projects in the educational field, including a programme aimed primarily at teachers and day-care providers. The training explores anti-Semitism and Islamophobia in the educational setting, including how to respond and counter prejudices, as well as issues around hate crime.³⁶⁸

The NGO Faith Matters set up the “Measuring Anti-Muslim Attacks (MAMA)” project, which enables people from across England to report any form of anti-Muslim abuse via telephone, e-mail, SMS, Facebook or Twitter. The purpose of the project is to collect information about anti-Muslim incidents and enable local police forces and social support services to target their resources.³⁶⁹

³⁶³ Information received from OIC Observatory, *op. cit.*, note 340.

³⁶⁴ Information from OSCE Mission in Kosovo, *op. cit.*, note 217.

³⁶⁵ “Report of the Working Group on the Universal Periodic Review: United States”, Human Rights Council on the Working Group on the Universal Periodic Review, p. 26, *op. cit.*, note 110.

³⁶⁶ “Concluding Observations of the Human Rights Committee: Bulgaria”, CCPR/C/BGR/CO/3, 19 August 2011, p. 3, available at <<http://www2.ohchr.org/english/bodies/hrc/hrcs102.htm>>.

³⁶⁷ “Memorial event for the victims of the neo-Nazi Murder terror cell”, Spiegel Online International, 23 February 2012; <<http://www.spiegel.de/international/germany/taking-a-stand-against-neo-nazi-terror-merkel-asks-victims-relatives-for-forgiveness-a-817124.html>>.

³⁶⁸ Questionnaire from the Swedish NPC, *op. cit.*, note 139. The same programme was also referenced in the section “Government and NGO responses to crimes and incidents motivated by anti-Semitism”.

³⁶⁹ See, “Tell Mama” website: <<http://tellmamauk.org/page/index>>.

Box 4: Desecration of a proposed mosque site in Switzerland

On Friday 11 November, following an anonymous message, the police discovered a pig's carcass and pigs' heads at the site of a proposed mosque in Grenchen.

An unsigned flyer at the scene stated: "This operation was done to protest against the growing expansion of Islam in Switzerland."

Following the incident, the chief of the Solothurn Canton Police stated that although there were no current suspects, a full investigation was underway. Further, he stated that the party responsible could be brought up on charges of environmental pollution and illegal dumping of animal parts, in addition to other potential criminal charges.³⁷⁰ From the outset, the investigation included the aspect of bias motivation.³⁷¹

Muslim NGOs in Switzerland have reported an increase in anti-Muslim sentiment since a 2009 referendum banned the construction of new minarets. Abdel Azziz Qaasim Illi, spokesperson for Switzerland's Central Islamic Council, said, "It's an emotional thing. It means that there are actually people in this society who deny the right of Muslims when it comes to a mosque in Switzerland, and this is something that hurts us."³⁷²

³⁷⁰ "Muslims outraged over pig parts dumped at Swiss mosque site", CNN News Website, 11 June 2012, <http://edition.cnn.com/2011/11/12/world/europe/switzerland-mosque/index.html?eref=rss_topstories>.

³⁷¹ Information from the Swiss NPC, *op. cit.* note 359.,.

³⁷² "Muslims outraged over pig parts dumped at Swiss mosque site", *op.cit.*, note 370.

CRIMES AND INCIDENTS MOTIVATED BY BIAS AGAINST CHRISTIANS AND MEMBERS OF OTHER RELIGIONS

Background

In December 2004, the Bulgarian OSCE Chairmanship appointed a Personal Representative on Combating Racism, Xenophobia and Discrimination, also focusing on Intolerance and Discrimination against Christians and Members of Other Religions. This was followed by a number of OSCE tolerance-related decisions and declarations that included specific commitments and references to the fight against prejudice, intolerance and discrimination against Christians and members of other religions.³⁷³

On 12 September 2011, the OSCE Chairmanship and ODIHR co-organized a high-level meeting on “Preventing and Responding to Hate Incidents and Crimes against Christians” in Rome. This was the second in a series of three high-level meetings co-organized by the Chairmanship and ODIHR in 2011, designed to explore the problems of religious intolerance and discrimination against Jews, Christians and Muslims. The meeting provided a forum for representatives of OSCE participating States, the media and political and civil society actors to discuss hate-motivated incidents and crimes against Christians in the OSCE area and to share best practices in prevention, monitoring and response. A total of 139 participants registered, including 30 civil society representatives. Attendees came from 30 participating States.³⁷⁴

In 2011, the OSCE Chairmanship’s Personal Representative on Combating Racism, Xenophobia and Discrimination, also focusing on intolerance and discrimination against Christians and members of other religions, Massimo Introvigne, made a number of country visits, often together with the other Personal Representatives, to France, the Holy See, Switzerland and Ukraine.

The OSCE Parliamentary Assembly adopted a resolution on “Combating Intolerance and Discrimination against Christians in the OSCE Area”, which highlighted the need to intensify efforts to monitor, research and publicize hate crimes targeting Christians.³⁷⁵

Information and data on crimes and incidents motivated by bias against Christians and other religions

Thirty-five participating States have reported to ODIHR that they collect data on hate crimes based on religious bias.³⁷⁶ Fourteen states reported that they record data on crimes

³⁷³ OSCE Ministerial Council, Decision No. 10/05, *op. cit.*, note 14, OSCE Ministerial Council, Decision No. 13/06, *op. cit.*, note 11; OSCE Ministerial Council, Decision No. 10/07, *op. cit.*, note 17; “Cordoba Declaration by the Chairman-in-Office”, *op. cit.*, note 279; “Bucharest Declaration by the Chairman-in-Office”, *op. cit.*, note 237.

³⁷⁴ See, “Summary Report of the OSCE High-Level Meeting on Preventing and Responding to Hate Incidents and Crimes Against Christians”, *op. cit.*, note 85.

³⁷⁵ “Belgrade Declaration of the OSCE Parliamentary Assembly and Resolutions Adopted at the Twentieth Annual Session” Belgrade, 6-10 July 2011, pp. 50-51, <http://www.oscepa.org/images/stories/documents/activities/1.Annual%20Session/2011_Belgrade/BelgradeDeclarationFINALEnglish.pdf>.

³⁷⁶ Azerbaijan, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Denmark, Finland, France, Georgia, Germany, Greece, Iceland, Ireland, Italy, Kazakhstan, Kyrgyzstan, Latvia, Liechtenstein,

motivated by bias against Christians and members of other religions.³⁷⁷ Some states further disaggregate this data into categories such as “non-denominational”, “Catholic”, “Protestant” or “other religions”.³⁷⁸

The Holy See provided information on incidents motivated by bias against Christians in 11 states.³⁷⁹ Seven NGOs provided information to ODIHR on incidents motivated by bias against Christians and members of other religions in 12 participating States.³⁸⁰ Information from the OSCE Mission to Bosnia and Herzegovina, the OSCE Mission in Kosovo, and the OSCE Mission to Skopje was also included.

The country listing below summarizes the information received by ODIHR about each participating State with regard to crimes motivated by bias against Christians and members of other religions. If a participating State is not listed, this indicates that ODIHR did not receive any information concerning such crimes from the government, IGOs or NGOs. In some cases, the information provided from different sources may overlap.

To date, Sweden is the only participating State that has provided data on crimes committed against Christians and members of other religions and Turkey provided information on a case. Germany and the United Kingdom provided figures on anti-religious crimes without disaggregating them by faith. In an effort to include all relevant data provided by participating States, these figures have been included in this section.

Austria: No official data on crimes motivated by bias against Christians or members of other religions were provided to ODIHR. The Holy See reported one incident of anti-Christian graffiti on a house.³⁸¹ No data on crimes against Christians or members of other religions were provided by NGOs.

Belgium: No official data on crimes motivated by bias against Christians or members of other religions were provided to ODIHR. The Observatory on Intolerance and Discrimination against Christians reported one incident of arson inside a church.³⁸²

Bosnia and Herzegovina: No official data on crimes motivated by bias against Christians or members of other religions were provided to ODIHR. The Holy See reported two incidents of grave desecrations; four incidents of damage to church property, two of which involved breaking into churches and causing damage; and one incident of damaging and then stealing a bronze statue of a prominent church figure.³⁸³ The OSCE Mission in Bosnia and Herzegovina reported 75 incidents against Christians, the majority of which directly

Lithuania, Moldova, Netherlands, Norway, Poland, Russian Federation, Serbia, Slovakia, Spain, Sweden, Switzerland, Tajikistan, United Kingdom, United States and Uzbekistan.

³⁷⁷ Belgium, Bulgaria, Canada, Croatia, Czech Republic, Finland, Moldova, Netherlands, Poland, Serbia, Sweden, Switzerland, United Kingdom and the United States.

³⁷⁸ Bulgaria, Canada, Czech Republic and the United States.

³⁷⁹ Austria, Bosnia and Herzegovina, France, Germany, Hungary, Italy, Liechtenstein, Russian Federation, Spain, Switzerland, and Turkey. At the time of this report was written, Germany, Switzerland and Turkey had responded to ODIHR’s request for further information.

³⁸⁰ Belgium, Bosnia and Herzegovina, Czech Republic, France, Georgia, Germany, Italy, Liechtenstein, Spain, Switzerland, Russian Federation and Turkey.

³⁸¹ Information from the Holy See NPC, 16 March 2012.

³⁸² Information from Observatory on Intolerance and Discrimination against Christians, 29 March 2012.

³⁸³ Information from the Holy See NPC, *op. cit.* note 381

targeted Catholic or Serbian Orthodox symbols or sites, such as churches and cemeteries.³⁸⁴ The Interreligious Council of Bosnia and Herzegovina reported 14 incidents targeting Serbian Orthodox religious property and three incidents targeting Catholic religious property.³⁸⁵

Czech Republic: No official data on crimes motivated by bias against Christians or members of other religions were provided to ODIHR. In IUSTITIA reported one case of threats against two Jehovah's Witnesses.³⁸⁶

France: No official data on crimes motivated by bias against Christians or members of other religions were provided to ODIHR. The Holy See and the Observatory on Intolerance and Discrimination against Christians both reported five cases of cemetery desecration, seven cases of damage to churches, three cases of arson to churches, and five incidents in which Christian icons in public places were vandalized.³⁸⁷ The Holy See reported one additional cemetery desecration and six additional cases of damage and/or vandalism against churches.³⁸⁸ The Observatory on Intolerance and Discrimination against Christians reported one additional cemetery desecration and three additional cases of damage to churches, including vandalism and damage to church statues.³⁸⁹

Georgia: No official data on crimes motivated by bias against Christians or members of other religions were provided to ODIHR. The South Caucasus Regional Office of the Heinrich Boell Foundation reported one incident in which a Jehovah's Witness was physically assaulted by three men and another incident in which two Jehovah's Witnesses suffered knife wounds in a physical assault by a group of five men.³⁹⁰ UNHCR reported five assaults against Jehovah's Witnesses.³⁹¹

Germany: Official law-enforcement figures recorded 319 anti-religious hate crimes, 32 of which involved violence.³⁹² The Holy See and the Observatory on Intolerance and Discrimination against Christians both reported six incidents of cemetery desecration, five cases of vandalism of churches, one incident of vandalism of property, and three cases of attempted arson to churches.³⁹³ The Observatory on Intolerance and Discrimination against Christians reported one additional case of cemetery desecration, one case of a threat against a school that displayed a welcome poster ahead of a visit of Pope Benedict XV, and one

³⁸⁴ Communication from the OSCE Mission to Bosnia and Herzegovina, *op. cit.*, note 183.

³⁸⁵ Information received from Interreligious Council of Bosnia and Herzegovina, through Bosnia and Herzegovina NPC, *op. cit.*, note 289.

³⁸⁶ Information from In IUSTITIA, *op. cit.*, note 187.

³⁸⁷ Information from the Holy See NPC, *op. cit.*, note 381; Information from Observatory on Intolerance and Discrimination against Christians, *op. cit.*, note 382.

³⁸⁸ Information from the Holy See NPC, *op. cit.*, note 381.

³⁸⁹ Information from Observatory on Intolerance and Discrimination against Christians, *op. cit.*, note 382.

³⁹⁰ Information from South Caucasus Regional Office of the Heinrich Boell Foundation, 30 March 2012.

³⁹¹ Communication from UNHCR, *op. cit.*, note 22.

³⁹² Information from the German NPC, *op. cite.*, note 190.

³⁹³ Information from the Holy See NPC, *op. cit.*, note 381; Information from Observatory on Intolerance and Discrimination against Christians, *op. cit.*, note 382. The German NPC verified that all of these cases were reported to the police, although the NPC could not confirm the status of investigations. Information from the German NPC, received 5 September 2012.

case of property damage against church property displaying a similar welcome poster for the Pope's visit.³⁹⁴

Hungary: No official data on crimes motivated by bias against Christians or members of other religions were provided to ODIHR. The Holy See reported three cases of damage to churches and one case of damage to church property.³⁹⁵ No data on crimes against Christians or members of other religions were provided by NGOs.

Italy: No official data on crimes motivated by bias against Christians or members of other religions were provided to ODIHR. The Holy See reported one case of grave desecration, five cases of vandalism of church property, and three cases of vandalism of churches.³⁹⁶ The Observatory on Intolerance and Discrimination against Christians reported one incident of vandalism of church property.³⁹⁷

Liechtenstein: No official data on crimes motivated by bias against Christians or members of other religions were provided to ODIHR. The Holy See and the Observatory on Intolerance and Discrimination against Christians both reported one case of vandalism of a statue in a church.³⁹⁸

The former Yugoslav Republic of Macedonia: No official data on crimes motivated by bias against Christians or members of other religions were provided to ODIHR. The OSCE Mission to Skopje reported incidents of arson and damage to churches, and anti-Christian graffiti.³⁹⁹ No data on crimes against Christians or members of other religions were provided by NGOs.

Russian Federation: No official data on crimes motivated by bias against Christians or members of other religions were reported to ODIHR. The Holy See reported 11 cases of vandalism, eight of which targeted property associated with Russian Orthodoxy and three of which targeted Protestant sites.⁴⁰⁰ The SOVA Center for Information and Analysis reported 27 physical assaults (including 22 against Jehovah's Witnesses, three against Mormon missionaries, one against an Orthodox priest and one against a man who was mistakenly believed to be an Orthodox priest); 34 cases of damage to property (including against 16 properties owned by Jehovah's Witnesses, one by Hare Krishna, 12 by Orthodox Christians, four by Protestants and one by Pagans); and four cases of arson (including three Orthodox churches and one Protestant site).⁴⁰¹ The NGO A World Without Nazism reported one case of arson targeting a place of worship owned by Jehovah's Witnesses, which was occupied by 60 people at the time of the attack, and, in a connected incident, one case of damage to a car.⁴⁰²

³⁹⁴ Information from Observatory on Intolerance and Discrimination against Christians, *op. cit.*, note 382.

³⁹⁵ Information from the Holy See NPC, *op. cit.*, note 381.

³⁹⁶ *Ibid.*

³⁹⁷ Information from Observatory on Intolerance and Discrimination against Christians, *op. cit.*, note 382.

³⁹⁸ Information from the Holy See NPC, *op. cit.*, note 381; Information from Observatory on Intolerance and Discrimination against Christians, *op. cit.*, note 382.

³⁹⁹ Communication from OSCE Mission to Skopje, *op. cit.*, note 202.

⁴⁰⁰ Information from the Holy See NPC, *op. cit.*, note 381.

⁴⁰¹ Natalia Yudina, Vera Alperovich, Alexander Verkhovsky, "Between Manezhnaya and Bolotnaya: Xenophobia and Radical Nationalism in Russia, and Efforts to Counteract Them in 2011", The SOVA Center for Information and Analysis, 5 April 2012, *op. cit.*, note 208.

⁴⁰² Information from A World Without Nazism, *op. cit.*, note 188.

Spain: No official data on crimes motivated by bias against Christians or members of other religions were reported to ODIHR. The Holy See, the Observatory on Intolerance and Discrimination against Christians and the Observatory for Freedom of Religion and Conscience all reported one case of damage to a church, one case of attempted arson and one incident in which property associated with Christians was vandalized.⁴⁰³ The Holy See and the Observatory on Intolerance and Discrimination against Christians both reported additional cases, including several physical assaults against participants in a youth event connected with the Pope’s visit, two cases of damage to churches and one case of damage to church property.⁴⁰⁴ The Observatory on Intolerance and Discrimination against Christians also reported two separate cases, which included damage to a church and attempted arson inside a church.⁴⁰⁵ The Observatory for Freedom of Religion and Conscience also reported two separate cases, which included damage to church property and physical assault.⁴⁰⁶

Sweden: Official law-enforcement figures record a total of 651 anti-religious crimes, including 78 cases of physical assault, 76 cases of damage to property, 36 cases of vandalism, 330 cases of threats/threatening behaviour and 130 cases classified as “other.”⁴⁰⁷ Of those anti-religious crimes, 162 were classified as motivated by bias against Christians and another 17 were classified as “other anti-religious” motives.⁴⁰⁸

Switzerland: No official data on crimes motivated by bias against Christians or members of other religions were reported to ODIHR. The Holy See and the Observatory on Intolerance and Discrimination against Christians both reported an incident of vandalism of wayside crosses on private property.⁴⁰⁹ The Holy See reported one additional case of setting fire to religious objects inside a church.⁴¹⁰ The NPC verified that both incidents had been investigated by police. The perpetrator responsible for arson inside the church was prosecuted and convicted.⁴¹¹

Turkey: No official data on crimes motivated by bias against Christians or members of other religions were reported to ODIHR. The Holy See and the Observatory on Intolerance and Discrimination against Christians both reported an incident of vandalism of church property.⁴¹² The Turkish NPC reported that the incident is currently under prosecution before the courts.⁴¹³

⁴⁰³ Information from the Holy See NPC, *op. cit.*, note 381; Information from Observatory on Intolerance and Discrimination against Christians, *op. cit.*, note 382; Information from Observatory for Freedom of Religion and Conscience (Observatoria para la Libertad Religiosa), 1 April 2012.

⁴⁰⁴ Information from the Holy See NPC, *op. cit.*, note 381.

⁴⁰⁵ Information from Observatory on Intolerance and Discrimination against Christians, *op. cit.*, note 382.

⁴⁰⁶ Information from Observatory for Freedom of Religion and Conscience (Observatoria para la Libertad Religiosa), *op. cit.*, note 403.

⁴⁰⁷ Information from the Swedish NPC, *op. cit.* note 212.

⁴⁰⁸ *Ibid.* Specific figures for anti-Semitic and anti-Muslim crimes can be found in the relevant sections of this report on pages 65 and 72, respectively.

⁴⁰⁹ Information from the Holy See NPC, *op. cit.*, note 381; Information from Observatory on Intolerance and Discrimination against Christians, *op. cit.*, note 382.

⁴¹⁰ Information from the Holy See NPC, *op. cit.*, note 381.

⁴¹¹ Information from the Swiss NPC, 17 September 2012.

⁴¹² *Ibid.*; Information from Observatory on Intolerance and Discrimination against Christians, *op. cit.*, note 382.

⁴¹³ Information from the Turkish NPC, 14 September 2012.

United Kingdom: Official law-enforcement figures in England, Wales and Northern Ireland record 1,773 anti-religious hate crimes.⁴¹⁴ No data on crimes against Christians or members of other religions were provided by NGOs.

The OSCE Mission in Kosovo reported nine cases of desecration of Orthodox cemeteries, one case of intimidation/threats and six cases of damage to Orthodox religious and cultural buildings.⁴¹⁵

Key resolutions and statements from international organizations

The United Nations General Assembly adopted Resolution 66/167 on Combating negative stereotyping, stigmatization, discrimination, incitement to violence and violence against persons based on religion or belief.⁴¹⁶ The Resolution condemns acts of violence targeting persons or property based on their religious association and calls on states to protect religious sites subject to destruction and vandalism.

The CERD Committee encouraged Moldova to prevent acts directed at minorities or the religious sites of minorities and to investigate and prosecute these cases when they do occur.⁴¹⁷ The UN Special Rapporteur on Freedom of Religion or Belief also encouraged the Moldovan Government to speak out clearly against any manifestations of religious hatred and intolerance.⁴¹⁸

The UN Human Rights Council adopted Resolution 16/13, on freedom of religion or belief, which noted with concern acts of violence directed at religious minorities and condemned violence motivated by a bias against religion.⁴¹⁹ The Resolution also emphasized that states should take measures to prevent, investigate and punish such acts, and that the failure to do so may constitute a human rights violation.

In 2011, the UN Special Rapporteur on Freedom of Religion or Belief also addressed issues relating to violence motivated by religious bias and attacks against places of worship. In particular, the Special Rapporteur sent communications to governments, inquiring about

⁴¹⁴ Information received from the UK NPC, *op. cit.*, note 216.

⁴¹⁵ Communication from the OSCE Mission in Kosovo, *op. cit.*, note 217.

⁴¹⁶ “Resolution 66/167 adopted by the UN General Asssembly: Combating negative stereotyping, stigmatization, discrimination, incitement to violence and violence against persons based on religion or belief” A/RES/66/167, 19 December 2011, <<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N11/468/84/PDF/N1146884.pdf?OpenElement>>.

⁴¹⁷ “Concluding Observations of the Committee on the Elimination of Racial Discrimination: Moldova”, p. 5, *op. cit.*, note 94.

⁴¹⁸ “Report of the Special Rapporteur on freedom of religion or belief, Heiner Bielefeldt. Addendum: mission to the Republic of Moldova” A/HRC/19/60/Add.2, p 20, 27 January 2012, <http://www2.ohchr.org/english/bodies/hrcouncil/docs/19session/A.HRC.19.60.Add.2_en.pdf>.

⁴¹⁹ “Resolution 16/13 adopted by the Human Rights Council: freedom of religion or belief” A/HRC/RES/16/13, pp. 1-2, 12 April 2011, <http://www2.ohchr.org/english/bodies/hrcouncil/docs/16session/A.HRC.RES.16.13_en.pdf>.

allegations of violence against Jehovah's Witnesses and their property (Kyrgyzstan)⁴²⁰ and about a serious case of physical assault and ongoing discrimination and harassment against a Baptist (Moldova).⁴²¹

In its reports adopted in 2011, ECRI expressed concern about violent attacks against religious minorities, especially Jehovah's Witnesses and Adventists in Serbia.⁴²²

Government and NGO responses to crimes and incidents motivated by bias against Christians and members of other religions

The Interreligious Council of Bosnia and Herzegovina concluded a one-year project in October 2011 entitled "Monitoring and Responses to Attacks on Religious Buildings and Other Holy Sites in Bosnia and Herzegovina."⁴²³ The project was implemented in cooperation with Nansen Dialogue Center Sarajevo and the Oslo Center for Peace and Human Rights and recorded incidents that occurred between 1 November 2010 and 31 October 2011 against Muslims, Serbian Orthodox Christians, Catholics and Jews.⁴²⁴

Box 5: Arson attack on a church, France

In January 2011, a Christian church in Hérouville-Saint-Clair, on the outskirts of Caen, was vandalized on a Sunday morning at about 6 a.m. The Church of St. Francis was partially burned and rendered unusable for services.

The authorities of Caen stated that they do not know "with certainty whether an anti-religious motive was the reason for this arson." However, a judge confirmed that "it is clear that the perpetrator targeted religious objects" because "the fire was started in a nativity scene crib and a large cross was seized and broken."⁴²⁵

⁴²⁰ "Report of the Special Rapporteur on freedom of religion or belief, Heiner Bielefeldt. Addendum: summary of cases transmitted to governments and replies received" A/HRC/16/53/Add.1, pp. 44-45, 14 February 2011, <http://www2.ohchr.org/english/bodies/hrcouncil/docs/16session/A.HRC.16.53.Add.1_EFonly.pdf>.

⁴²¹ *Ibid.*, pp. 67-68.

⁴²² "ECRI Report on Serbia (fourth monitoring cycle)", ECRI, p. 29, *op. cit.*, note 121.

⁴²³ Information received from Interreligious Council of Bosnia and Herzegovina, through Bosnia and Herzegovina NPC, *op. cit.*, note 289.

⁴²⁴ *Ibid.*

⁴²⁵ Information from Observatory on Intolerance and Discrimination against Christians, *op. cit.*, note 382; "Une église du Calvados partiellement incendiée", 16 January 2011, <<http://www.leparisien.fr/faits-divers/une-eglise-du-calvados-partiellement-incendiee-16-01-2011-1229638.php>>.

CRIMES AND INCIDENTS BASED ON OTHER BIAS MOTIVATIONS

Background

OSCE participating States have committed themselves to ensuring that “the law will prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination on any ground”.⁴²⁶ Moreover, OSCE participating States have committed themselves to ensuring human rights and fundamental freedoms for everyone within their territories and subject to their jurisdiction, “without distinction of any kind such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status”.⁴²⁷

There is no consensus among participating States as to which groups should be included within the “protected characteristics” of hate crime laws. As noted in Part I, “race”, religion and ethnicity are commonly understood as being characteristics that should be protected under hate crime laws, but otherwise there is a divergence of opinion among states and policymakers on this issue. It is not possible in this report to cover all of the other categories that states have included under their hate crime laws. The sections below cover hate crimes based on bias towards people based on sexual orientation or gender identity, or on the basis of disability, as recorded by a substantial number of OSCE participating States and NGOs and IGOs that recognize them as hate crimes.

Information and data on crimes and incidents motivated by bias against LGBT people

Nineteen participating States collect data on crimes motivated by bias against LGBT people.⁴²⁸ Of those, nine include crimes against transgender people as a separate category.⁴²⁹ At the time this report was written, four states, Germany, Ireland, Sweden and the United Kingdom, had provided figures to ODIHR, while Serbia provided a case example.

In addition, 31 NGOS and civil society organizations from 28 participating States submitted information about crimes and incidents motivated by bias against LGBT people.⁴³⁰ Information from OSCE Mission in Bosnia and Herzegovina, as well as the UNHCR office covering Canada was also included.

The country listing below summarizes the information received by ODIHR about each participating State in relation to crimes against LGBT people. If a participating State is not listed, this indicates that ODIHR did not receive any information concerning such crimes

⁴²⁶ “Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE”, pp. 3-8., *op. cit.*, note 9.

⁴²⁷ “Concluding Document of the Vienna Meeting 1986 of Representatives of the Participating States of the Conference on Security and Co-operation in Europe, held on the Basis of the Provisions of the Final Act relating to the Follow-up to the Conference” Vienna 1989, p. 7, <<http://www.osce.org/mc/40881>>.

⁴²⁸ Andorra, Belgium, Canada, Croatia, Cyprus, Denmark, Finland, France, Germany, Iceland, Ireland, Liechtenstein, Lithuania, Netherlands, Norway, Serbia, Spain, Sweden, United Kingdom and the United States.

⁴²⁹ Belgium, Canada, Finland, Germany, Norway, Portugal, Serbia and the United Kingdom.

⁴³⁰ Albania, Armenia, Azerbaijan, Belarus, Croatia, Czech Republic, Finland, France, Georgia, Germany, Greece, Hungary, Italy, the former Yugoslav Republic of Macedonia, Moldova, Montenegro, Netherlands, Poland, Portugal, Romania, Russian Federation, Serbia, Slovenia, Spain, Sweden, Turkey, Ukraine and the United Kingdom.

from the government, IGOs or NGOs. In some cases, the information provided from different sources may overlap.

Albania: No official data on crimes motivated by bias against LGBT people were provided to ODIHR. The NGO Pink Embassy reported one arson attack against a house inhabited by five transgender people and an assault against a transgender person, resulting in serious injury.⁴³¹

Armenia: No official data on crimes motivated by bias against LGBT people were provided to ODIHR. The NGO Pink Armenia reported two physical assaults against transgender people.⁴³²

Azerbaijan: No official data on crimes motivated by bias against LGBT people were provided to ODIHR. The NGO Gender and Development reported five physical assaults, of which two involved serious injury, including one rape. In four of these cases, the victims were also robbed. All victims were gay men, with the exception of one transgender person.⁴³³

Belarus: No official data on crimes motivated by bias against LGBT people were provided to ODIHR. The NGO GayBelarus reported five physical assaults against gays and lesbians, one of which involved serious bodily injury; and two cases of graffiti on property, including on the offices of Minsk Gay Pride.⁴³⁴ The incidents took place in Brest, Minsk and Pinsk.

Bosnia and Herzegovina: No official data on crimes motivated by bias against LGBT people were provided to ODIHR. The OSCE Mission in Bosnia and Herzegovina reported that two men were physically attacked on the basis of their presumed sexual orientation.⁴³⁵ No information was received from NGOs.

Canada: No official data on crimes motivated by bias against LGBT people were provided to ODIHR. UNHCR reported a physical assault against a gay man in Toronto. No information was received from NGOs.⁴³⁶

Croatia: No official data on crimes motivated by bias against LGBT people were provided to ODIHR. The NGO ILGA-Europe reported physical assaults against eight people during the pride parade in Split.⁴³⁷

Czech Republic: No official data on crimes motivated by bias against LGBT people were provided to ODIHR. The NGO In IUSTITIA reported three physical assaults, including one attack by a group resulting in serious injury, and two attacks following Prague Pride; one

⁴³¹ Information received from the Pink Embassy, through ILGA-Europe, *op. cit.*, note 161.

⁴³² Information from Pink Armenia, through ILGA-Europe, 14 September 2012.

⁴³³ Information from Gender and Development, through ILGA-Europe, *op. cit.*, note 161. This information was also received through the Henrich Boell Foundation, South Caucasus Regional Office, 30 March 2012.

⁴³⁴ Information from GayBelarus through ILGA-Europe, *op. cit.*, note 161.

⁴³⁵ Communication from the OSCE Mission to Bosnia and Herzegovina, *op. cit.*, note 183.

⁴³⁶ Communication from UNHCR, *op. cit.*, note 22.

⁴³⁷ Information from ILGA-Europe, *op. cit.*, note 161.

case of criminal damage against a bar that involved setting the “rainbow flag” on fire and two cases of threats.⁴³⁸

Finland: No official data on crimes motivated by bias against LGBT people were provided to ODIHR. The NGO SETA reported two physical assaults, both resulting in serious injury, and one case of graffiti on the home of a leading LGBT activist.⁴³⁹

France: No official data on crimes motivated by bias against LGBT people were provided to ODIHR. The NGO SOS-Homophobie reported 185 physical assaults and 19 sexual assaults.⁴⁴⁰

Georgia: No official data on crimes motivated by bias against LGBT people were provided to ODIHR. The NGO Identoba reported the physical assault of a gay man by a group of ten people and the physical assault of a gay man by his family.⁴⁴¹

Germany: No official data on crimes motivated by bias against LGBT people were provided to ODIHR. The NGO TGEU reported one physical assault against a transgender person by a group.⁴⁴² The NGO Köln 19228 reported one case of damage to property; three robberies; one theft; one case of deprivation of liberty; one fraud; six physical assaults, four of which resulted in serious injury, and six threats.⁴⁴³ The NGO Maneo reported three murders; 31 robberies, one burglary; 42 assaults; 40 sexual assaults, with threats; one rape; and six cases of damage to property.⁴⁴⁴

Greece: No official data on crimes motivated by bias against LGBT people were provided to ODIHR. The NGO OLKE reported one assault against a gay man, resulting in serious injury.⁴⁴⁵

Hungary: No official data on crimes motivated by bias against LGBT people were provided to ODIHR. The NGO Athena reported two cases of physical assault against people leaving the Budapest Pride March.⁴⁴⁶ The Háttér Support Society for LGBT People in Hungary reported one case of physical assault against two men by a group following the Budapest Pride March and one case of physical assault against a transgender person.⁴⁴⁷

Italy: No official data on crimes motivated by bias against LGBT people were provided to ODIHR. The NGO Arcigay reported 32 physical assaults and 14 robberies.⁴⁴⁸

⁴³⁸ Information received from In IUSTITIA, *op. cit.*, note 187.

⁴³⁹ Information from SETA, through ILGA-Europe, *op. cit.*, note 432.

⁴⁴⁰ Information from SOS-Homophobie, through ILGA Europe, *op. cit.*, note 432.

⁴⁴¹ Information from Identoba through ILGA-Europe, *op. cit.*, note 161.

⁴⁴² Information from TGEU, through ILGA-Europe, *op. cit.*, note 161.

⁴⁴³ Information from Köln 19 22 8, through ILGA-Europe, *op. cit.*, note 161.

⁴⁴⁴ Information from MANEO, 30 August 2012.

⁴⁴⁵ Information from OLKE through ILGA-Europe, *op. cit.*, note 161.

⁴⁴⁶ Information from Athena, *op. cit.*, note 194.

⁴⁴⁷ Information from the Háttér Support Society for LGBT People in Hungary, 4 April 2012.

⁴⁴⁸ “Omofobia in Italia – 2011”, Arcigay, Information received through ILGA-Europe, 29 March 2012, <<http://www.arcigay.it/wp-content/uploads/Arcigay-Report-omofobia-2011.pdf>>.

The former Yugoslav Republic of Macedonia: No official data on crimes motivated by bias against LGBT people were provided to ODIHR. The NGO TGEU reported a physical attack against a transgender person.⁴⁴⁹

Moldova: No official data on crimes motivated by bias against LGBT people were provided to ODIHR. The NGO Gender Doc reported one case of damage to property, one case of physical assault against LGBT activists, and a series of physical assaults against a woman in a domestic violence situation.⁴⁵⁰

Montenegro: No official data on crimes motivated by bias against LGBT people were provided to ODIHR. The NGO Juventas reported several incidents connected to a concert marking the International Day Against Homophobia: a tear gas bomb being thrown into the theatre venue, causing breathing difficulties for several attendees; a lighted torch being placed at the entrance of the venue; and one case of physical assault against a man and a woman after the concert. Juventas also reported one physical assault against a lesbian couple, one case of death threats, one physical assault against a transgender person, and repeated physical assaults against a gay man over a two-month period.⁴⁵¹

Netherlands: No official data on crimes motivated by bias against LGBT people were provided to ODIHR. The NGO ILGA-Europe reported one case of extortion against a gay man; two physical assaults, including one committed by a group against two gay men; and two cases of harassment, including death threats against a lesbian couple in Haarlem and a gay couple in De Rijp.⁴⁵²

Poland: No official data on crimes motivated by bias against LGBT people were provided to ODIHR. The NGO Campaign Against Homophobia reported one case of homophobic graffiti on a car owned by a gay man; one threat against a woman at an LGBT event in Warsaw; four physical assaults, including two in a domestic setting, one on a tram, and one involving serious injury against a man leaving a gay-friendly club; and a series of assaults at gay pride events in Wrocław, Łódź and Kraków involving physical assaults and objects being thrown at participants.⁴⁵³

Portugal: No official data on crimes motivated by bias against LGBT people were provided to ODIHR. ILGA Portugal reported three cases of physical assault against gay men, two resulting in serious injury, one involving attempted murder; and one case of vandalism against and graffiti on the office of ILGA Portugal.⁴⁵⁴

Romania: No official data on crimes motivated by bias against LGBT people were provided to ODIHR. The NGO Accept reported four cases of physical assault against gay men, including two physical assaults at a nightclub and one physical assault after a pride event; one case of property damage; and one case of threatening behaviour at a documentary screening in Bucharest.⁴⁵⁵

⁴⁴⁹ Information from TGEU, 30 March 2012.

⁴⁵⁰ Information from Gender Doc through ILGA-Europe, *op. cit.*, note 161.

⁴⁵¹ Information from Juventas through ILGA-Europe, *op. cit.*, note 161.

⁴⁵² Information from ILGA-Europe, *op. cit.*, note 161.

⁴⁵³ Information from the Campaign Against Homophobia, 13 June 2012.

⁴⁵⁴ Information from ILGA-Portugal through ILGA-Europe, *op. cit.*, note 161.

⁴⁵⁵ Information from ACCEPT, reported through ILGA-Europe, *op. cit.*, note 161.

Russian Federation: No official data on crimes motivated by bias against LGBT people were provided to ODIHR. The NGO ILGA-Europe reported several physical assaults, one of which involved serious injuries, at LGBT events in Moscow and St. Petersburg.⁴⁵⁶ The Russian LGBT Network reported 14 physical assaults, four of which involved serious injury, two of which involved group attacks and one of which involved a knife; seven cases of threats, including one involving a bomb threat; one robbery; two murders; and one case of extortion. The victims were all gay men, with the exception of one lesbian.⁴⁵⁷

Serbia: The NPC and the NGOs Labris and the Gay Straight Alliance reported one case of physical assault against a lesbian woman involving serious injuries.⁴⁵⁸ The NGOs Labris and the Gay Straight Alliance also reported one case of threats; six additional physical assaults, including one resulting in serious injury and one involving a group. Apart from the physical assault on the lesbian woman, the victims were gay men, including one youth.⁴⁵⁹ The Regional Centre for Minorities reported one case of damage to property of an LGBT centre.⁴⁶⁰ The Gay Straight Alliance reported a further nine cases of physical assault, including two outside gay nightclubs and two on public transport, and a repeated assault against a man near his home; two cases of threats; two cases of criminal damage involving one case of graffiti on a cultural centre, and one case involving rocks being thrown and explosive devices being deployed. The victims were all gay men, with the exceptions of one boy and one lesbian woman.⁴⁶¹

Slovenia: No official data on crimes motivated by bias against LGBT people were provided to ODIHR. The NGO Information Centre Legebitra reported two cases of physical assault against gay men, including one involving a group of perpetrators; one case of damage to property of a gay-friendly bar; and one case of threats against a gay couple.⁴⁶²

Spain: No official data on crimes motivated by bias against LGBT people were provided to ODIHR. The NGO FELGBT reported 12 physical assaults, including one involving a group of perpetrators, three involving gay couples, one involving a lesbian couple, and a series of physical assaults against a boy at school.⁴⁶³ The Cabinet of Social Studies reported one case of physical assault against a transgender person, one case of assault against a man taking part in an activity organized by a local LGBT group, and two cases of physical assault involving serious injury.⁴⁶⁴

Sweden: Official law-enforcement figures record 854 cases motivated by bias against sexual orientation, including 189 cases of physical assaults, 37 cases of damage to property, 29 cases of vandalism, 551 cases of threats/threatening behaviour and 48 cases classified as “other.” Official law-enforcement figures also record 52 cases motivated by a bias against

⁴⁵⁶ Information from ILGA-Europe, *op. cit.*, note 161.

⁴⁵⁷ Information from Russian LGBT Network, 2 April 2012.

⁴⁵⁸ Questionnaire from the Serbian NPC, 16 March 2012; Information from Labris and GSA, reported through ILGA-Europe, *op. cit.*, note 161.

⁴⁵⁹ Information from Labris and GSA, reported through ILGA-Europe, *op. cit.*, note 161.

⁴⁶⁰ Information received from the Regional Centre for Minorities, *op. cit.*, note 209.

⁴⁶¹ Information from the Gay-Straight Alliance, through ILGA-Europe, *op. cit.*, note 432.

⁴⁶² Information from Legebitra, reported through ILGA-Europe, *op. cit.*, note 161.

⁴⁶³ Information from FELGBT, reported through ILGA-Europe, *op. cit.*, note 161.

⁴⁶⁴ Information from the Cabinet of Social Studies, *op. cit.*, note 210.

transgender persons.⁴⁶⁵ The NGO ILGA-Europe reported two cases of threats, including one involving a group and one against a lesbian couple; and one physical assault against a transgender person involving a knife.⁴⁶⁶

Turkey: No official data on crimes motivated by bias against LGBT people were provided to ODIHR. The NGO KAOS reported the murders of two transgender people; two rapes, including one committed by a group; 11 physical assaults against transgender people, ten of which involved serious injuries, including three involving knives and five involving guns, and one assault by a group. KAOS also reported the murders of four gay men and one physical assault of a gay man.⁴⁶⁷

Ukraine: No official data on crimes motivated by bias against LGBT people were provided to ODIHR. The NGO “Our World” Gay and Lesbian Centre reported two cases of threats, one of which involved graffiti; and two physical assaults, both involving serious injury and requiring hospital treatment.⁴⁶⁸

United Kingdom: Official law enforcement figures in England, Wales and Northern Ireland record 4,477 motivated by bias against sexual orientation and 299 hate crimes against transgender persons.⁴⁶⁹ The NGO GIRES reported one physical assault against a transgender person on a bus.⁴⁷⁰ The NGO TGEU reported one murder of a transgender person; four physical assaults against transgender people, including one at a bus stop; one sexual assault; one physical assault that was prosecuted as a hate crime; and a series of physical assaults against a transgender child.⁴⁷¹

Key resolutions and statements from international organizations

The UN Human Rights Council, in its Universal Periodic Review, recommended that:

- Estonia pay special attention to acts of violence against homosexuals;⁴⁷²
- Hungary strengthen hate crimes laws to prevent violence committed on the grounds of sexual orientation and gender identity;⁴⁷³
- Latvia consider legislative measures to recognize violence against people on the basis of their sexual orientation or gender identity;⁴⁷⁴

⁴⁶⁵ Information from the Swedish NPC, *op. cit.* note 212.

⁴⁶⁶ Information from ILGA-Europe, *op. cit.*, note 161.

⁴⁶⁷ Information from KAOS through ILGA-Europe, *op. cit.*, note 161; Information from KAOS, 3 February 2012.

⁴⁶⁸ Information received from Our World Gay and Lesbian Centre, 5 January 2012.

⁴⁶⁹ Information received from the UK NPC, *op. cit.*, note 216.

⁴⁷⁰ “GIRES Survey on transphobic crime and bullying”, reported through TGEU, *op. cit.*, note 449.

⁴⁷¹ Information received from TGEU, *op. cit.*, note 449.

⁴⁷² “Report of the Working Group on the Universal Periodic Review: Estonia”, Human Rights Council on the Working Group on the Universal Periodic Review, A/HRC/17/17, 28 March 2011, p. 18, available at <<http://www2.ohchr.org/english/bodies/hrcouncil/17session/reports.htm>>.

⁴⁷³ “Report of the Working Group on the Universal Periodic Review: Hungary”, Human Rights Council on the Working Group on the Universal Periodic Review, p. 14, *op. cit.*, note 105.

- Lithuania take measures to prevent and prosecute violence and harassment on the grounds of sexual orientation and gender identity;⁴⁷⁵
- Moldova intensify its efforts to investigate and prosecute hate crimes against LGBT people;⁴⁷⁶
- United States conduct awareness-raising campaigns to address violence against LGBT people.⁴⁷⁷

The Human Rights Council also adopted Resolution 17/19, which directed the Office of the High Commissioner for Human Rights to conduct a study “documenting discriminatory laws and practices and acts of violence against individuals based on their sexual orientation and gender identity, in all regions of the world, and how international human rights law can be used to end violence and related human rights violations based on sexual orientation and gender identity”.⁴⁷⁸ The Resolution was adopted by a vote of 21 to 18, with three abstentions.

The High Commissioner’s report under Resolution 17/19 was issued in November 2011. It stated that international human rights law protects all rights of LGBT persons and that states have the obligation to prevent violence and discrimination based on sexual orientation and gender identity. The report noted that typical acts of violence experienced by the LGBT community (murders, assaults with serious physical injuries and rapes) occur in all regions and outlined many types of discrimination faced by LGBT persons. The High Commissioner recommended, *inter alia*, that Member States investigate promptly all serious acts of violence committed against people because of their actual or perceived sexual orientation or gender identity; repeal all laws that criminalize homosexuality; and enact comprehensive anti-discrimination legislation that includes discrimination on the grounds of sexual orientation and gender identity.⁴⁷⁹

The Council of Europe Commissioner for Human Rights also published the report “*Discrimination on Grounds of Sexual Orientation and Gender Identity in Europe*”, which included a comprehensive chapter on violence and hate crimes against LGBT persons.⁴⁸⁰

⁴⁷⁴ “Report of the Working Group on the Universal Periodic Review: Latvia”, Human Rights Council on the Working Group on the Universal Periodic Review, p. 19, *op. cit.*, note 107.

⁴⁷⁵ “Report of the Working Group on the Universal Periodic Review: Lithuania”, Human Rights Council on the Working Group on the Universal Periodic Review, p. 16, *op. cit.*, note 108.

⁴⁷⁶ “Report of the Working Group on the Universal Periodic Review: Moldova”, Human Rights Council on the Working Group on the Universal Periodic Review, p. 14, *op. cit.*, note 109.

⁴⁷⁷ “Report of the Working Group on the Universal Periodic Review: United States”, Human Rights Council on the Working Group on the Universal Periodic Review, p. 19, *op. cit.*, note 110.

⁴⁷⁸ “Resolution 17/19 adopted by the Human Rights Council: human rights, sexual orientation and gender identity” A/HRC/RES/17/19, pp. 1-2, 14 July 2011, available at <http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/RES/17/19>.

⁴⁷⁹ “Report of the United Nations High Commissioner for Human Rights: discriminatory laws and practices and acts of violence against individuals based on their sexual orientation and gender identity” A/HRC/19/41, pp. 8-11, 20, 24-25, 17 November 2011, <http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session19/A-HRC-19-41_en.pdf>.

⁴⁸⁰ “Discrimination on grounds of sexual orientation and gender identity in Europe”, Council of Europe, September 2011, <http://www.coe.int/t/Commissioner/Source/LGBT/LGBTStudy2011_en.pdf>.

The Fundamental Rights Agency (FRA) published a report entitled, “*Homophobia, transphobia and discrimination on grounds of sexual orientation and gender identity in the EU Member States - Summary of findings, trends, challenges and promising practices*”. This publication sets out a list of policy challenges, and possible initiatives on combating hate crime and addressing anti-LGBT abuse and violence.⁴⁸¹

Government and NGO responses to crimes and incidents motivated by bias against LGBT people

In Sweden, there were several projects to address LGBT hate crime. The Police Authority of Vasta Götaland County participated in the local LGBTQ festival with a mobile police office and conducted seminars about the importance of reporting hate crimes to police.⁴⁸² The Crime Victim Compensation and Support Authority similarly organized a seminar on hate crime at Stockholm Pride 2011.⁴⁸³ The Crime Victim Support Unit also continued to work on outreach to support LGBT victims of hate crime, including launching a website specifically targeting young LGBT people who have been the target of hate crime (aldrigokej.se).⁴⁸⁴

The NGO TransInterQueer e.V. produced a toolkit of good practices for transgender activists and allies working for transgender equality, rights and inclusion, entitled *And Others! Argumentation Training for Transgender Inclusion in Europe*. It includes information on advocacy techniques when working with civil servants and public authorities to improve responses to hate crime.⁴⁸⁵

The NGO ILGA-Europe produced a guide to legal strategies and approaches in relation to developing inclusive hate crime legislation in the EU.⁴⁸⁶ ILGA-Europe also produced a toolkit for European NGOs interested in developing police training on investigating and preventing hate crimes against LGBT people. It aims to support this work by presenting various methodologies and case studies that police forces and NGOs can draw from when designing and delivering their own training programmes.⁴⁸⁷

⁴⁸¹ “Homophobia, transphobia and discrimination on grounds of sexual orientation and gender identity in the EU Member States - Summary of findings, trends, challenges and promising practices”, Fundamental Rights Agency, pp.14-15, June 2011, <fra.europa.eu/fraWebsite/research/publications/publications_per_year/2011/fra_homophobia_synthesis_en.htm>.

⁴⁸² Questionnaire from the Swedish NPC, *op. cit.*, note 139.

⁴⁸³ *Ibid.*

⁴⁸⁴ *Ibid.*

⁴⁸⁵ The publication can be found via the following link:

<http://tgeu.org/sites/default/files/transgender_inclusion_argumentation_toolkit%20.pdf>.

⁴⁸⁶ The publication can be found via the following link: <http://www.ILGA-Europe-europe.org/home/publications/reports_and_other_materials/research_legal_grounds_2011>.

⁴⁸⁷ The publication can be found via the following link: <http://www.ILGA-Europe-europe.org/home/publications/reports_and_other_materials/training_toolkit_police_2011>.

Box 6: Knife attack following cancellation of gay pride event, Serbia

Late in the evening of 17 October, following the cancellation of the pride parade in Belgrade that was planned for 2 October, three men approached two women, one of whom was wearing a T-shirt displaying symbols associated with LGBT rights. One of the men began hitting her, repeatedly asking if she was a lesbian and making homophobic insults. He then drew a knife and attacked her, causing major physical injuries, including a deep cut on the right hand that severed tendons, a head contusion, and several bruises and cuts all over her body. The victim, with the help of her friend, resisted the attack by grabbing the knife. The victim required hospital treatment, including surgery.⁴⁸⁸

The police arrested the attacker immediately; however, he was reportedly released soon after. The attack on the young woman was perceived by the LGBT community as a clear example of the need to prevent attacks related to gay pride events, even when these events are cancelled. The victim released an open letter stating, "... it does not matter whether I'm lesbian or straight, someone tried to kill me!"⁴⁸⁹

The NPC reported that the police department and the prosecutor's office charged the alleged perpetrator with crimes involving grave bodily injury.⁴⁹⁰

⁴⁸⁸ Questionnaire from the Serbian NPC, *op. cit.*, note 458; Information from Gay-Straight Alliance, 14 April 2012.

⁴⁸⁹ "Belgrade Gays Protest Over Stabbing Incident," Balkan Insight, 19 October 2011, <<http://www.balkaninsight.com/en/article/belgrade-gays-protest-over-stabbing-lesbian>>.

⁴⁹⁰ Questionnaire from the Serbian NPC, *op. cit.*, note 458.

Information on crimes and incidents motivated by bias against people with disabilities and against people from other groups

Official monitoring of crimes and incidents motivated by bias against people with disabilities and other groups is limited. Thirteen participating States reported collecting this data in 2011.⁴⁹¹ However, at the time this report was written, only Germany and the United Kingdom had provided figures. In addition, the NGO In IUSTITIA provided information about cases based on bias against homeless people.

Czech Republic: No official data on hate crimes against people with disabilities or against people from other groups were reported to ODIHR. The NGO In IUSTITIA reported several attacks against homeless people, including one murder by arson where the victim's hut was set on fire by a group; four physical assaults, including two attacks by a group resulting in serious injury; and a further case of arson where the victims' tent was set on fire, resulting in serious injury.⁴⁹²

Germany: Official law-enforcement figures record 18 crimes motivated by a bias against people with disabilities, five of which were violent. No information was provided by NGOs.

United Kingdom: Official law-enforcement figures in England, Wales and Northern Ireland record 2,095 crimes motivated by bias against people with disabilities.⁴⁹³ No information was provided by NGOs.

Government and NGO responses to crimes and incidents motivated by bias against people with disabilities and against people from other groups

In the United Kingdom, a physical assault against a woman with a condition that causes facial disfigurement was successfully prosecuted as a disability hate crime by the Crown Prosecution Service. The victim was having a drink at her local pub when another patron punched her in the face after saying to the victim's friend, "Is your friend wearing a mask? Your friend's face is disgusting." The court passed an enhanced sentence of eight months in prison, saying the sentence had been motivated by hostility towards disability.

⁴⁹¹ Belgium, Canada, Croatia, Cyprus, Finland, France, Georgia, Germany, Moldova, Netherlands, Serbia, United Kingdom and the United States.

⁴⁹² Information from In IUSTITIA, *op. cit.*, note 187

⁴⁹³ Information received from the UK NPC, *op. cit.*, note 216.

Box 7: Group attack against a man with developmental disabilities, United Kingdom

In January 2011, Sean Ruddeforth, a 31 year man with developmental disabilities, was stripped, tied to a lamp-post with duct tape and covered with gold paint and nail varnish by a group of 15 people. They then poured tinned spaghetti, chicken nuggets and breakfast cereal over his head, and filmed the assault on a mobile phone. He was left tied to the lamp-post for four hours.

A neighbor spoke to a police employee outside the normal call-handling system and provided an account that led the police employee to believe that the neighbor was reporting an issue in relation to a noise nuisance. The police did not respond. The victim was eventually cut down by one of the attackers and taken to hospital having hit his head on the pavement as he was released. Police finally arrived after being alerted by medics. They later discovered that the victim was disabled, rather than drunk, which had been the earlier presumption.

The police recorded and investigated the matter as a disability hate crime. Three of the lead attackers were charged and admitted assault causing actual bodily harm. All three later claimed the attack was the result of a 'practical joke.'

At the sentencing hearing, Judge Peter Lakin told the court, "This may have started as a prank, that said it very quickly developed into the deliberate humiliation and degradation of Sean Ruddeforth. Not surprisingly this offence has had a considerable impact on [him]. He now feels the only people he can trust are his family, he can't any longer trust friends or so called friends".⁴⁹⁴ In addition, the judge was critical of the lack of police response to the incident.

The three defendants received between 10-12 month sentences suspended for two years, with an electronic overnight curfew for three months, and were ordered to pay £300 compensation to the victim.

After the case local police carried out a review of how the case was handled and put in place new guidance to staff. They also held community events to reassure disabled people that they will respond robustly to any reported disability hate crime.

The UK National Point of Contact for hate crime commented, "Unfortunately this incident illustrates common aspects of disability hate crime cases. We have developed guidance at the national level to effectively respond to and prevent these sorts of offences, and we are monitoring their implementation. The United Kingdom Government has committed to increasing the reporting and recording of disability hate crime as it believes that many such cases are never reported to the police".⁴⁹⁵

⁴⁹⁴ "Gang strapped disabled man to lamppost before he was 'tarred and feathered' with spaghetti and rice crispies", Mail Online, 14 January 2012, <<http://www.dailymail.co.uk/news/article-2086685/Gang-strapped-disabled-man-lamppost-tarred-feathered-spaghetti-rice-crispies.html>>.

⁴⁹⁵ Information from UK NPC, 27 September 2012.

PART III - RECOMMENDATIONS

The purpose of this report is to present information, data and good practices regarding hate crimes. As the content of this report demonstrates, there is still much to be accomplished. Participating States may, therefore, benefit from a number of standing recommendations that could help guide them in improving their national legal systems and in providing tools to help them fulfil their commitments.

The following recommendations closely follow those set out in previous reports, which remain valid. Overall, the recommendations reflect key contributions made by participants at OSCE human dimension events in recent years. They also draw on the experience gathered by ODIHR over the past six years of activity in the field, working with governmental and non-governmental actors. In some instances, the recommendations present good practices that have been implemented with success in one or more participating States and that might also produce positive results if replicated elsewhere. Fuller details and examples of such practices are available on the TANDIS website.⁴⁹⁶

Data collection

The lack of accurate, comprehensive data on hate crimes undermines the ability of states to understand fully and to deal effectively with the problem of hate crime.

OSCE participating States should:

- Collect, maintain and make public reliable data and statistics in sufficient detail on hate crimes and violent manifestations of intolerance, in line with Decision 9/09 of the OSCE Ministerial Council.⁴⁹⁷ Such data and statistics should include the number of cases reported to law-enforcement authorities, the number of cases prosecuted and the sentences imposed. Where data-protection laws restrict collection of data on victims, states should consider methods for collecting data that are in compliance with such laws;
- Consider creating systems for data collection that separate hate crimes from other crimes and that disaggregate bias motivations; and
- Take appropriate measures to encourage victims to report hate crimes, recognizing that under-reporting of hate crimes prevents states from devising efficient policies.

Legislation

Adoption of adequate legislation to define and punish hate crimes is a key first step in addressing the problem. Participating States should:

⁴⁹⁶ See the TANDIS website, *op. cit.*, note 140.

⁴⁹⁷ OSCE Ministerial Council, Decision No. 9/09, *op. cit.*, note 1.

- Enact, where appropriate, specific, tailored legislation to combat hate crime, in line with Decision 9/09 of the OSCE Ministerial Council,⁴⁹⁸ providing for effective penalties that take into account the gravity of such crimes; and
- Review existing legislation as appropriate to ensure, in particular, that there is specific provision for hate crimes to be subject to enhanced sentencing. The ODIHR publication *Hate Crime Laws – A Practical Guide* could serve as a reference tool for such reviews.⁴⁹⁹

Criminal justice agencies

Participating States should consider further measures to ensure that law-enforcement officials, prosecutors and judges are well equipped to prevent and respond effectively to hate crimes. Measures could include:

- Promptly investigating hate crimes and ensuring that the motives of those convicted of hate crimes are acknowledged and publicly condemned by the relevant authorities and by the political leadership, in line with Decision 9/09 of the OSCE Ministerial Council;⁵⁰⁰
- Ensuring co-operation, where appropriate, at the national and international levels, including with relevant international bodies and between police forces, to combat violent organized hate crime, in line with Decision 9/09 of the OSCE Ministerial Council;⁵⁰¹
- Providing adequate security to vulnerable communities and investing in necessary resources to protect vulnerable community institutions and places of worship, cemeteries, faith-based schools and religious heritage sites;
- Ensuring that individuals and groups can exercise their rights to freedom of expression, association and peaceful assembly in safety and without discrimination;
- Conducting awareness-raising and education efforts, particularly with law-enforcement authorities, directed towards communities and civil society groups that assist victims of hate crimes, in line with Decision 9/09 of the OSCE Ministerial Council;⁵⁰²
- Encouraging systems of reporting by third parties for victims who are unable or unwilling to report hate crimes directly to police and criminal-justice agencies;
- Introducing or further developing professional training and capacity-building activities for law-enforcement, prosecution and judicial officials dealing with hate crimes, including training and resources to enable law-enforcement officers to

⁴⁹⁸ OSCE Ministerial Council, Decision No. 9/09, *op. cit.*, note 1.

⁴⁹⁹ *Hate Crime Laws: A Practical Guide*, *op. cit.*, note 26.

⁵⁰⁰ OSCE Ministerial Council, Decision No. 9/09, *op. cit.*, note 3.

⁵⁰¹ *Ibid.*

⁵⁰² *Ibid.*

identify, investigate and register bias motives, and ensuring that prosecutors have been trained on how to present evidence of bias motivation;

- Making use of ODIHR's programme on Training against Hate Crimes for Law Enforcement;
- Building better relationships between criminal-justice agencies and victim groups, with a view to encouraging victims to report hate crimes and witnesses to contribute to solving and prosecuting hate crimes;
- Diversifying membership of law-enforcement and prosecution agencies, so as to increase representation minority groups;
- Developing and implementing targeted prevention programmes and initiatives to combat hate crimes; and
- Drawing on resources developed by ODIHR in the area of education, training and awareness-raising to ensure a comprehensive approach to the tackling of hate crime.

Co-operation with civil society

Civil society organizations are particularly well placed to supplement participating States' activities to address hate crime, especially through monitoring incidents and assisting victims. ODIHR will, therefore, continue to strengthen its co-operation with NGOs active in hate crime monitoring, recording and reporting as one important source of information about hate crime developments in participating States. States can also benefit from increasing co-operation with civil society in a number of ways.

OSCE participating States should consider:

- Exploring methods for facilitating the contribution of civil society to combating hate crime;
- Conducting outreach and education with communities and civil society groups in order to increase confidence in law-enforcement agencies and to encourage better reporting of hate crimes;
- Encouraging and supporting civil society organizations in providing assistance to victims;
- Supporting efforts, in co-operation with civil society, to counter incitement to imminent violence and hate crimes, including through the Internet, while respecting freedom of expression; and
- Creating local partnerships between civil society and law-enforcement agencies to report regularly on issues of concern and follow-up on incidents. This can also serve as an early warning of rising tensions and enable proper resource allocation.

Programmatic activities

Participating States, NGOs, the OSCE and other IGOs all have important roles to play – individually and collaboratively – in developing activities and projects aimed at countering hate crimes. Many initiatives that could serve as models or inspiration for other participating States or organizations are already underway around the OSCE region. Types of activities that could be considered for implementation include:

- Exploring ways to provide victims of hate crimes with access to counselling, legal and consular assistance, as well as effective access to justice, in line with Decision 9/09 of the OSCE Ministerial Council;⁵⁰³
- Public-awareness raising, including ensuring that the public understands the nature and scope of hate crimes, and encouraging the public to report offences and assist law-enforcement bodies in apprehending and prosecuting offenders;
- Fostering the establishment of national institutions or specialized bodies, the development and implementation of national strategies and action plans in this field, and the promotion of inter-ethnic and inter-cultural dialogue, including in its religious dimension;
- Implementing comprehensive education programmes that promote tolerance, anti-discrimination and human rights, and that confront prejudice and stereotypes in pre-school, primary, secondary and post-secondary schools;
- Making use of educational materials such as ODIHR’s *Guidelines for Educators on Countering Intolerance and Discrimination against Muslims: Addressing Islamophobia through Education* and ODIHR’s *Addressing Anti-Semitism: Why and How, a Guide for Educators*;
- Supporting the use of telephone hotlines for victims of hate crimes to report the crimes and seek resources for assistance and support; and
- Encouraging public discourse aimed at preventing and responding to hate crimes.

Enhancing OSCE activities

The OSCE was one of the first international organizations to recognize explicitly the impact of hate crimes and take steps to improve responses to this problem. In order to continue improving the support OSCE institutions provide to participating States in this field, further specific steps could be considered, including:

- Inviting ODIHR to organize workshops on hate crimes with government officials to help them better co-operate with National Contact Points on Hate Crimes and to improve reporting of these crimes in line with OSCE commitments;

⁵⁰³ OSCE Ministerial Council, Decision No. 9/09, *op. cit.*, note 3.

- Supporting the development by ODIHR of a standardized model for the improved reporting and recording of hate crimes, in co-operation with relevant officials and civil society organizations;
- Supporting ODIHR's continuing efforts to work closely with NGOs to create an improved network for gathering data throughout the OSCE region;
- Tasking ODIHR with the compilation of a collection of good practices in projects to combat hate crimes in order to assist participating States and NGOs in selecting and developing appropriate activities and programmes;
- Encouraging OSCE field operations, as part of their human dimension mandate, to contribute more actively to the collection of information and data on hate crimes within their areas of operation; and
- Seeking opportunities to address the problem of the increasing use of the Internet to advocate views constituting incitement to bias-motivated violence, including hate crimes and, in so doing, to reduce the harm caused by the dissemination of such material, while ensuring that any relevant measures taken are in line with OSCE commitments, in particular with regard to freedom of expression.

PART IV – COUNTRY-BY-COUNTRY OVERVIEW

Participating State	ALBANIA
Number of cases in 2011	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	2008
Are data collected?	Yes
Authorities responsible for data collection	Law-enforcement agency/police (State Police, Department of Crime Investigation, Department of Public Security)
Bias motivation determined by	Victim Law-enforcement officer Offender Prosecution Court
Bias motivations recorded based on	-
Multiple bias	-
Classification by type of crime	-
- Homicide	-
- Physical assault	-
- Damage to property	-
- Desecration of graves	Law-enforcement agency/police Ministry of Justice
- Attacks on places of worship	-
- Vandalism	-
- Threats/threatening behaviour	-
Use of data	-
Availability of data	
- Public	No
- Only upon request	-
- Restricted to authorities	-
Legislative developments	-
Examples of hate crimes/incidents	-
Practical initiatives	-

Participating State	ANDORRA
Number of cases in 2011	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	2011
Are data collected?	Yes
Authorities responsible for data collection	Interior Ministry Ministry of Justice
Bias motivation determined by	Victim Law-enforcement officer Offender Prosecution Court
Bias motivations recorded based on	“Race”/colour Ethnicity/national origin/national minority Sexual orientation
Multiple bias	No
Classification by type of crime	Yes

- Homicide	Interior Ministry
- Physical assault	<i>Ibid.</i>
- Damage to property	<i>Ibid.</i>
- Desecration of graves	-
- Attacks on places of worship	-
- Vandalism	Interior Ministry
- Threats/threatening behaviour	<i>Ibid.</i>
Use of data	The data are used by the government once the case is delivered for judicial disposition.
Availability of data	
- Public	Yes. The data are available to the public in two ways: information on judicial sentences (http://www.justicia.ad) and press releases on the police website (http://www.policia.ad).
- Only upon request	Yes
- Restricted to authorities	No
Legislative developments	-
Examples of hate crimes/incidents	-
Practical initiatives	-

Participating State	ARMENIA
Number of cases in 2011	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	2008
Are data collected?	Yes
Authorities responsible for data collection	Law-enforcement agency/police Prosecutor's Office Ombudsman's Office
Bias motivation determined by	Other: As provided by law
Bias motivations recorded based on	NA (There were no hate crimes registered.)
Multiple bias	No
Classification by type of crime	Yes
- Homicide	-
- Physical assault	-
- Damage to property	-
- Desecration of graves	-
- Attacks on places of worship	-
- Vandalism	-
- Threats/threatening behaviour	-
Use of data	-
Availability of data	
- Public	Yes The data are summarized annually.
- Only upon request	No
- Restricted to authorities	No
Legislative developments	-
Examples of hate crimes/incidents	-
Practical initiatives	-

Participating State	AUSTRIA
Number of cases in 2011	
- Recorded by police	57
- Prosecuted	-
- Sentenced	-
Information last updated?	2011
Are data collected?	Yes
Authorities responsible for data collection	Interior Ministry Law-enforcement agency/police (The Provincial Agencies for State Protection and Counter Terrorism and the Federal Agency for State Protection and Counter Terrorism (BVT) within the Interior Ministry) Ministry of Justice
Bias motivation determined by	Victim Offender
Bias motivations recorded based on	“Xenophobic/racist” includes: - Race/colour - Ethnicity/national origin/minority - Citizenship Other: Offences based on right-wing extremism <u>Specific categories:</u> Anti-Semitic crimes Anti-Muslim crimes
Multiple bias	No
Classification by type of crime	Yes
- Homicide	Interior Ministry Law-enforcement agency
- Physical assault	<i>Ibid.</i>
- Damage to property	<i>Ibid.</i>
- Desecration of graves	-
- Attacks on places of worship	-
- Vandalism	-
- Threats/threatening behaviour	Interior Ministry Law-enforcement agency
Use of data	Data are used for detailed statistics, analyses and information supporting measures taken by the authorities to implement legislation and outline preventative strategies. The information is gathered by the Federal Agency for State Protection and Counter Terrorism.
Availability of data	
- Public	Yes Data are published in the <i>Annual Security Report</i> (http://www.parlament.gv.at/ENGL) and the <i>Annual State Protection Report</i> (http://www.bmi.gv.at).
- Only upon request	No
- Restricted to authorities	Yes Personal data and data regarding individual crimes are restricted to the authorities.
Legislative developments	-
Examples of hate crimes/incidents	Two plaques commemorating events associated with Jews were destroyed; Property was defaced with anti-Muslim graffiti and swastikas
Practical initiatives	-

Participating State	AZERBAIJAN
Number of cases in 2011	
- Recorded by police	1
- Prosecuted	-
- Sentenced	1
Information last updated?	2011
Are data collected?	Yes
Authorities responsible for data collection	Interior Ministry
Bias motivation determined by	Law-enforcement officer
Bias motivations recorded based on	Religion
Multiple bias	No
Classification by type of crime	Yes
- Homicide	Interior Ministry
- Physical assault	<i>Ibid.</i>
- Damage to property	<i>Ibid.</i>
- Desecration of graves	<i>Ibid.</i>
- Attacks on places of worship	<i>Ibid.</i>
- Vandalism	<i>Ibid.</i>
- Threats/threatening behaviour	<i>Ibid.</i>
Use of data	-
Availability of data	-
- Public	No
- Only upon request	-
- Restricted to authorities	No
Legislative developments	-
Examples of hate crimes/incidents	-
Practical initiatives	-

Participating State	BELARUS
Number of cases in 2011	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	2009
Are data collected?	Yes
Authorities responsible for data collection	Interior Ministry
Bias motivation determined by	Victim Law-enforcement officer Offender
Bias motivations recorded based on	-
Multiple bias	No
Classification by type of crime	
- Homicide	Interior Ministry
- Physical assault	<i>Ibid.</i>
- Damage to property	-
- Desecration of graves	Interior Ministry Prosecutor's Office
- Attacks on places of worship	Interior Ministry
- Vandalism	<i>Ibid.</i>
- Threats/threatening behaviour	-
Use of data	-
Availability of data	
- Public	Yes
- Only upon request	Yes
- Restricted to authorities	No
Legislative developments	-
Examples of hate crimes/incidents	-

Practical initiatives	Interior Ministry unit on countering extremism and preventing terrorism
Participating State	BELGIUM
Number of cases in 2011	
- Recorded by police	1152
- Prosecuted	865
- Sentenced	75
Information last updated?	2011
Are data collected?	Yes
Authorities responsible for data collection	Law-enforcement agency/police Prosecutor's Office Centre for Equal Opportunities and Opposition to Racism (CEOOR) NGOs
Bias motivation determined by	Victim Law-enforcement agencies
Bias motivations recorded based on	Race/colour Ethnicity/national origin/national minority Citizenship Language Religion Sexual orientation Transgender Disability Sex/gender Wealth, political conviction, social origin, state of health <u>Specific categories:</u> Anti-Semitic crimes Anti-Muslim crimes
Multiple bias	No
Classification by type of crime	Yes
- Homicide	Prosecutor's Office CEOOR
- Physical assault	<i>Ibid.</i>
- Damage to property	<i>Ibid.</i>
- Desecration of graves	<i>Ibid.</i>
- Attacks on places of worship	CEOOR
- Vandalism	Prosecutor's Office CEOOR
- Threats/threatening behaviour	<i>Ibid.</i>
Use of data	The police, local authorities, local discrimination agencies and the CEOOR use the information to better understand hate crimes and improve institutional responses.
Availability of data	
- Public	Yes
- Only upon request	-
- Restricted to authorities	No
Legislative developments	-
Examples of hate crimes/incidents	-
Practical initiatives	-

Participating State	BOSNIA AND HERZEGOVINA
Number of cases in 2011	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	2011
Are data collected?	Yes
Authorities responsible for data collection	Interior Ministry Law-enforcement agencies/police Intelligence Agency Prosecutor's Office Ministry of Justice Statistical Office
Bias motivation determined by	Victim Law-enforcement officer Offender Prosecution Court
Bias motivations recorded based on	Ethnicity/national origin/minority Religion
Multiple bias	No
Classification by type of crime	Yes
- Homicide	Interior Ministry Prosecutor's Office Statistical Office
- Physical assault	<i>Ibid.</i>
- Damage to property	<i>Ibid.</i>
- Desecration of graves	<i>Ibid.</i>
- Attacks on places of worship	<i>Ibid.</i>
- Vandalism	<i>Ibid.</i>
- Threats/threatening behaviour	<i>Ibid.</i>
Use of data	Data are used to help shape future activities and institutional responses for preventing and combating hate crime.
Availability of data	-
- Public	Yes
- Only upon request	-
- Restricted to authorities	-
Legislative developments	-
Examples of hate crimes/incidents	A physical assault motivated by ethnic bias. Desecration of three gravestones at an Orthodox Christian cemetery.
Practical initiatives	-

Participating State	BULGARIA
Number of cases in 2011	
- Recorded by police	29
- Prosecuted	41
- Sentenced	10
Information last updated?	2011
Are data collected?	Yes
Authorities responsible for data collection	Interior Ministry (Central Police Statistics) Prosecutor's Office Commission for Protection against Discrimination (CPD) Supreme Judicial Council
Bias motivation determined by	Prosecution

	Court
Bias motivations recorded based on	Race/ colour Ethnicity/ national origin/ minority Religion <u>Specific categories:</u> Anti-Muslim crimes Anti-Christian crimes Anti-Roma crimes
Multiple bias	No
Classification by type of crime	No
- Homicide	-
- Physical assault	-
- Damage to property	-
- Desecration of graves	-
- Attacks on places of worship	-
- Vandalism	-
- Threats/threatening behaviour	-
Use of data	Data are used in preparatory work to amend legislation and collect data on hate crimes.
Availability of data	
- Public	Yes
- Only upon request	-
- Restricted to authorities	-
Legislative developments	CPD provided comments on legislative compliance of hate crime laws with EU Council Framework Decision 2008/913/JHA.
Examples of hate crimes/incidents	-
Practical initiatives	-

Participating State	CANADA
Number of cases in 2011	Not yet available
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	2011
Are data collected?	Yes
Authorities responsible for data collection	Statistical offices (Police-reported hate crime data are collected by Statistics Canada, Canadian Centre for Justice Statistics Self-reported victimization data on hate crimes are collected by Statistics Canada, Social and Aboriginal Statistics Division.)
Bias motivation determined by	Victim (for victimization data) Law-enforcement officer Offender
Bias motivations recorded based on	Race/colour (includes broad categories of national or ethnic origin, Aboriginal, Arab/West Asian, Black, East and Southeast Asian, South Asian, white, multiple races/ethnicities) Language Religion Sexual orientation Transgender Mental or physical disability Sex/gender Age

	<u>Specific categories:</u> Anti-Semitic crimes Anti-Muslim crimes Anti-Christian crimes (Anti-Catholic crimes)
Multiple bias	No
Classification by type of crime	Police-reported hate crime data are collected on close to 200 crime classifications. Victimization data on hate crimes are recorded for eight types of crime: sexual assault, robbery, assault, breaking and entering, theft of personal property, theft of household property, theft of motor vehicle or parts, and vandalism.
- Homicide	Statistical office
- Physical assault	<i>Ibid.</i>
- Damage to property	<i>Ibid.</i>
- Desecration of graves	<i>Ibid.</i>
- Attacks on places of worship	<i>Ibid.</i>
- Vandalism	<i>Ibid.</i>
- Threats/threatening behaviour	<i>Ibid.</i>
Use of data	Analytical reports and data tables are produced by Statistics Canada and available on its website (www.statcan.gc.ca).
Availability of data	
- Public	Yes
- Only upon request	Yes
- Restricted to authorities	No
Legislative developments	-
Examples of hate crimes/incidents	-
Practical initiatives	-

Participating State	CROATIA
Number of cases in 2011	
- Recorded by police	57
- Prosecuted	20
- Sentenced	10
Information last updated?	2011
Are data collected?	Yes
Authorities responsible for data collection	Interior Ministry (General Police Directorate, Criminal Police Directorate, Sector for General Crimes Terrorism and War, Anti-Terrorism Department) Prosecutor's Office Ministry of Justice Government of the Republic of Croatia, Office for Human Rights and the Rights of National Minorities
Bias motivation determined by	Victim Law-enforcement officer Offender Prosecution Court
Bias motivations recorded based on	Race/colour Ethnicity/national origin/national minority Language Religion Sexual orientation Disability

	Sex/gender Other: Political or other beliefs, birth, education, social status and age <u>Specific categories:</u> Anti-Semitic crimes Anti-Muslim crimes Anti-Christian crimes Anti-Roma crimes
Multiple bias	No
Classification by type of crime	
- Homicide	Interior Ministry Prosecutor's Office Ministry of Justice
- Physical assault	-
- Damage to property	Interior Ministry Prosecutor's Office Ministry of Justice
- Desecration of graves	<i>Ibid.</i>
- Attacks on places of worship	-
- Vandalism	Interior Ministry Prosecutor's Office Ministry of Justice
- Threats/threatening behaviour	<i>Ibid.</i>
Use of data	Data on hate crimes are used by police for plans of action and prevention. Data are shared with NGOs and other relevant bodies, upon request.
Availability of data	
- Public	No
- Only upon request	Yes
- Restricted to authorities	No
Legislative developments	-
Examples of hate crimes/incidents	-
Practical initiatives	Protocol adopted by the Working Group on Hate Crimes, a multi-agency working group supported by the Office for Human Rights and Rights of National Minorities, to ensure better co-ordination between all levels of the criminal justice system (police, prosecutors and judges) for responding to and recording hate crimes.

Participating State	CYPRUS
Number of cases in 2011	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	2011
Are data collected?	Yes
Authorities responsible for data collection	Law-enforcement agency/police (Office for Combating Discrimination of the Police Headquarters)
Bias motivation determined by	Victim Law-enforcement officer
Bias motivations recorded based on	Race/colour Ethnicity/national origin/national minority Citizenship Language Religion Sexual orientation

	Disability Sex/gender Other: Age, political beliefs
Multiple bias	Yes
Classification by type of crime	No
- Homicide	-
- Physical assault	-
- Damage to property	-
- Desecration of graves	-
- Attacks on places of worship	-
- Vandalism	-
- Threats/threatening behaviour	-
- Other	Three categories: against person; against property; and hate speech
Use of data	Data are reported to NGOs, governmental agencies and other national or international bodies.
Availability of data	
- Public	Yes
- Only upon request	Yes Data are available after the completion of the year in question. Exceptions are made for specific cases.
- Restricted to authorities	Yes Personal data
Legislative developments	-
Examples of hate crimes/incidents	-
Practical initiatives	-

Participating State	CZECH REPUBLIC
Number of cases in 2011	
- Recorded by police	238
- Prosecuted	246
- Sentenced	106
Information last updated?	2011
Are data collected?	Yes
Authorities responsible for data collection	Law-enforcement agency/police (Informatics and Analytical Centre of the Criminal Police and Investigation Service of the Police Presidium) Prosecutor's Office (Analytical and Legislative Department of the Supreme Public Prosecutor's Office) Ministry of Justice (Informatics Department of the Ministry of Justice)
Bias motivation determined by	Law-enforcement officer
Bias motivations recorded based on	Religion Sex/gender Other: Social and tactical point of view <u>Specific categories:</u> Anti-Semitic crimes Anti-Muslim crimes Anti-Christian crimes Anti-Roma crimes
Multiple bias	Yes
Classification by type of crime	
- Homicide	Law-enforcement agency/police Prosecutor's Office Ministry of Justice

- Physical assault	<i>Ibid.</i>
- Damage to property	-
- Desecration of graves	Ministry of Justice
- Attacks on places of worship	<i>Ibid.</i>
- Vandalism	<i>Ibid.</i>
- Threats/threatening behaviour	-
Use of data	Crime prevention programmes organized by Ministry of Interior, Office of Government
Availability of data	
- Public	Yes Annual report <i>Information on the Issue of Extremism in the Czech Republic</i> (http://www.mvcr.cz) Also available through crime statistics: <i>A Statistical Survey of Criminality in the Czech Republic</i> is published monthly by the Czech Republic Police Presidium Informatics and Analytical Centre (http://www.policie.cz/clanek/policie-cr-web-informacni-servis-statistiky-statisticke-prehledy.aspx)
- Only upon request	-
- Restricted to authorities	No
Legislative developments	-
Examples of hate crimes/incidents	A group of young men shouted racist slogans and threw an incendiary device into the home of a Roma family; Three individuals entered a restaurant where they verbally harassed and threatened a group of Roma and then physically attacked one of them
Practical initiatives	-

Participating State	DENMARK
Number of cases in 2011	Not yet available
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	2011
Are data collected?	Yes
Authorities responsible for data collection	Intelligence Agency (Security and Intelligence Service)
Bias motivation determined by	Prosecution
Bias motivations recorded based on	Ethnicity/national origin/minority Religion Sexual orientation Other: Political ideology
Multiple bias	No
Classification by type of crime	
- Homicide	Intelligence Agency
- Physical assault	<i>Ibid.</i>
- Damage to property	<i>Ibid.</i>
- Desecration of graves	<i>Ibid.</i>
- Attacks on places of worship	<i>Ibid.</i>
- Vandalism	<i>Ibid.</i>
- Threats/threatening behaviour	<i>Ibid.</i>
Use of data	The Security and Intelligence Service monitors data to assess organized criminal activity rooted in

	racism, xenophobia, etc.
Availability of data	
- Public	Yes The Security and Intelligence Service publishes annual reports (https://www.pet.dk/Publikationer/RACI-indberetning.aspx).
- Only upon request	No
- Restricted to authorities	No
Legislative developments	-
Examples of hate crimes/incidents	-
Practical initiatives	-

Participating State	ESTONIA
Number of cases in 2011	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	2010
Are data collected?	Yes
Authorities responsible for data collection	Ministry of Justice
Bias motivation determined by	Law-enforcement
Bias motivations recorded based on	Race/colour
Multiple bias	No
Classification by type of crime	No
- Homicide	-
- Physical assault	-
- Damage to property	-
- Desecration of graves	-
- Attacks on places of worship	-
- Vandalism	-
- Threats/threatening behaviour	-
Use of data	The data are used for policy proposals and legislative purposes.
Availability of data	
- Public	-
- Only upon request	Yes
- Restricted to authorities	-
Legislative developments	-
Examples of hate crimes/incidents	-
Practical initiatives	-

Participating State	FINLAND
Number of cases in 2011	
- Recorded by police	Not yet available
- Prosecuted	29
- Sentenced	12
Information last updated?	2011
Are data collected?	Yes
Authorities responsible for data collection	Law enforcement agency/police (Police College of Finland, Research Department) Interior Ministry Prosecutor's Office Ministry of Justice Statistical Office (Statistics Finland)
Bias motivation determined by	Victim Law-enforcement Offenders

	Prosecution Court
Bias motivations recorded based on	Race/colour Ethnicity/national origin/minority Language Citizenship Religion Sexual orientation Transgender Disability <u>Specific categories:</u> Anti-Semitic Anti-Muslim Anti-Christian
Multiple bias	Yes
Classification by type of crime	Yes
- Homicide	Interior Ministry Police College of Finland, Research Department
- Physical assault	<i>Ibid.</i>
- Damage to property	<i>Ibid.</i>
- Desecration of graves	<i>Ibid.</i>
- Attacks on places of worship	<i>Ibid.</i>
- Vandalism	<i>Ibid.</i>
- Threats/threatening behaviour	<i>Ibid.</i>
Use of data	Reports are used for training purposes and in anti-discrimination work.
Availability of data	
- Public	Yes The Police College of Finland publishes annual research on hate crimes, based on police reports.
- Only upon request	No
- Restricted to authorities	No
Legislative developments	Amendments were adopted and entered into force that added the additional bias motivations against disability, religion and sexual orientation in hate crime legislation.
Examples of hate crimes/incidents	-
Practical initiatives	-

Participating State	FRANCE
Number of cases in 2011	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	2010
Are data collected?	Yes
Authorities responsible for data collection	Ministry of Justice
Bias motivation determined by	Victim Prosecution Court
Bias motivations recorded based on	Race/colour Ethnicity/national origin/national minority Citizenship Religion Sexual orientation Disability Sex/gender

	Other: Political conviction, state of health <u>Specific categories:</u> Anti-Semitic crimes
Multiple bias	No
Classification by type of crime	Yes
- Homicide	Ministry of Justice
- Physical assault	<i>Ibid.</i>
- Damage to property	<i>Ibid.</i>
- Desecration of graves	<i>Ibid.</i>
- Attacks on places of worship	-
- Vandalism	Ministry of Justice
- Threats/threatening behaviour	<i>Ibid.</i>
Use of data	Data are used for the development of reports submitted to international organizations.
Availability of data	-
- Public	Yes
- Only upon request	Yes
- Restricted to authorities	-
Legislative developments	-
Examples of hate crimes/incidents	-
Practical initiatives	-

Participating State	GEORGIA
Number of cases in 2011	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	2010
Are data collected?	Yes
Authorities responsible for data collection	Interior Ministry (Information and Analytical Department) Prosecutor's Office (Central Administration of Prosecutors of the Ministry of Justice) Statistical Office (Statistical Department of the Ministry of Economic Development) Supreme Court (Statistical Department of the Supreme Court)
Bias motivation determined by	Victim Law-enforcement officer Offender
Bias motivations recorded based on	Race/colour Religion Disability
Multiple bias	Yes
Classification by type of crime	
- Homicide	Interior Ministry Prosecutor's Office Statistical Office Supreme Court
- Physical assault	<i>Ibid.</i>
- Damage to property	-
- Desecration of graves	Interior Ministry Statistical Office Supreme Court
- Attacks on places of worship	-

- Vandalism	-
- Threats/threatening behaviour	Interior Ministry Statistical Office Supreme Court
Use of data	
Availability of data	
- Public	Yes Interior Ministry website (http://www.police.ge) Main Prosecutor's Office website (http://www.psg.gov.ge) Supreme Court website (http://www.supremecourt.ge)
- Only upon request	Yes
- Restricted to authorities	Personal data
Legislative developments	-
Examples of hate crimes/incidents	-
Practical initiatives	-

Participating State	GERMANY
Number of cases in 2011	
- Recorded by police	4,040 (including 528 violent crimes)
- Prosecuted	-
- Sentenced	-
Information last updated?	2011
Are data collected?	Yes
Authorities responsible for data collection	Law-enforcement agency/police (State security agencies of the local police, Land Criminal Police Offices, Federal Criminal Police Office)
Bias motivation determined by	Law-enforcement officer Court Prosecution
Bias motivations recorded based on	Race/colour Xenophobia Ethnicity/national origin/national minority Citizenship Language Religion Sexual orientation Transgender Disability Other: Appearance, social status <u>Specific categories:</u> Anti-Semitic crimes
Multiple bias	Yes
Classification by type of crime	
- Homicide	Law-enforcement agency/police
- Physical assault	<i>Ibid.</i>
- Damage to property	<i>Ibid.</i>
- Desecration of graves	<i>Ibid.</i>
- Attacks on places of worship	<i>Ibid.</i>
- Vandalism	<i>Ibid.</i>
- Threats/threatening behaviour	<i>Ibid.</i>
Use of data	The data are analyzed to determine police approaches to combating hate crimes. This analysis is also used to assess the security

	situation.
Availability of data	
- Public	Yes
- Only upon request	Yes Information can be made public within the framework of responses by the government to parliamentary questions.
- Restricted to authorities	Yes Personal data regarding the victim, accused and/or offender are withheld from the public.
Legislative developments	No
Examples of hate crimes/incidents	-
Practical initiatives	-

Participating State	GREECE
Number of cases in 2011	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	2010
Are data collected?	Yes
Authorities responsible for data collection	Prosecutor's Office Ministry of Justice
Bias motivation determined by	Victim Prosecution Court
Bias motivations recorded based on	Race/colour Ethnicity/national origin/minority Religion <u>Specific categories:</u> Anti-Semitism Anti-Muslim
Multiple bias	Yes
Classification by type of crime	Yes
- Homicide	Prosecutor's Office Ministry of Justice
- Physical assault	<i>Ibid.</i>
- Damage to property	<i>Ibid.</i>
- Desecration of graves	<i>Ibid.</i>
- Attacks on places of worship	<i>Ibid.</i>
- Vandalism	<i>Ibid.</i>
- Threats/threatening behaviour	<i>Ibid.</i>
Use of data	-
Availability of data	
- Public	No
- Only upon request	Yes
- Restricted to authorities	No
Legislative developments	No
Examples of hate crimes/incidents	-
Practical initiatives	-

Participating State	HOLY SEE
Number of cases in 2011	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	2011
Are data collected?	-
Authorities responsible for data collection	-
Bias motivation determined by	-
Bias motivations recorded based on	-
Multiple bias	-
Classification by type of crime	
- Homicide	-
- Physical assault	-
- Damage to property	-
- Desecration of graves	-
- Attacks on places of worship	-
- Vandalism	-
- Threats/threatening behaviour	-
Use of data	-
Availability of data	
- Public	-
- Only upon request	-
- Restricted to authorities	-
Legislative developments	-
Examples of hate crimes/incidents	The Holy See provided information on hate incidents against Christians in 12 states.
Practical initiatives	-

Participating State	HUNGARY
Number of cases in 2011	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	2011
Are data collected?	Yes
Authorities responsible for data collection	Law-enforcement agency/police Prosecutor's Office Ministry of Justice
Bias motivation determined by	Victim Offender Prosecution
Bias motivations recorded based on	Citizenship Sex/gender Age
Multiple bias	No
Classification by type of crime	No
- Homicide	-
- Physical assault	-
- Damage to property	-
- Desecration of graves	-
- Attacks on places of worship	-
- Vandalism	-
- Threats/threatening behaviour	-
Use of data	-

Availability of data	
- Public	Yes
- Only upon request	No
- Restricted to authorities	No
Legislative developments	-
Examples of hate crimes/incidents	Assault against a person who was associated with working on “Roma issues” A man threatened a group of people with presumed Roma origin with a sword and damaged a vehicle with a sword.
Practical initiatives	Police instruction on effective policing for multicultural communities, which addressed some aspects of policing events where there is a high risk of hate crime.

Participating State	ICELAND
Number of cases in 2011	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	2011
Are data collected?	Yes
Authorities responsible for data collection	Law-enforcement/police Other: The National Police Commissioner of Iceland
Bias motivation determined by	Law-enforcement officer
Bias motivations recorded based on	Race/colour Ethnicity/national origin/national minority Religion Sexual orientation Anti-Muslim
Multiple bias	No
Classification by type of crime	
- Homicide	-
- Physical assault	-
- Damage to property	-
- Desecration of graves	-
- Attacks on places of worship	Law enforcement/police The National Police Commissioner of Iceland
- Vandalism	-
- Threats/threatening behaviour	Law enforcement/police The National Police Commissioner of Iceland
Use of data	Data available as part of published general crime statistics
Availability of data	
- Public	Yes
- Only upon request	-
- Restricted to authorities	No
Legislative developments	-
Examples of hate crimes/incidents	-
Practical initiatives	-

Participating State	IRELAND
Number of cases in 2011	
- Recorded by police	162
- Prosecuted	-
- Sentenced	-
Information last updated?	2011
Are data collected?	Yes

Authorities responsible for data collection	Law-enforcement agency/police Statistical Office National Consultative Committee on Racism and Interculturalism (NCCRI)
Bias motivation determined by	Victim Law-enforcement officer Offender Prosecution Any other person
Bias motivations recorded based on	Race/colour Ethnicity/national origin/national minority Citizenship Religion Sexual orientation Anti-Semitism
Multiple bias	No
Classification by type of crime	
- Homicide	Law-enforcement agency/police
- Physical assault	<i>Ibid.</i>
- Damage to property	<i>Ibid.</i>
- Desecration of graves	<i>Ibid.</i>
- Attacks on places of worship	<i>Ibid.</i>
- Vandalism	<i>Ibid.</i>
- Threats/threatening behaviour	<i>Ibid.</i>
Use of data	Data are shared with various governmental departments and agencies.
Availability of data	
- Public	Yes
- Only upon request	Yes
- Restricted to authorities	Yes. Personal data regarding the victim, accused and/or offender are withheld from the public.
Legislative developments	-
Examples of hate crimes	-
Practical initiatives	-

Participating State	ITALY
Number of cases in 2011	
- Recorded by police	68
- Prosecuted	31
- Sentenced	-
Information last updated?	2011
Are data collected?	Yes
Authorities responsible for data collection	Law enforcement/police Interior Ministry
Bias motivation determined by	Law-enforcement officer
Bias motivations recorded based on	Race/colour Ethnicity/national origin/minority Religion <u>Specific categories:</u> Anti-Semitism
Multiple bias	No
Classification by type of crime	
- Homicide	Law enforcement/police
- Physical assault	<i>Ibid.</i>
- Damage to property	<i>Ibid.</i>

- Desecration of graves	-
- Attacks on places of worship	-
- Vandalism	Law enforcement/police
- Threats/threatening behaviour	<i>Ibid.</i>
Use of data	-
Availability of data	-
- Public	No
- Only upon request	-
- Restricted to authorities	-
Legislative developments	-
Examples of hate crimes/incidents	-
Practical initiatives	-

Participating State	KAZAKHSTAN
Number of cases in 2011	
- Recorded by police	10
- Prosecuted	10
- Sentenced	4
Information last updated?	2011
Are data collected?	Yes
Authorities responsible for data collection	Interior Ministry Prosecutor's Office National Security Committee (KNB)
Bias motivation determined by	Victim Law enforcement officer Offender Court
Bias motivations recorded based on	Race/colour Ethnicity/national origin/national minority Religion
Multiple bias	Yes
Classification by type of crime	
- Homicide	Interior Ministry Prosecutor's Office
- Physical assault	<i>Ibid.</i>
- Damage to property	Interior Ministry
- Desecration of graves	<i>Ibid.</i>
- Attacks on places of worship	<i>Ibid.</i>
- Vandalism	<i>Ibid.</i>
- Threats/threatening behaviour	-
Use of data	Information about hate crimes is presented to executive and legislative bodies and to others upon request.
Availability of data	
- Public	Yes (through the General Prosecutor's Office website)
- Only upon request	Yes
- Restricted to authorities	No
Legislative developments	-
Examples of hate crimes/incidents	-
Practical initiatives	-

Participating State	KYRGYZSTAN
Number of cases in 2011	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	2009
Are data collected?	Yes
Authorities responsible for data collection	Interior Ministry
Bias motivation determined by	Victim Prosecution Court
Bias motivations recorded based on	Religion
Multiple bias	-
Classification by type of crime	
- Homicide	Interior Ministry
- Physical assault	-
- Damage to property	-
- Desecration of graves	-
- Attacks on places of worship	-
- Vandalism	-
- Threats/threatening behaviour	-
Use of data	The government uses statistical data for policy purposes.
Availability of data	
- Public	No
- Only upon request	Yes
- Restricted to authorities	No
Legislative developments	-
Examples of hate crimes/incidents	-
Practical initiatives	-

Participating State	LATVIA
Number of cases in 2011	
- Recorded by police	-
- Prosecuted	4
- Sentenced	4
Information last updated?	2011
Are data collected?	Yes
Authorities responsible for data collection	Interior Ministry Law-enforcement agency/police Ministry of Justice (Courts Administration) General Prosecutor's Office (Department of Management and Analysis) Other: The Security Police of the Republic of Latvia
Bias motivation determined by	Prosecution Court
Bias motivations recorded based on	Race/colour Ethnicity/national origin/national minority Religion <u>Specific categories:</u> Anti-Roma crimes
Multiple bias	No
Classification by type of crime	
- Homicide	Ministry of Justice

	Law-enforcement agency/police
- Physical assault	Ministry of Justice
- Damage to property	<i>Ibid.</i>
- Desecration of graves	<i>Ibid.</i>
- Attacks on places of worship	<i>Ibid.</i>
- Vandalism	<i>Ibid.</i>
- Threats/threatening behaviour	Ministry of Justice Law-enforcement agency/police
Use of data	The Prosecutor's Office uses data to analyze internal performance. Data are also used to combat hate crimes and discrimination.
Availability of data	
- Public	-
- Only upon request	Yes
- Restricted to authorities	Yes Operational data for intelligence gathering and security assessment.
Legislative developments	-
Examples of hate crimes/incidents	-
Practical initiatives	-

Participating State	LIECHTENSTEIN
Number of cases in 2011	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	2011
Are data collected?	Yes
Authorities responsible for data collection	Law-enforcement agency (Criminal Investigation Division)
Bias motivation determined by	Victim Law-enforcement officer
Bias motivations recorded based on	Race/colour Ethnicity/national origin/national minority Citizenship Religion Sexual orientation Sex/gender Other: Political position <u>Specific categories:</u> Anti-Semitic crimes Anti-Muslim crimes
Multiple bias	No
Classification by type of crime	
- Homicide	Law-enforcement agency
- Physical assault	<i>Ibid.</i>
- Damage to property	<i>Ibid.</i>
- Desecration of graves	-
- Attacks on places of worship	-
- Vandalism	-
- Threats/threatening behaviour	Law-enforcement agency
Use of data	Data are submitted to the Interior Ministry and used for intelligence gathering and assessment of the security situation.
Availability of data	
- Public	Yes

	An annual report on hate crime data, prevention activities and right-wing extremism (http://www.respect-bitte.li ; http://www.landespolizei.li/)
- Only upon request	No
- Restricted to authorities	No
Legislative developments	-
Examples of hate crimes/incidents	-
Practical initiatives	Ongoing implementation of an action plan on right-wing extremism for 2010-2015.

Participating State	LITHUANIA
Number of cases in 2011	
- Recorded by police	5
- Prosecuted	2
- Sentenced	-
Information last updated?	2011
Are data collected?	Yes
Authorities responsible for data collection	Interior Ministry (IT and Communications Department) Law-enforcement agency/police Prosecutor's Office (General Office) Court
Bias motivation determined by	Law-enforcement officer Prosecution Court
Bias motivations recorded based on	Race/colour Ethnicity/national origin/national minority Language Religion Sexual orientation
Multiple bias	Yes
Classification by type of crime	
- Homicide	Interior Ministry Law-enforcement agency Prosecutor's Office
- Physical assault	Interior Ministry Law-enforcement agency Prosecutor's Office Court
- Damage to property	Interior Ministry Law-enforcement agency Prosecutor's Office
- Desecration of graves	<i>Ibid.</i>
- Attacks on places of worship	<i>Ibid.</i>
- Vandalism	<i>Ibid.</i>
- Threats/threatening behaviour	<i>Ibid.</i>
Use of data	Data are used to inform make decisions about amendments to legislation and to improve law-enforcement activities.
Availability of data	
- Public	-
- Only upon request	Yes
- Restricted to authorities	No
Legislative developments	-
Examples of hate crimes/incidents	-
Practical initiatives	The government approved an inter-institutional

	non-discrimination action plan, which includes the Interior Ministry collecting, preparing and regularly publishing data on hate crimes.
--	--

Participating State	LUXEMBOURG
Number of cases in 2011	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	2008
Are data collected?	No
Authorities responsible for data collection	-
Bias motivation determined by	-
Bias motivations recorded based on	-
Multiple bias	-
Classification by type of crime	
- Homicide	-
- Physical assault	-
- Damage to property	-
- Desecration of graves	-
- Attacks on places of worship	-
- Vandalism	-
- Threats/threatening behaviour	-
Use of data	-
Availability of data	
- Public	-
- Only upon request	-
- Restricted to authorities	-
Legislative developments	-
Examples of hate crimes/incidents	-
Practical initiatives	-

Participating State	THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA
Number of cases in 2011	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	2009
Are data collected?	No
Authorities responsible for data collection	-
Bias motivation determined by	-
Victim groups recorded	-
Multiple bias	-
Classification by types of crime	
- Homicide	-
- Physical assault	-
- Damage to property	-
- Desecration of graves	-
- Attacks against places of worship	-
- Vandalism	-
- Threats/threatening behaviour	-
Use of data	-
Availability of data	
- Public	-
- Only upon request	-
- Restricted to authorities	-

Legislative developments	-
Examples of hate crimes/incidents	-
Practical initiatives	-

Participating State	MALTA
Number of cases in 2011	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	-
Are data collected?	-
Authorities responsible for data collection	-
Bias motivation determined by	-
Bias motivations recorded based on	-
Multiple bias	-
Classification by type of crime	
- Homicide	-
- Physical assault	-
- Damage to property	-
- Desecration of graves	-
- Attacks on places of worship	-
- Vandalism	-
- Threats/threatening behaviour	-
Use of data	-
Availability of data	
- Public	-
- Only upon request	-
- Restricted to authorities	-
Legislative developments	-
Examples of hate crimes /incidents	-
Practical initiatives	-

Participating State	MOLDOVA
Number of cases in 2011	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	2011
Are data collected?	Yes
Authorities responsible for data collection	Interior Ministry (Information Centre) Law enforcement/police Prosecutor's Office (Department of Organization and Inspection) Ministry of Justice Statistical Office (The National Bureau of Statistics)
Bias motivation determined by	Victim Law enforcement officer Offender
Bias motivations recorded based on	Race/colour Ethnicity/national origin/national minority Citizenship Language Religion Disability Sex/gender

	Specific categories: Anti-Semitic crimes Anti-Muslim crimes Anti-Christian crimes Anti-Roma crimes
Multiple bias	No
Classification by type of crime	
- Homicide	Interior Ministry Prosecutor's Office
- Physical assault	<i>Ibid.</i>
- Damage to property	<i>Ibid.</i>
- Desecration of graves	<i>Ibid.</i>
- Attacks on places of worship	<i>Ibid.</i>
- Vandalism	<i>Ibid.</i>
- Threats/threatening behaviour	<i>Ibid.</i>
Use of data	Data are analysed and used for strategic planning in combating crime. Data are also communicated to NGOs during public meetings.
Availability of data	
- Public	Yes, as part of general crime statistics published monthly on the websites of the Interior Ministry (http://www.mai.gov.md) and the General Prosecutor (http://www.procuratura.md)
- Only upon request	Yes
- Restricted to authorities	No
Legislative developments	-
Examples of hate crimes/incidents	-
Practical initiatives	-

Participating State	MONACO
Number of cases in 2011	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	2009
Are data collected?	
Authorities responsible for data collection	-
Bias motivation determined by	-
Bias motivations recorded based on	-
Multiple bias	-
Classification by type of crime	
- Homicide	-
- Physical assault	-
- Damage to property	-
- Desecration of graves	-
- Attacks on places of worship	-
- Vandalism	-
- Threats/threatening behaviour	-
Use of data	-
Availability of data	
- Public	-
- Only upon request	-
- Restricted to authorities	-
Legislative developments	-
Examples of hate crimes/incidents	-
Practical initiatives	-

Participating State	MONTENEGRO
Number of cases in 2011	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	2011
Are data collected?	Yes
Authorities responsible for data collection	Prosecutor's Office Statistical Office Supreme Court
Bias motivation determined by	-
Bias motivations recorded based on	-
Multiple bias	-
Classification by type of crime	
- Homicide	Interior Ministry Prosecutor's Office Supreme Court
- Physical assault	<i>Ibid.</i>
- Damage to property	<i>Ibid.</i>
- Desecration of graves	<i>Ibid.</i>
- Attacks on places of worship	<i>Ibid.</i>
- Vandalism	<i>Ibid.</i>
- Threats/threatening behaviour	<i>Ibid.</i>
Use of data	-
Availability of data	
- Public	Yes
- Only upon request	Yes
- Restricted to authorities	No
Legislative developments	-
Examples of hate crimes/incidents	-
Practical initiatives	-

Participating State	NETHERLANDS
Number of cases in 2011	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	2010
Are data collected?	Yes
Authorities responsible for data collection	Prosecutor's Office (National Expertise Centre on Discrimination of the Office of the Public Prosecutor – LECD-OM) Law enforcement/police (Police Academy National Expertise Centre on Diversity – LECD Police) NGO Hotline Discrimination on the Internet (MDI)
Bias motivation determined by	Prosecution Court
Bias motivations recorded based on	Race/colour Ethnicity/national origin/national minority Religion Sexual orientation Disability Sex/gender <u>Specific categories:</u> Anti-Semitic crimes

	Anti-Roma crimes Anti-Muslim crimes Anti-Christian crimes
Multiple bias	Yes
Classification by type of crime	
- Homicide	Prosecutor's Office Law enforcement/police
- Physical assault	<i>Ibid.</i>
- Damage to property	<i>Ibid.</i>
- Desecration of graves	-
- Attacks on places of worship	-
- Vandalism	Prosecutor's Office Law enforcement/police
- Threats/threatening behaviour	<i>Ibid.</i>
Use of data	The report is intended to provide an overview to the Public Prosecutor's Office, Ministry of Justice and police. It is shared with some NGOs.
Availability of data	
- Public	No
- Only upon request	Yes
- Restricted to authorities	No
Legislative developments	-
Examples of hate crimes/incidents	-
Practical initiatives	-

Participating State	NORWAY
Number of cases in 2011 (first half)	
- Recorded by police	128
- Prosecuted	-
- Sentenced	-
Information last updated?	2011
Are data collected?	Yes
Authorities responsible for data collection	Law-enforcement agency/police (National Police Directorate)
Bias motivation determined by	Victim Law-enforcement officer
Bias motivations recorded based on	Race/colour Ethnicity/national origin/national minority Religion Sexual orientation Transgender identity
Multiple bias	Yes
Classification by type of crime	
- Homicide	Law-enforcement agency
- Physical assault	<i>Ibid.</i>
- Damage to property	<i>Ibid.</i>
- Desecration of graves	<i>Ibid.</i>
- Attacks on places of worship	<i>Ibid.</i>
- Vandalism	<i>Ibid.</i>
- Threats/threatening behaviour	<i>Ibid.</i>
Use of data	The data are published and available to the public.
Availability of data	
- Public	Yes
- Only upon request	-
- Restricted to authorities	No
Legislative developments	-
Examples of hate crimes/incidents	-
Practical initiatives	-

Participating State	POLAND
Number of cases in 2011	
- Recorded by police	222
- Prosecuted	43
- Sentenced	24
Information last updated?	2011
Are data collected?	Yes
Authorities responsible for data collection	Interior Ministry, Department of Control, Complaints and Petitions ; Law-enforcement agency/police (General Police Headquarters and the Internal Security Agency) Prosecutor's Office (Preparatory Proceedings Office of General Prosecutor's Office) Ministry of Justice (Statistics Division) Other: Ombudsman's Office (Constitutional and International Law Department, Penal Law Department)
Bias motivation determined by	Victim Law-enforcement officer Offender Prosecution Court Other: Private person or institution reporting the crime
Bias motivations recorded based on	Race/colour Ethnicity/national original/national minority Citizenship Religion Other: Non-belief and political affiliation <u>Specific categories:</u> Anti-Semitic crimes Anti-Roma crimes Anti-Muslim crimes Anti-Christian crimes
Multiple bias	No
Classification by type of crime	
- Homicide	Interior Ministry Law-enforcement agency Prosecutor's Office Ministry of Justice Ombudsman's Office
- Physical assault	<i>Ibid.</i>
- Damage to property	<i>Ibid.</i>
- Desecration of graves	<i>Ibid.</i>
- Attacks on places of worship	<i>Ibid.</i>
- Vandalism	<i>Ibid.</i>
- Threats/threatening behaviour	<i>Ibid.</i>
Use of data	For prosecution case-handling efficiency; for preventative police measures; for identifying training needs for police and prosecutors; for assessment of human rights' issues related to discrimination.
Availability of data	
- Public	Yes, as part of general crime statistics National Prosecutor's Office (http://www.pg.gov.pl/)

- Only upon request	Yes (Data collected by the Interior Ministry and Administration, the Police and the Attorney General's Office)
- Restricted to authorities	Yes. Personal data regarding the victim, accused and/or offender and data about the incident, case details and course of proceedings are withheld from the public.
Legislative developments	-
Examples of hate crimes/incidents	Physical assault of a man who was defending a man of Nigerian origin who was being verbally harassed by the perpetrator.
Practical initiatives	Continuing training of police, with a total of 38,000 officers trained to date; The General Prosecutor's Office conducted an analysis of hate crime cases as part a review of cases and distributed its findings along with methodological guidelines to appeals offices for subsequent distribution to subordinate offices.

Participating State	PORTUGAL
Number of cases in 2011	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	2011
Are data collected?	No
Authorities responsible for data collection	Prosecutor's Office Ministry of Justice
Bias motivation determined by	Court
Bias motivations recorded based on	Race/colour Ethnicity/national origin/minority Transgender <u>Specific categories:</u> Anti-Roma crimes
Multiple bias	Yes
Classification by type of crime	
- Homicide	-
- Physical assault	-
- Damage to property	-
- Desecration of graves	-
- Attacks on places of worship	-
- Vandalism	-
- Threats/threatening behaviour	-
Use of data	-
Availability of data	
- Public	-
- Only upon request	Yes
- Restricted to authorities	-
Legislative developments	-
Examples of hate crimes/incidents	-
Practical initiatives	-

Participating State	ROMANIA
Number of cases in 2011	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-

Information last updated?	2011
Are data collected?	Yes
Authorities responsible for data collection	Interior Ministry Law-enforcement agency/police (subordinated to the Ministry of Administration and Interior) Prosecutor's Office Other: The Superior Council of the Magistracy
Bias motivation determined by	Law-enforcement officer Prosecutor Court
Bias motivations recorded based on	-
Multiple bias	No
Classification by type of crime	
- Homicide	Prosecutor's Office The Superior Council of the Magistracy
- Physical assault	<i>Ibid.</i>
- Damage to property	<i>Ibid.</i>
- Desecration of graves	<i>Ibid.</i>
- Attacks on places of worship	-
- Vandalism	-
- Threats/threatening behaviour	Prosecutor's Office The Superior Council of the Magistracy
Use of data	Data from the Prosecutor's Office are available to the public.
Availability of data	
- Public	Yes
- Only upon request	No
- Restricted to authorities	No
Legislative developments	-
Examples of hate crimes/incidents	-
Practical initiatives	Launch of OSCE-ODIHR manual: <i>Police and Roma and Sinti: Good Practices in Building Trust and Understanding</i> and incorporation into police academy trainings beginning in 2013.

Participating State	RUSSIAN FEDERATION
Number of cases in 2011	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	2008
Are data collected?	Yes
Authorities responsible for data collection	Interior Ministry Prosecutor's Office Statistical Office
Bias motivation determined by	Prosecution Court
Bias motivations recorded based on	Citizenship Religion
Multiple bias	No
Classification by type of crime	
- Homicide	Interior Ministry Prosecutor's Office
- Physical assault	<i>Ibid.</i>
- Damage to property	<i>Ibid.</i>
- Desecration of graves	<i>Ibid.</i>
- Attacks on places of worship	<i>Ibid.</i>
- Vandalism	<i>Ibid.</i>

- Threats/threatening behaviour	<i>Ibid.</i>
Use of data	
Availability of data	
- Public	Yes
- Only upon request	Yes
- Restricted to authorities	No
Legislative developments	-
Examples of hate crimes/incidents	-
Practical initiatives	-

Participating State	SAN MARINO
Number of cases in 2011	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	-
Are data collected?	-
Authorities responsible for data collection	-
Bias motivation determined by	-
Bias motivations recorded based on	-
Multiple bias	-
Classification by type of crime	
- Homicide	-
- Physical assault	-
- Damage to property	-
- Desecration of graves	-
- Attacks on places of worship	-
- Vandalism	-
- Threats/threatening behaviour	-
Use of data	-
Availability of data	
- Public	-
- Only upon request	-
- Restricted to authorities	-
Legislative developments	-
Examples of hate crimes/incidents	-
Practical initiatives	-

Participating State	SERBIA
Number of cases in 2011	
- Recorded by police	-
- Prosecuted	36
- Sentenced	-
Information last updated?	2011
Are data collected?	Yes
Authorities responsible for data collection	Interior Ministry Law-enforcement agency/police Intelligence Agency Prosecutor's Office Ministry of Justice Statistical Office NGOs, academic institutions and legal experts
Bias motivation determined by	Victim Law-enforcement officer Offender Prosecutor Court NGOs, academic institutions and legal experts

Bias motivations recorded based on	Race/colour Ethnicity/national origin/national minority Citizenship Language Religion Sexual orientation Transgender Disability Sex/gender Other: Political, based on profession <u>Specific categories:</u> Anti-Semitic crimes Anti-Muslim crimes Anti-Christian crimes Anti-Roma crimes
Multiple bias	Yes
Classification by type of crime	
- Homicide	Interior Ministry Law-enforcement agency/police Intelligence Agency Prosecutor's Office Ministry of Justice Specialized Body Statistical Office NGOs and alternative law practices Experts and academic institutions
- Physical assault	<i>Ibid.</i>
- Damage to property	<i>Ibid.</i>
- Desecration of graves	<i>Ibid.</i>
- Attacks on places of worship	<i>Ibid.</i>
- Vandalism	<i>Ibid.</i>
- Threats/threatening behaviour	<i>Ibid.</i>
Use of data	Data are shared among the Prosecutor's Office, the Ministry of Human and Minority Rights, the Ministry of Justice, the Ministry of Interior and the courts.
Availability of data	
- Public	Yes Annual Report of Prosecutor's Office that is available through a website
- Only upon request	No
- Restricted to authorities	Personal data
Legislative developments	-
Examples of hate crimes/incidents	-
Practical initiatives	-

Participating State	SLOVAK REPUBLIC
Number of cases in 2011	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	2009
Are data collected?	Yes
Authorities responsible for data collection	Interior Ministry Prosecutor's Office Ministry of Justice NGOs
Bias motivation determined by	Offender
Bias motivations recorded based on	Race/colour Ethnicity/national origin/national minority Language Religion
Multiple bias	Yes
Classification by type of crime	
- Homicide	Interior Ministry Prosecutor's Office Ministry of Justice
- Physical assault	<i>Ibid.</i>
- Damage to property	<i>Ibid.</i>
- Desecration of graves	<i>Ibid.</i>
- Attacks on places of worship	<i>Ibid.</i>
- Vandalism	<i>Ibid.</i>
- Threats/threatening behaviour	<i>Ibid.</i>
Use of data	-
Availability of data	
- Public	Yes Annual statistical yearbook of the Ministry of Justice
- Only upon request	No
- Restricted to authorities	No
Legislative developments	-
Examples of hate crimes/incidents	-
Practical initiatives	-

Participating State	SLOVENIA
Number of cases in 2011	
- Recorded by police	45
- Prosecuted	-
- Sentenced	-
Information last updated?	2011
Are data collected?	Yes
Authorities responsible for data collection	Law-enforcement agency/police Ministry of Justice
Bias motivation determined by	Law-enforcement officer Offender
Bias motivations recorded based on	Ethnicity/national origin/national minority Citizenship Sex/gender
Multiple bias	Yes
Classification by type of crime	
- Homicide	Law-enforcement agency
- Physical assault	<i>Ibid.</i>
- Damage to property	<i>Ibid.</i>

- Desecration of graves	<i>Ibid.</i>
- Attacks on places of worship	<i>Ibid.</i>
- Vandalism	<i>Ibid.</i>
- Threats/threatening behaviour	<i>Ibid.</i>
Use of data	-
Availability of data	
- Public	Yes Police annual and semi-annual reports (http://www.policija.si/index.php/statistika)
- Only upon request	Yes
- Restricted to authorities	Yes Personal data regarding the victim, accused and/or offender and data about the incident are withheld from the public.
Legislative developments	-
Examples of hate crimes/incidents	-
Practical initiatives	-

Participating State	SPAIN
Number of cases in 2011	
- Recorded by police	115
- Prosecuted	-
- Sentenced	-
Information last updated?	2011
Are data collected?	Yes
Authorities responsible for data collection	Interior Ministry Law-enforcement agency/police
Bias motivation determined by	Victim Law-enforcement officer
Bias motivations recorded based on	Race/colour Ethnicity/national origin/national minority Citizenship Religion Sexual orientation <u>Specific categories:</u> Anti-Semitic crimes
Multiple bias	Yes
Classification by type of crime	
- Homicide	-
- Physical assault	Law-enforcement agency
- Damage to property	<i>Ibid.</i>
- Desecration of graves	-
- Attacks on places of worship	-
- Vandalism	-
- Threats/threatening behaviour	Law-enforcement agency
Use of data	Data are used for intelligence-gathering and statistical purposes.
Availability of data	
- Public	No
- Only upon request	Yes
- Restricted to authorities	Yes
Legislative developments	-
Examples of hate crimes/incidents	-
Practical initiatives	Improvements in the co-ordination of recorded hate crime data between national and regional police agencies.

Participating State	SWEDEN
Number of cases in 2011	
- Recorded by police	5,493
- Prosecuted	347
- Sentenced	-
Information last updated?	2011
Are data collected?	Yes
Authorities responsible for data collection	Law-enforcement agency/police Prosecutor's Office Specialized body (National Council for Crime Prevention)
Bias motivation determined by	Victim Law-enforcement officer Offender Prosecution
Bias motivations recorded based on	Race/colour Ethnicity/national origin/national minority Religion Sexual orientation Transgender <u>Specific categories:</u> Anti-Semitic crimes Anti-Muslim crimes Anti-Christian Anti-Roma crimes Crimes against Afro-Swedes
Multiple bias	No
Classification by type of crime	
- Homicide	Law-enforcement agency National Council for Crime Prevention
- Physical assault	<i>Ibid.</i>
- Damage to property	<i>Ibid.</i>
- Desecration of graves	-
- Attacks on places of worship	-
- Vandalism	Law-enforcement agency National Council for Crime Prevention
- Threats/threatening behaviour	<i>Ibid.</i>
Use of data	-
Availability of data	-
- Public	Yes: Website of the Swedish Council for Crime Prevention. A summary of the 2011 hate crime statistics is available in English at: < http://www.bra.se/download/18.1ff479c3135e8540b29800020067/2012_Hate_crime_2011_summary.pdf >
- Only upon request	Yes
- Restricted to authorities	No
Legislative developments	-
Examples of hate crimes/incidents	-
Practical initiatives	Local police units improved training for officers and methods of data collection.

Participating State	SWITZERLAND
Number of cases in 2011	
- Recorded by police	182
- Prosecuted	-
- Sentenced	-
Information last updated?	2011
Are data collected?	Yes
Authorities responsible for data collection	Swiss Federal Statistical Office Federal Commission against Racism
Bias motivation determined by	Victim Court
Bias motivations recorded based on	Race/colour Ethnicity/national origin/national minority Citizenship Religion <u>Specific categories:</u> Anti-Semitic crimes Anti-Muslim crimes Anti-Christian crimes Anti-Roma crimes
Multiple bias	Yes
Classification by type of crime	
- Homicide	Swiss Federal Statistical Office Federal Commission against Racism
- Physical assault	<i>Ibid.</i>
- Damage to property	<i>Ibid.</i>
- Desecration of graves	<i>Ibid.</i>
- Attacks on places of worship	<i>Ibid.</i>
- Vandalism	<i>Ibid.</i>
- Threats/threatening behaviour	<i>Ibid.</i>
Use of data	Data are available to the public.
Availability of data	
- Public	Yes Website of the Commission Against Racism (http://www.ekr.admin.ch) Website of the Service for Combating Racism: (http://www.edi.admin.ch/)
- Only upon request	No
- Restricted to authorities	No
Legislative developments	-
Examples of hate crimes/incidents	One physical assault against a French woman of Algerian origin.
Practical initiatives	-

Participating State	TAJIKISTAN
Number of cases in 2011	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	2008
Are data collected?	Yes
Authorities responsible for data collection	Interior Ministry Prosecutor's Office Ministry of Justice Council of Justice Drugs Control Agency

	Supreme Court of the Republic of Tajikistan Agency for State Finance Control and the Fight against Corruption National Safety Committee
Bias motivation determined by	Offender
Bias motivations recorded based on	Race/colour Ethnicity/national origin/national minority Religion Sex/gender <u>Specific categories:</u> Anti-Muslim crimes
Multiple bias	No
Classification by type of crime	
- Homicide	-
- Physical assault	-
- Damage to property	-
- Desecration of graves	-
- Attacks on places of worship	-
- Vandalism	-
- Threats/threatening behaviour	-
Number of cases in 2009	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Use of data	Data are presented to the Statistics Office.
Availability of data	
- Public	No
- Only upon request	No
- Restricted to authorities	Yes
Legislative developments	-
Examples of hate crimes/incidents	-
Practical initiatives	-

Participating State	TURKEY
Number of cases in 2011	
- Recorded by police	-
- Prosecuted	628
- Sentenced	-
Information last updated?	2011
Are data collected?	Yes
Authorities responsible for data collection	Interior Ministry Ministry of Justice (IT Department)
Bias motivation determined by	Offender
Bias motivations recorded based on	-
Multiple bias	No
Classification by type of crime	
- Homicide	-
- Physical assault	-
- Damage to property	-
- Desecration of graves	Ministry of Justice
- Attacks on places of worship	<i>Ibid.</i>
- Vandalism	-
- Threats/threatening behaviour	-
Use of data	-
Availability of data	
- Public	No
- Only upon request	Yes

- Restricted to authorities	No
Legislative developments	-
Examples of hate crimes/incidents	Six cases of damage to Catholic Church property
Practical initiatives	-

Participating State	TURKMENISTAN
Number of cases in 2011	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	2008
Are data collected?	Yes
Authorities responsible for data collection	Courts
Bias motivation determined by	-
Bias motivations recorded based on	-
Multiple bias	
Classification by type of crime	-
- Homicide	-
- Physical assault	-
- Damage to property	-
- Desecration of graves	-
- Attacks on places of worship	-
- Vandalism	-
- Threats/threatening behaviour	-
Use of data	-
Availability of data	
- Public	-
- Only upon request	-
- Restricted to authorities	-
Legislative developments	-
Examples of hate crimes/incidents	-
Practical initiatives	-

Participating State	UKRAINE
Number of cases in 2011	
- Recorded by police	5
- Prosecuted	-
- Sentenced	-
Information last updated?	2011
Are data collected?	Yes
Authorities responsible for data collection	Interior Ministry Law-enforcement agency/police (State Department on Sentence Execution) Statistical office (State Statistics Committee)
Bias motivation determined by	Law-enforcement officer Prosecution Court
Bias motivations recorded based on	Citizenship Sex/gender Age Other
Multiple bias	No
Classification by type of crime	
- Homicide	Interior Ministry Law-enforcement agency Statistical office
- Physical assault	<i>Ibid.</i>

- Damage to property	<i>Ibid.</i>
- Desecration of graves	<i>Ibid.</i>
- Attacks on places of worship	<i>Ibid.</i>
- Vandalism	<i>Ibid.</i>
- Threats/threatening behaviour	<i>Ibid.</i>
Use of data	Data are shared with NGOs and presented to executive and legislative bodies.
Availability of data	
- Public	Yes Website of the Interior Ministry (http://www.mvs.gov.ua)
- Only upon request	No
- Restricted to authorities	No
Legislative developments	-
Examples of hate crimes/incidents	-
Practical initiatives	-

Participating State	UNITED KINGDOM
Number of cases in 2011	
- Recorded by police	44, 519 (England, Wales and Northern Ireland) 6,169(in Scotland)
- Prosecuted	15,284(England and Wales) 4,518 (in Scotland)
- Sentenced	12,651 (England and Wales)
Information last updated?	2011
Are data collected?	Yes
Authorities responsible for data collection	Law enforcement/police Prosecutor's Office (Crown Prosecution Service)
Bias motivation determined by	Victim Law-enforcement officer Offender Prosecution Court Other: witnesses, civil society, police specialists, family members
Bias motivations recorded based on	Race/colour Ethnicity/national origin/minority Citizenship Language Religion Sexual orientation Transgender Disability <u>Specific categories:</u> Anti-Semitic crimes Anti-Roma crimes Anti-Muslim crimes Anti-Christian crimes
Multiple bias	No
Classification by type of crime	
- Homicide	Law enforcement/police Prosecutor's Office
- Physical assault	<i>Ibid.</i>
- Damage to property	<i>Ibid.</i>
- Desecration of graves	<i>Ibid.</i>
- Attacks on places of worship	<i>Ibid.</i>
- Vandalism	<i>Ibid.</i>

- Threats/threatening behaviour	<i>Ibid.</i>
Use of data	Data are published to provide transparency. They are also shared with public scrutiny groups, both locally and nationally. This allows for the examination of performance and to identify areas of under-reporting.
Availability of data	
- Public	Yes Police data are published on the True Vision website: (http://www.report-it.org.uk/hate_crime_data1) Crown Prosecution Service data covering the period from April-March are available at: (http://www.cps.gov.uk/publications/equality/index.html) Scotland data covering the period from April-March are available at: (http://www.scotland.gov.uk/Topics/Statistics/Browse/Crime-Justice)
- Only upon request	No
- Restricted to authorities	No
Legislative developments	-
Examples of hate crimes/incidents	-
Practical initiatives	New hate crime reporting website (www.report-it.org.uk); Cross-Government Hate Crime Strategy Board; Grants for hate crime NGOs

Participating State	UNITED STATES
Number of cases in 2011	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	2008
Are data collected?	Yes
Authorities responsible for data collection	Department of Justice Federal Bureau of Investigation (FBI) Criminal Justice Information Services Division Policy, Administrative and Liaison Branch Liaison, Advisory, Training and Statistics Section Crimes Statistics Management Unit Uniform Crime Reporting Program Hate Crime Data Collection
Bias motivation determined by	Offender
Bias motivations recorded based on	Race Ethnicity/national origin Religion Sexual orientation Disability <u>Specific categories:</u> Anti-Semitic crimes Anti-Muslim crimes Anti-Protestant crimes Anti-Catholic crimes
Multiple bias	No
Classification by type of crime	
- Homicide	Department of Justice FBI Criminal Justice Information Services Division Policy, Administrative and Liaison Branch

	Liaison, Advisory, Training and Statistics Section Crimes Statistics Management Unit Uniform Crime Reporting Programme Hate Crime Data Collection
- Physical assault	<i>Ibid.</i>
- Damage to property	<i>Ibid.</i>
- Desecration of graves	<i>Ibid.</i>
- Attacks on places of worship	<i>Ibid.</i>
- Vandalism	<i>Ibid.</i>
- Threats/threatening behaviour	<i>Ibid.</i>
Use of data	Data are shared with the public.
Availability of data	
- Public	Yes Hate crime data are published annually. (http://www.fbi.gov/ucr/ucr.htm)
- Only upon request	Yes
- Restricted to authorities	Yes Personal data regarding the victim and data about the incident are withheld from the public.
Legislative developments	-
Examples of hate crimes	-
Practical initiatives	-

Participating State	UZBEKISTAN
Number of cases in 2011	
- Recorded by police	4
- Prosecuted	-
- Sentenced	-
Information last updated?	2011
Are data collected?	Yes
Authorities responsible for data collection	Interior Ministry (Information Centre, regional Directorates of Internal Affairs) Law-enforcement agency/police Prosecutor's Office (General Prosecutor's Office) Other: National Security Service
Bias motivation determined by	Victim Prosecution Court
Bias motivations recorded based on	Race/colour Ethnicity/national origin/minority Language Religion Sex/gender
Multiple bias	No
Classification by type of crime	
- Homicide	Prosecutor's Office
- Physical assault	Interior Ministry
- Damage to property	<i>Ibid.</i>
- Desecration of graves	<i>Ibid.</i>
- Attacks on places of worship	
- Vandalism	Interior Ministry
- Threats/threatening behaviour	<i>Ibid.</i>
Use of data	The government uses data for policy-making purposes.
Availability of data	
- Public	No

- Only upon request	No
- Restricted to authorities	No
Legislative developments	-
Examples of hate crimes/incidents	-
Practical initiatives	-

ANNEX A: OSCE commitments pertaining to hate-motivated incidents and crimes

Under Ministerial Council Decision No. 12/04, ODIHR was tasked to: “follow closely anti-Semitic incidents” and “incidents motivated by racism, xenophobia, or related intolerance, including against Muslims”, and “report its findings to the Permanent Council and the Human Dimension Implementation Meeting and make these findings public”.

Ministerial Council Decisions on participating States’ commitments relating to hate crime:

- “collect, maintain and make public, reliable data and statistics in sufficient detail on hate crimes and violent manifestations of intolerance, including the numbers of cases reported to law enforcement, the numbers prosecuted and the sentences imposed. Where data-protection laws restrict collection of data on victims, States should consider methods for collecting data in compliance with such laws” (MC Decision No. 9/09);
- “enact, where appropriate, specific, tailored legislation to combat hate crimes, providing for effective penalties that take into account the gravity of such crimes” (MC Decision No. 9/09);
- “take appropriate measures to encourage victims to report hate crimes, recognizing that under-reporting of hate crimes prevents States from devising efficient policies. In this regard, explore, as complementary measures, methods for facilitating the contribution of civil society to combat hate crimes” (MC Decision No. 9/09);
- “introduce or further develop professional training and capacity-building activities for law-enforcement, prosecution and judicial officials dealing with hate crimes” (MC Decision No. 9/09);
- “in co-operation with relevant actors, explore ways to provide victims of hate crimes with access to counselling, legal and consular assistance as well as effective access to justice” (MC Decision No. 9/09);
- “promptly investigate hate crimes and ensure that the motives of those convicted of hate crimes are acknowledged and publicly condemned by the relevant authorities and by the political leadership” (MC Decision No. 9/09);
- “ensure co-operation, where appropriate, at the national and international levels, including with relevant international bodies and between police forces, to combat violent organized hate crime” (MC Decision No. 9/09);
- “conduct awareness raising and education efforts, particularly with law enforcement authorities, directed towards communities and civil society groups that assist victims of hate crimes” (MC Decision No. 9/09);
- “nominate, if they have not yet done so, a national point of contact on hate crimes to periodically report to the ODIHR reliable information and statistics on hate crimes” (MC Decision No. 9/09);

- “consider drawing on resources developed by the ODIHR in the area of education, training and awareness raising to ensure a comprehensive approach to the tackling of hate crimes” (MC Decision No. 9/09);
- “calls on participating States to increase their efforts, in co-operation with civil society to counter the incitement to imminent violence and hate crimes, including through the Internet, within the framework of their national legislation, while respecting freedom of expression, and underlines at the same time that the opportunities offered by the Internet for the promotion of democracy, human rights and tolerance education should be fully exploited” (MC Decision No. 10/07);
- “collect and maintain reliable data and statistics on hate crimes and incidents, to train relevant law enforcement officers and to strengthen co-operation with civil society” (MC Decision No. 10/07);
- “collect and maintain reliable data and statistics on hate crimes which are essential for effective policy formulation and appropriate resource allocation in countering hate motivated incidents” (MC Decision No. 13/06);
- “facilitate the capacity development of civil society to contribute in monitoring and reporting hate-motivated incidents and to assist victims of hate crime” (MC Decision No. 13/06);
- “promote capacity-building of law enforcement authorities through training and the development of guidelines on the most effective and appropriate way to respond to bias-motivated crime, to increase a positive interaction between police and victims and to encourage reporting by victims of hate crime, i.e., training for front-line officers, implementation of outreach programmes to improve relations between police and the public and training in providing referrals for victim assistance and protection” (MC Decision No. 13/06);
- “[s]trengthen efforts to collect and maintain reliable information and statistics on hate crimes and legislation, to report such information periodically to the ODIHR, and to make this information available to the public and to consider drawing on ODIHR assistance in this field, and in this regard, to consider nominating national points of contact on hate crimes to the ODIHR” (MC Decision No. 10/05);
- “[s]trengthen efforts to provide public officials, and in particular law enforcement officers, with appropriate training on responding to and preventing hate crimes, and in this regard, to consider setting up programmes that provide such training, and to consider drawing on ODIHR expertise in this field and to share best practices” (MC Decision No. 10/05);
- “consistently and unequivocally [speak] out against acts and manifestations of hate, particularly in political discourse” (MC Decision No. 10/05);
- “[c]ombat hate crimes which can be fuelled by racist, xenophobic and anti-Semitic propaganda in the media and on the Internet, and appropriately denounce such crimes publicly when they occur” (MC Decision No. 12/04);

- “condemn publicly, at the appropriate level and in the appropriate manner, violent acts motivated by discrimination and intolerance” (MC Decision No. 4/03).

Ministerial Council Decisions relating to hate crime tasked ODIHR to:

- “explore, in consultations with the participating States and in co-operation with relevant international organizations and civil society partners, the potential link between the use of the Internet and bias-motivated violence and the harm it causes as well as eventual practical steps to be taken” (MC Decision No. 9/09);

- “continue its close co-operation with other relevant inter-governmental agencies and civil society working in the field of promoting mutual respect and understanding and combating intolerance and discrimination, including through hate crime data collection” (MC Decision No. 13/06);

- “continue to serve as a collection point for information and statistics on hate crimes and relevant legislation provided by participating States and to make this information publicly available through its Tolerance and Non-Discrimination Information System and its report on Challenges and Responses to Hate-Motivated Incidents in the OSCE Region” (MC Decision No. 13/06);

- “strengthen, within existing resources, its early warning function to identify, report and raise awareness on hate-motivated incidents and trends and to provide recommendations and assistance to participating States, upon their request, in areas where more adequate responses are needed” (MC Decision No. 13/06).

Ministerial Council Decisions on participating States’ commitments related to tolerance and non-discrimination:

- “calls on the participating States to seek opportunities to co-operate and thereby address the increasing use of the Internet to advocate views constituting an incitement to bias-motivated violence including hate crimes and, in so doing, to reduce the harm caused by the dissemination of such material, while ensuring that any relevant measures taken are in line with OSCE commitments, in particular with regard to freedom of expression” (MC Decision No. 9/09);

- “urges the participating States to step up their efforts [...] to address the rise of violent manifestations of intolerance against Roma and Sinti as well as to unequivocally and publicly condemn any violence targeting Roma and Sinti, and to take all necessary measures to ensure access to effective remedies, in accordance with national judicial, administrative, mediation and conciliation procedures, as well as to secure co-ordination between responsible authorities at all levels in this regard” (MC Decision No. 8/09);

- “encourages the promotion of educational programmes in the participating States in order to raise awareness among youth of the value of mutual respect and understanding” (MC Decision No. 10/07);

- “calls for a strengthened commitment to implement the Action Plan on Improving the Situation of Roma and Sinti within the OSCE Area” (MC Decision No. 10/07);

- “encourages participating States to share best practices in their legislation, policies and programmes that help to foster inclusive societies based on respect for cultural and religious diversity, human rights and democratic principles” (MC Decision No. 10/07);

- “encourages the establishment of national institutions or specialized bodies by the participating States which have not yet done so, to combat intolerance and discrimination as well as the development and implementation of national strategies and action plans in this field, drawing on the expertise and assistance of the relevant OSCE institutions, based on existing commitments, and the relevant international agencies, as appropriate” (MC Decision No. 10/07);

- “reject and condemn manifestations of racism, xenophobia, anti-Semitism, discrimination and intolerance, including against Christians, Jews, Muslims and members of other religions, as well as violent manifestations of extremism associated with aggressive nationalism and neo-Nazism, while continuing to respect freedom of expression” (MC Decision No. 10/07);

- “engage more actively in encouraging civil society’s activities through effective partnerships and strengthened dialogue and co-operation between civil society and State authorities in the sphere of promoting mutual respect and understanding, equal opportunities and inclusion of all within society and combating intolerance, including by establishing local, regional or national consultation mechanisms where appropriate” (MC Decision No. 13/06);

- “[reject] the identification of terrorism and violent extremism with any religion or belief, culture, ethnic group, nationality or race” (MC Decision No. 10/05);

- “encourage public and private educational programmes that promote tolerance and non-discrimination, and raise public awareness of the existence and the unacceptability of intolerance and discrimination, and in this regard, to consider drawing on ODIHR expertise and assistance in order to develop methods and curricula for tolerance education” (MC Decision No. 10/05);

- “promote, as appropriate, educational programmes for combating anti-Semitism” and to “[p]romote remembrance of and, as appropriate, education about the tragedy of the Holocaust, and the importance of respect for all ethnic and religious groups” (MC Decision No. 12/04);

- “examine the possibility of establishing within countries appropriate bodies to promote and to combat racism, xenophobia, discrimination or related intolerance, including against Muslims, and anti-Semitism” (MC Decision No. 12/04);

- “ensure and facilitate the freedom of the individual to profess and practice a religion or belief, alone or in community with others, where necessary through transparent and non-discriminatory laws, regulations, practices and policies” and “seek the assistance of the ODIHR and its Panel of Experts on Freedom of Religion or Belief” (MC Decision No. 4/03);

- “promote implementation of the Action Plan on Improving the Situation of Roma and Sinti within the OSCE Area” (MC Decision No. 4/03);

- “recogniz[e] the importance of legislation regarding crimes fuelled by intolerance and discrimination, and, where appropriate, seek the ODIHR’s assistance in the drafting and review of such legislation” (MC Decision No. 4/03);

- “condemn[s] the recent increase in acts of discrimination and violence against Muslims in the OSCE area and rejects firmly the identification of terrorism and extremism with a particular religion or culture” (MC Decision No. 6/02);

- “condemn[s] in strongest terms all manifestations of aggressive nationalism, racism, chauvinism, xenophobia, anti-Semitism and violent extremism, as well as hate speech and occurrences of discrimination based on religion or belief” (MC Decision No. 6/02);

- “deplore violence and other manifestations of racism and discrimination against minorities, including the Roma and Sinti” (Istanbul Summit Declaration, 1999);

- “reconfirm their condemnation of all acts of discrimination on the ground of race, colour and ethnic origin, intolerance and xenophobia against migrant workers. They will, in conformity with domestic law and international obligations, continue to take effective measures to this end” (CSCE Budapest Document, 1994);

- “condemn all acts of discrimination on the ground of race, colour and ethnic origin, intolerance and xenophobia against migrant workers. They will, in conformity with domestic law and international obligations, take effective measures to promote tolerance, understanding, equality of opportunity and respect for the fundamental human rights of migrant workers and adopt, if they have not already done so, measures that would prohibit acts that constitute incitement to violence based on national, racial, ethnic or religious discrimination, hostility or hatred” (Document of the Moscow Meeting of the Conference on the Human Dimension of the CSCE, 1991);

- “express [their] determination to combat all forms of racial and ethnic hatred, anti-Semitism, xenophobia and discrimination against anyone as well as persecution on religious and ideological grounds” (Charter of Paris for a New Europe, 1990);

- “clearly and unequivocally condemn totalitarianism, racial and ethnic hatred, anti-Semitism, xenophobia and discrimination against anyone as well as persecution on religious and ideological grounds. In this context, they also recognize the particular problems of Roma (Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE, 1990);

- “take effective measures, including the adoption, in conformity with their constitutional systems and their international obligations, of such laws as may be necessary, to provide protection against any acts that constitute incitement to violence against persons or groups based on national, racial, ethnic or religious discrimination, hostility or hatred, including anti-Semitism” (Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE, 1990);

- “take appropriate and proportionate measures to protect persons or groups who may be subject to threats or acts of discrimination, hostility or violence as a result of their racial, ethnic, cultural, linguistic or religious identity, and to protect their property” (Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE, 1990);

- “recognize the right of the individual to effective remedies and endeavour to recognize, in conformity with national legislation, the right of interested persons and groups to initiate and support complaints against acts of discrimination, including racist and xenophobic acts” (Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE, 1990).

Ministerial Council Decisions related to tolerance and non-discrimination tasked ODIHR to:

- “in co-operation and co-ordination with the [High Commissioner on National Minorities] HCNM and the Representative of Freedom of the Media and other relevant OSCE executive structures, within their mandates and within existing resources, to continue to assist participating States to combat acts of discrimination and violence against Roma and Sinti, to counter negative stereotypes of Roma and Sinti in the media taking into account relevant OSCE freedom of the media commitments, and to implement fully OSCE commitments pertaining in particular to the implementation of the Action Plan on Improving the Situation of Roma and Sinti within the OSCE Area” (MC Decision No. 8/09);

- “further strengthen the work of its Tolerance and Non-Discrimination Programme, in particular its assistance programmes, in order to assist participating States upon their request in implementing their commitments” (MC Decision No. 13/06);

- “further strengthen the work of the ODIHR’s Advisory Panel of Experts on Freedom of Religion or Belief in providing support and expert assistance to participating States” (MC Decision No. 13/06).

ANNEX B: List of National Points of Contact in Combating Hate Crime NPCs

Country	Organization
Albania	Interior Ministry, General Department of State Police
Andorra	Ministry of Foreign Affairs, Culture and Co-operation
Armenia	Ministry of Foreign Affairs
Austria	Federal Chancellery
	Federal Ministry for European and International Affairs
	Federal Interior Ministry, Federal Agency for State Protection and Counter Terrorism
Azerbaijan	General Prosecutor's Office
Belarus	Ministry of Foreign Affairs
Belgium	Centre for Equal Opportunities and Opposition to Racism
Bosnia and Herzegovina	Ministry of Security
Bulgaria	Commission for Protection against Discrimination
Canada	Canadian Centre for Justice Statistics, Statistics Canada
	Department of Justice, Strategic Initiatives Unit
Croatia	Ministry of Foreign Affairs and European Integration
Cyprus	Police, Office for Combating Discrimination
	Ministry of Justice and Public Order
Czech Republic	Inter-ministerial Commission for Combating Extremism, Racism and Xenophobia
	Interior Ministry, Security Policy Department
Denmark	Ministry of Justice, Law Department, Criminal Law Division
Estonia	Ministry of Justice, Criminal Policies Department
Finland	Interior Ministry National Police Board
France	Ministry of Justice

Georgia	Ministry of Justice
Germany	Federal Interior Ministry
Greece	Ministry of Justice
Holy See	Pontifical Council for Justice and Peace
Hungary	Ministry of Foreign Affairs
Iceland	National Commissioner of Police
Ireland	National Consultative Committee on Racism and Interculturalism
Italy	Interior Ministry, Office for Co-ordination and Planning of Police Forces
Kazakhstan	General Prosecutor's Office, Committee on Law, Statistics and Special Registrations
Kyrgyzstan	Interior Ministry
Latvia	Ministry of Culture, Division of Society Integration and Development of Civil Society
	Ombudsman Office
Liechtenstein	National Police
Lithuania	Ministry of Foreign Affairs
	Interior Ministry, Public Safety Policy Department
Luxembourg	Permanent Representation of the Grand-Duchy of Luxembourg
	Ministry of Family and Integration, Luxembourg Reception and Integration Agency
Malta	General Police Headquarters Prosecutions Unit
Moldova	General Prosecutor's Department
Monaco	Department of Legal Services
	Department of the Interior
Montenegro	Ministry of Justice
Netherlands	Ministry of Security and Justice
Norway	Ministry of Justice and the Police

Poland	Ministry of Interior, Department of Control, Complaints and Petitions
Portugal	Documentation and Comparative Law Office
	High Commission for Immigration and Ethnic Minorities
Romania	Ministry of Justice
Russian Federation	General Prosecutor's Office
San Marino	
Serbia	Ministry for Human and Minority Rights
Slovakia	Ministry of Foreign Affairs
Slovenia	Ministry of Foreign Affairs
Spain	Interior Ministry
Sweden	National Council for Crime Prevention
Switzerland	Federal Department of Foreign Affairs
Tajikistan	Executive Office of the President, Constitutional Rights Department
The Former Yugoslav Republic of Macedonia	Ministry of Foreign Affairs
Turkey	Ministry of Justice
Turkmenistan	National Institute of Democracy and Human Rights
Ukraine	Interior Ministry, National Academy of Internal Affairs
United Kingdom	Ministry of Justice
United States of America	United States Mission to the Organization for Security and Co-operation in Europe
Uzbekistan	National Center for Human Rights

ANNEX C: Guidelines for NGOs on reporting hate crimes

Information for Civil Society Contributions to ODIHR'S Annual Hate Crime Report

FREQUENTLY ASKED QUESTIONS

➤ **What is ODIHR's working definition of hate crime for the report?**

Hate crime = criminal act + bias motivation

The term “hate crime” or “bias crime” describes a type of crime, rather than a specific offence within a penal code. The term describes a sociological concept, rather than a legal definition.

Hate crimes always comprise of two elements: **a *criminal offence committed with a bias motive***.

The first element of a hate crime is that an act is committed that constitutes an offence under ordinary criminal law (such as assault, property damage or murder). Hate crimes always require a base offence to have occurred. If there is no base offence, there is no hate crime.

The second element of a hate crime is that the criminal act is committed with a particular motive, referred to as “bias”. It is this element of bias motive that differentiates hate crimes from ordinary crimes. This means that the perpetrator intentionally chose the *target* of the crime because of some *protected characteristic*.

- The *target* may be one or more people, or it may be property associated with a group that shares a particular characteristic. The perpetrator might target the victim because of actual or even perceived affiliation with the group.
- A *protected characteristic* is a common feature shared by a group, such as “race”, language, religion, ethnicity, nationality, gender sexual orientation or any other similar common factor that is fundamental for the identity.

➤ **How does ODIHR report on NGO data?**

In addition to official government statistics, ODIHR also collects information from NGOs on cases known to them that fit ODIHR's working definition of hate crime. These are generally cases brought to the attention of staff concerning some type of criminal act and some type of evidence or perception of bias motivation. Therefore, it contains both elements of a hate crime. However, in most instances the case has not been decided by a court. The cases might or might not have been reported to police due to a lack of victim confidence, or the case may still be under investigation. Therefore, ODIHR reports on such cases as “incidents.” It is important for NGOs to record all such potential hate crimes in order for the annual report to better reflect the extent of hate crimes in the OSCE region.

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

ODIHR does not include statistics or detailed information about incidents of hate speech or discrimination. Some OSCE participating States criminalize “hate speech.” However, hate speech laws do not fall within the ODIHR working definition because "speech" is not a criminal act. The concept of discrimination refers to less favourable treatment of a person on the basis of a protected characteristic. Even if a state has civil or criminal penalties for discrimination, those laws don't fall under ODIHR's working definition of hate crime because it does not involve a common crime, like assault or vandalism.

➤ **But, how can I tell if an incident is motivated by bias?**

In order to assess whether an incident was motivated by bias, it is useful to use bias indicators. They provide criteria by which to evaluate the probable motive, but do not necessarily prove that an offender's actions were motivated by bias. Below is a non-exhaustive list of bias indicators:

Victim/Witness Perception - Does the victim or witnesses perceive that the incident was motivated by bias?

Comments, Written Statements, Gestures, and Graffiti - Did the suspect make comments, written statements or gestures regarding the victim's background? Were drawings, markings, symbols or graffiti left at the scene of the incident? If the target was property, was it religiously or culturally significant, such as a historical monument or a cemetery?

Racial, Ethnic, Gender, and Cultural Differences - Do the suspect and victim differ in terms of their racial, religious, ethnic/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 that 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? Did the incident occur on a date of particular significance (e.g. a religious holiday or a national day?)

Organized Hate Groups - Were objects or items left at the scene that suggests the crime was the work of paramilitary or extreme nationalist organization? Is there evidence of such a group being active in the neighbourhood (e.g., paraphernalia, 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 or with no previous history of criminal behaviour*

Previous Bias Crimes/Incidents - Have there previously been similar incidents in the same area? Who were the victims? Has the victim previously 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 victim in or near an area or place commonly associated with or frequented by a particular group (e.g., a community centre, or a mosque, church or other place of worship).

In case of attacks against property the significance of a particular structure or location to communities that face discrimination can be an indicator. An additional example might be

that the property targeted has religious or other symbolic importance for a particular community or is a centre of community life –such as a school, social club or shop – for a particular group.

➤ **Is it still a hate crime if there are other motives involved in the criminal incident?**

In many cases individuals who have been targeted because of prejudice or bias have also had items of value like money or mobile phones stolen from them in the course of these attacks. In these cases an important consideration is whether the particular individual was chosen because he or she was identified as a member of a particular group sharing core and protected characteristics.

➤ **How do I send data about hate crimes to ODIHR for the 2011 report?**

You can send information about hate crimes and hate incidents that took place in 2010 as well as information about your organization's activities in the area of combating hate crime to tndinfo@odihr.pl indicating in the subject line "**HCR 2011 [NAME OF YOUR ORGANIZATION]**".

Information for Civil Society
Contributions to ODIHR'S Annual Hate Crime Report

SAMPLE FORMAT FOR COLLECTING INFORMATION ON HATE CRIMES

Below is a basic overview of areas that ODIHR considers when analyzing information submitted for the annual report. For those NGOs who already have existing reporting methods, the sample format can be referred to as an example of what ODIHR is looking for, and therefore what type of information will be included in the hate crime report. For those NGOs who need further guidance when collecting information, the sample format can be helpful in reporting to ODIHR, as well as in their own advocacy or monitoring work.

Sample Format for Collecting Information on Hate Crime

- Date, time and location of the incident
- Source of information
- Victim(s) involved
- Type of the crime(s)
- Perpetrator(s) (if known)
- Brief description of incident with bias indicators
- Status of the case
- Response of local authorities
- Impact on the victim(s) and the community

➤ **Date, time and location of the incident**

Understanding when and where an incident took place is essential in analyzing the frequency and patterns of incidents and can be bias indicators when determining if an incident is a hate crime.

In addition, when reporting to ODIHR, please be aware that only those hate crimes that occurred in the calendar year 2010 will be included in the hate crime report, regardless of when they were actually recorded by monitors.

➤ **Source of information**

The main sources are often interviews with victims and witnesses and media monitoring. When information is taken from media reports, it is important to assess the reliability of the source and cross-check the information as much as possible.

➤ **Victim(s)**

Anyone can be a victim of a hate crime. Hate crimes can also target property associated with a group that shares a protected characteristic. For the purposes of the hate crime report, ODIHR reports on the following bias motivations:

- racist and xenophobic crimes;
- crimes against Roma and Sinti;
- anti-Semitic crimes;
- crimes against Muslims;
- crimes against Christians and members of other religions;
- crimes against other groups, including LGBT and people with disabilities

When collecting information it is important to report on all possible characteristics that may have formed the basis for the bias-motivated criminal conduct and to be aware of the possibility of *multiple biases*.

*** Please refer to the frequently asked questions above for more information on protected characteristics.

➤ **Type of crime**

It is important to report on the type of crime committed. This information can be used to analyze patterns of crime and will be necessary in any follow-up with authorities.

ODIHR reports on the following crime types:

- | | |
|----------------------|---|
| - homicide | - desecration of graves |
| - physical violence | - attacks against places of worship |
| - damage to property | - threats/threatening behaviour |
| - vandalism | - other crimes can also be included and described |

➤ **Perpetrator(s)**

Information on suspected perpetrators (their age, ethnicity and relationship to the victim[s]) can be important indicators in determining whether the incident was a hate crime. This information can be used in any follow-up with the community and/or authorities. It can help indicate, for example, where prevention efforts are needed to combat hate crimes and provide important facts for further investigation.

➤ **Brief description of the incident with bias indicators**

Bias indicators can be used to help identify hate crimes. Briefly describing the incident in connection with objective criteria of bias indicators can provide the factual basis for appropriate advocacy and/or recording of information.

*** Please refer to the frequently asked questions for a description of potential bias indicators.

➤ **Status of the case**

Data recorded on whether a crime has been reported to the police or not can offer a good indication on the prevalence of under-reporting. In cases where acts have been reported to the police, it is important to record the response of law enforcement as this may give a good indication of how police tackle the issue and the victim's perception of the police. This includes whether the case is being actively investigated, prosecuted and sentenced. If known, it is also important to note the legal code provisions under which the incident was recorded and investigated.

➤ **Response of local authorities**

Noting the responses of authorities can provide an understanding of how hate crimes are addressed and any good practices in responding to them. These may include statements by public officials, press releases and/or meeting with representatives of the targeted community.

➤ **Impact on the victim(s) and the community**

This information should include the perception of the victim concerning the response and treatment by government and non-governmental bodies. It should also contain any reactions by the local community (e.g., issuance of a press release), perception of the targeted community (e.g., fear for safety) or impact on the security situation (if any).

You can send information about hate crimes and hate incidents that took place in 2010, as well as information about your organization's activities in the area of combating hate crime, to **tndinfo@odihhr.pl** indicating in the subject line "**HCR 2010 [NAME OF YOUR ORGANIZATION]**".

For more information, please contact us at: tndinfo@odihhr.pl

ANNEX D: NGOs and civil society organizations

Albania, *Pink Embassy*, website: <<http://www.pinkembassy.al>>;

Armenia, *Pink Armenia*, website: <www.pinkarmenia.org>;

Austria, *Dokumentationsarchiv der Intoleranz gegen Christen* (Observatory on Intolerance and Discrimination against Christians), website: <<http://www.intoleranceagainstchristians.eu>>;

Austria, *ZARA - Verein für Zivilcourage und Anti-rassismuarbeit* (ZARA) (ZARA – Civil Courage and Anti-racism Work), website: <<http://www.zara.or.at>>;

Azerbaijan, *Gender and Development*;

Belarus, “*Геі́Беларусь*” *Беларускі праваабарончы праект* (LGBT Human Rights Project “GayBelarus”), website <<http://gaybelarus.by>>;

Belgium, *antisemitisme.be*, website: <<http://antisemitisme.be>>;

Bosnia and Herzegovina, *Međureligijsko Vijeće u Bosni i Hercegovini* (Interreligious Council of Bosnia and Herzegovina), website <http://www.mrv.ba/images/stories/documents/izvjetaj_monitoring_kratki_engl.pdf>.

Bulgaria, *Glavno Myuftinstvo Republika Bulgaria* (Office of Grand Mufti in Bulgaria), website: <<http://www.genmufti.net>>;

Canada, *League for Human Rights of B'nai B'rith Canada*, website<<http://bnaibrith.ca>>;

Canada, *Canadian Council on American-Islamic Relations (CAIR-CAN)*, website: <<http://www.caircan.ca>>;

Czech Republic, *Association Romea - Romani Media Agency*, website: <<http://romea.cz>>;

Czech Republic, *In IUSTITIA*, website: <<http://en.in-ius.cz>>;

Czech Republic, *Jewish Community in Prague*, website <<http://www.kehilaprag.cz>>;

Finland, *SETA*, website: <<http://www.seta.fi>>;

France, *Conseil de la Jeunesse Pluriculturelle* (COJEP International), website: <<http://www.cojep.com>>;

France, *Service de Protection de la Communauté Juive*, website: <<http://www.spcj.org>>;

France, *Ligue Internationale contre le Racisme et l'Antisémitisme (LICRA)* (International League Against Racism and Anti-Semitism), website: <<http://www.licra.org>>;

France, *SOS-Homophobie, Association Nationale de Lutte Contre la Lesbophobie, La Gayphobie, le Biphobie et la Tranphobie* (SOS Homophobia- National Association against

Lesbophobia, Homophobia, Gayphobia Biphobia and Transphobia), website: <<http://www.sos-homophobie.org>>;

Georgia, *Heinrich Böll Foundation South Caucasus Regional Office*, website: <<http://georgien.boell-net.de>>;

Georgia, *Identoba*, website: <<http://identoba.org>>;

Germany, *Amadeu Antonio Foundation*, website: <<http://www.amadeu-antonio-stiftung.de>>;

Germany, *Avrupa Batı Trakya Türk Federasyonu (ABTTF)* (Federation of Western Thrace Turks in Europe), website: <<http://www.abtff.org>>;

Germany, *Einwandereverrbund e.V.* (Immigrants Union), website: <<http://www.teb-e.de>>;

Germany, *MANEO, Das Schwule Anti-Gewalt-Projekt in Berlin* (MANEO, The Gay Anti-Violence Project, Berlin), website: <<http://www.maneo.de>>;

Germany, *Projekt "Köln 19228"*, website: <<http://koeln19228.wordpress.com>>;

Greece, *Batı Trakya Azınlığı Yüksek Tahsilliler Derneği (BTAYTD)* (Western Thrace Minority University Graduates Association), website: <<http://www.btaytd.com/tr>>;

Greece, *Greek Helsinki Monitor*, website: <<http://www.greekhelsinki.gr>>;

Greece, *Network for Recording Racist Incidents of Violence*;

Greece, *OLKE*, website: <<http://www.olke.org>>;

Hungary, *Athéna Intézet* (Athena Institute), website: <<http://www.athenainstitute.eu>>;

Hungary, *Háttér Társaság a Melegekért* (Háttér Support Society), website: <<http://www.hatter.hu>>;

Hungary, *Nemzeti és Etnikai Kisebbségi Jogvédő Iroda (NEKI)* (Legal Defence Bureau for National and Ethnic Minorities), website: <<http://www.neki.hu>>;

Italy, *Arcigay Italian Lesbian Gay Association*, website: <<http://www.arcigay.it>>;

Italy, *Lunaria*, website: <<http://www.lunaria.org>>;

Moldova, *Centrul de informații "GenderDoc-M"* (GenderDoc-M Information Center), website: <<http://www.lgbt.md/eng>>;

Montenegro, *Juventas*, website: <<http://www.montenegro-gay.me/o-nama/juventas.html>>;

Netherlands, *Centrum Informatie en Documentatie Israeli*, website: <<http://www.cidi.nl>>;

Netherlands, *Turks Forum Netherlands (TFN)*, website: <<http://turksnl.net>>;

Poland, *Kampania Przeciw Homofobii (KPH)* (Campaign Against Homophobia), website: <<http://world.kph.org.pl>>;

Poland, *Stowarzyszenie "Nigdy Więcej"* (Never Again Association), website: <<http://www.nigdywiecej.org>>;

Portugal, *Associação ILGA Portugal* (ILGA Portugal), website: <<http://www.ilga-portugal.pt>>;

Romania, *ACCEPT*, website: <<http://www.accept-romania.ro>>;

Romania, *Centrul Romilor pentru Interventie Sociala si Studii* (Roma Center for Social Intervention and Studies – Romani CRISS), website: <<http://www.romanicriss.org>>;

Russian Federation, *Информационно-аналитический центр «Сова»* (SOVA Center for Information and Analysis), website: <<http://sova-center.ru>>;

Russian Federation, *Московское Бюро по правам человека* (Moscow Bureau for Human Rights), website: <<http://antirasizm.ru>>;

Russian Federation, *Российская ЛГБТ-сеть* (Russian LGBT Network), website <<http://www.lgbtnet.ru>>

Serbia, *Gay-Straight Alliance (GSA)*, website: <<http://www.gsa.org.rs>>;

Serbia, *Organizacija za lezbejska ljudska prava (LABRIS)* (Lesbian Human Rights Organization), website: <<http://www.labris.org.rs>>;

Serbia, *Regionalni centar za manjine (RCM)* (Regional Centre for Minorities), website: <<http://www.minoritycentre.org>>;

Slovenia, *Društvo informacijski center LEGEBITRA* (“Information Center LEGEBITRA“ Association), website: <<http://www.drustvo-legebitra.si>>;

Spain, *Centro de Investigaciones en Derechos Humanos Pro Igua (CIDH)*, website <<http://www.cidh.es>>;

Spain, *Federación Estatal de Lesbianas, Gais, Transexuales y Bisexuales (FELGBT)*, website: <<http://www.felgtb.org>>;

Spain, *Gabinet d'Estudis Socials (GES)* (Cabinet of Social Studies), website: <<http://www.gabinet.com>>;

Spain, *Observatorio para la Libertad Religiosa y de Conciencia (OLRC)* (Observatory for Freedom of Religion and Conscience), website: <<http://libertadreligiosa.es>>;

Spain, *Unión de Comunidades Islámicas en España* (Union of Islamic Communities in Spain), website: <<http://es.ucide.org>>;

Switzerland, *Coordination Intercommunautaire contre l'Antisémitisme et la Diffamation (CICAD)* (Intercommunal Coordination against Antisemitism and Defamation), website: <<http://www.cicad.org>>;

Switzerland, *Observatory for the Protection of Human Rights Defenders*, website <<http://www.omct.org/human-rights-defenders/observatory>>;

Switzerland, *Türkische Gemeinschaft Schweiz (TGS)* (Turkish Community in Switzerland), website: <<http://www.itt-tgs.ch>>;

Turkey, *Kaos Gl*, website: <<http://www.kaosgl.org>>;

Ukraine, *Информационно-правозащитный Центр для геев и лесбиянок "Наш мир"* ("Our World" Gay and Lesbian Center), website: <<http://gay.org.ua>>;

Ukraine, *Diversity Initiative*, website: <<http://diversipedia.org.ua/eng/>>;

United Kingdom, *Community Security Trust (CST)*, website: <<http://www.thecst.org.uk>>;

United Kingdom, *ENGAGE*, website: <<http://www.iengage.org.uk>>;

United Kingdom, *Gender Identity Research and Education Society (GIREs)*, website: <<http://tcrime.net/>>.

Regional NGOs:

Euro-Asian Jewish Congress (EAJC), website: <<http://eajc.org/en>>;

Europako Rromano Čačimasko Centro (ERRC) (European Roma Rights Center), website: <<http://www.errc.org>>;

Human Rights Watch, website: <<http://www.hrw.org>>;

ILGA-Europe, website: <<http://www.ilga-europe.org>>;

Kantor Center for the Study of Contemporary European Jewry, website: <<http://kantorcenter.tau.ac.il>>;

Transgender Europe (TGEU), website: <<http://www.tgeu.org>>, <<http://www.transrespect-transphobia.org>>;

A World Without Nazism, website: <<http://worldwithoutnazism.wordpress.com>>.

ANNEX E: List of media sources

Balkan Insight, website: <<http://www.balkaninsight.com>>;

BBC News, website: <<http://www.bbc.co.uk>>;

Citizenship and Immigration Canada website, website: <<http://www.cic.gc.ca>>;

CNN News, website: <<http://www.cnn.com>>;

Daily Mail, website: <<http://www.dailymail.co.uk>>;

ICARE news: Internet Centre Anti Racism Europe, website:
<<http://www.icare.to/news.php?en>>;

Le Parisien, website: <<http://www.leparisien.fr>>;

Novinite.com, Sofia News Agency in English, website: <<http://www.novinite.com>>;

Romea.cz, website: <<http://www.romea.cz/english/>>;

Spiegel Online, website: <<http://www.spiegel.de>>;

Tell Mama, website: <<http://tellmamauk.org>>.

Tolerance and Non-Discrimination Information System

http://tandis.odihhr.pl
INTERNAL: http://tandis

**Hate crimes in the OSCE region : incidents and responses.
Questionnaire for the 2011 annual report**



Questionnaire I. Hate Crime Data Collection

A. Authorities responsible for collecting data

A1. Does your government collect data on hate crimes, or do crimes statistics allow you to provide ODIHR with information about bias motivated crimes? (required)

Yes/No

A2. Is there any legislation or are there any policies that require data collection on hate crimes? (required)

Yes/No

Please provide the text of that legislation/policy and full citation.

Additional information.

A3. Are there any data protection laws or policies that affect how hate crime data is recorded and collected? (required)

Yes/No

Please provide the text of that legislation/policy and full citation.

Please elaborate on the methods used to comply with data protection laws when collecting hate crime statistics.

Please **upload** relevant documents.

A4. Who collects data on hate crimes? (Check all boxes that apply)

- Ministry of Interior
- Law enforcement/police
- Intelligence agency
- Prosecutors Office
- Ministry of Justice
- Statistical office
- Other:

Please indicate the full name(s) of all institution(s) and specific department(s) dealing with collection of data on hate crimes. (required)

B. How hate crime data is collected

Methods used to record hate crime data

B1. How do different agencies record and report hate crimes data? (Check all boxes that apply). (required)

Specific forms for victims/witnesses

Specific forms for police

Specific indicators in a police report

Specific forms for prosecutors

Specific indicators in a prosecution file

Official records by courts on hate crime judgments

Other (specify below)

If "Other" was selected, please provide information about recording and reporting method.

Please provide links to websites if applicable.

Please **upload** form(s).

For your information:

The following information was submitted for the 2010 Hate Crime Report to provide information about forms used by different agencies for hate crimes data collection.

Data recording by perceptions or descriptions of bias motivation

B2. When agencies collect data, whose perception or description of bias motivation is recorded? (Please check all boxes that apply)

Victim's

Law enforcement's

Offender's

Prosecution's

Court's

Other (please specify below)

If "Other" was selected, please specify.

B3. If a specific agency considers more than one perception or description of bias when recording data, how does this affect the working definition or approach to hate crime for that agency?

B4. If different agencies consider different perceptions when recording data, how does this affect the government's working definition or approach to hate crime?

Dissemination of information on hate crimes

B5. Please describe how hate crime data is used by the government.

B6. Does your government regularly publish any information *specifically* on hate crimes (e.g., reports, websites, statistical analysis)? (required)

Yes/No

How often is this data produced (annual, biannual, etc.)? Please describe this type of publication and provide links to websites where applicable.

Please **upload** any relevant publications that include information on hate crimes data collection.

.....
B7. Is government data on hate crimes available to the public by other means? (required)

Yes/No

Please specify.

- As part of published data on general crime statistics
(incl. information made available on websites)
- Upon request
- Other

Please describe other means of making data available to the public. If it is through other publications, please describe the frequency and type of such publications (annual, biannual, etc.). Please also provide any other relevant information.

B8. Is there any data on hate crimes restricted to authorities only? (required)

Yes/No

What type of data is restricted to authorities only?

Which authorities collect this data?

What is this data used for (for example, intelligence gathering, assessment of security situation, policy formulation)?

Please explain further if required.

C. Type of hate crime data collected

Bias motivation

C1. Please indicate the bias motivation recorded in hate crimes statistics. (Please check all boxes that apply). (required)

General categories

- Race/colour
- Ethnicity/nat. origin/minority
- Citizenship
- Language
- Religion
- Sexual orientation
- Transgender identity
- Disability
- Sex/gender
- Other:

Specific categories

- Anti-Semitic
- Anti-Muslim
- Anti-Christian
- Anti-Roma and anti-Sinti
- None

Please elaborate.

Please **upload** relevant documents.

C2. Are hate crime statistics broken down according to the categories selected above? (required)

Yes/No

The hate crime statistics section below (D) will request data figures for each category selected above. If data figures are not available for each of these categories, please provide an explanation below.

C3. Does your government record multiple biases in hate crimes (for example, attacks on persons based on their religion **and** ethnicity)? (required)

Yes/No

Please describe how statistics account for the recording or lack of recording of multiple biases and/or describe any relevant policies or guidelines. (required)

Types of crimes

C4. Is hate crime data collected and recorded according to specific types of crimes found in the criminal code? (required)

Yes/No

Please select which types of crimes are recorded. If applicable, please provide the criminal code provisions and/or explain how the criminal code or related policies encompasses hate crime. (*Check all boxes that apply*). (required)

- Homicide
- Phys. assault
- Damage to property
- Desecr. of graves
- Attack against places of worship
- Vandalism
- Threats/ threatening behaviour
- Other (specify below)

Please describe any other categories used to classify types of crimes or any other information.

Please indicate which institutions record which types of crimes (*Check all boxes that apply*). (required)

C5. Are hate crime statistics broken down according to the types of crimes selected above?

Yes/No

The hate crime statistics section (D) will request data figures on each type of crime selected above. If data figures are not available for each of these categories, please provide an explanation below.

C6. Does your government record multiple crimes that may occur in a single criminal episode (for example, a single incident with the same victim and the same perpetrator in which the perpetrator damaged the victim's vehicle and also assaulted the victim)?

Yes/No

Please describe how statistics account for the recording or lack of recording of multiple crimes within a single episode and/or describe any relevant policies or guidelines.

D. Hate crime statistics

Please provide any additional information concerning hate crime statistics

D1. Please indicate the number of hate crimes recorded by police, prosecution and court authorities as well as what the numbers reflect.

Cases recorded by police	2011	2010	2009	2008	2007	2006
	<input type="text"/>					

Do the numbers above reflect (*Please check all boxes that apply*)

- Individual criminal acts (i.e., each incident of a criminal act)
- Criminal episodes (i.e., incidents, which could incl. multiple criminal acts, victims and perpetrators)
- Perpetrators
- Victims
- Other

If more than one option or "Other" is selected, please describe the calculation method used.

Cases prosecuted	2011	2010	2009	2008	2007	2006
	<input type="text"/>					

Do the numbers above reflect (*Please check all boxes that apply*)

- Individual criminal acts (i.e., each incident of a criminal act)
- Criminal episodes (i.e., incidents, which could incl. multiple criminal acts, victims and perpetrators)
- Perpetrators
- Victims
- Other

If more than one option or "Other" is selected, please describe the calculation method used.

Cases in which perpetrators were sentenced

2011	2010	2009	2008	2007	2006
<input type="text"/>					

Do the numbers above reflect (Please check all boxes that apply)

- Individual criminal acts (i.e., each incident of a criminal act)
- Criminal episodes (i.e., incidents, which could incl. multiple criminal acts, victims and perpetrators)
- Perpetrators
- Victims
- Other

If more than one option or "Other" is selected, please describe the calculation method used.

D2. Types of crime - number of cases

2011	2010	2009
recorded by police	recorded by police	recorded by police
prosecuted	prosecuted	prosecuted
sentenced	sentenced	sentenced

D3. Bias motivation - number of cases

2011	2010	2009
recorded by police	recorded by police	recorded by police
prosecuted	prosecuted	prosecuted
sentenced	sentenced	sentenced

D4. Crime type and bias motivation - number of cases

Cases recorded by the police

Unspecified

Cases prosecuted

Unspecified

Cases sentenced

Unspecified

D5. Do you have comparative tables on the number of hate crimes for any time-period from 2000 to 2011?

Yes/No

Please **upload** relevant documents here.

.....

D6. Do you conduct crime victimization surveys with questions on hate crimes? (required)

Yes/No

Please describe and provide links to relevant forms and/or websites of any relevant publications.

Please **upload** relevant forms or other documents.

.....

Submitted by (name and position) (required)

Email (required)

Tolerance and Non-Discrimination Information System

http://tandis.odhr.pl
INTERNAL: http://tandis

Hate crimes in the OSCE region : incidents and responses. Questionnaire for the 2011 annual report



Questionnaire II. Legislation

Hate Crime definition

A hate crime is a criminal act committed with a bias motive. Thus, a "hate crime" has two elements. The first element of a hate crime is that an act is committed that constitutes a criminal offence under ordinary criminal code. The second element is that the offender intentionally chose the target of the crime because of some protected characteristic. For example, a man is assaulted because of his ethnicity.

Different states have implemented hate crime laws in different ways:

Substantive offence

Specific hate crime offences are created in the criminal law, for example, racially aggravated murder.

Penalty enhancement

The bias motive is set out in criminal law as a specific factor that can increase the sentence upon conviction. For example, the racist motive of a robbery is explicitly recognized by the judge at the sentencing stage.

A note about hate speech

Some OSCE participating States consider laws criminalizing "hate speech" as examples of hate crime legislation. However, hate speech laws do not fall within the above definition because "speech" is not a criminal act. Therefore, laws relating to "hate speech", including some incitement to hatred laws, are not included in the excerpts of criminal provisions that are provided for your review in the following section.

Further information can be found in ODIHR's publication **Hate Crime Laws - A Practical Guide**.

1. Legislation addressing hate crimes

Based upon previously submitted and/or collected information, ODIHR has identified the following laws as fitting into the above definition. All translations are unofficial:

n/a

Please list any other laws that you think are relevant below. Please also insert the most accurate and up to date citation of laws that are included above. If possible, please provide the following:

- The **exact text** (rather than summaries or descriptions) of any legislation contained in the criminal code, criminal procedure code, or other criminal law, governmental decrees, or other administrative orders addressing hate crimes;
- Details of **when** the law was **passed** or **amended**;
- Details of **official gazette number** or other **legal source** for citation purposes.

Please provide any text of legislation in English as well as in the original language.

Important note: You do not need to provide information on civil law provisions such as general anti-discrimination laws or legislation on genocide and other international crimes.

Are you in the process of amending, revising, or proposing (new) legislation?

Yes/No

Please describe

2. Criminal laws prohibiting hate speech

Does your country have criminal laws prohibiting hate speech?

Examples of hate speech laws include the criminalisation of:

- speech that advocates or incites racial, national, ethnic, or religious hatred or conflict;
- speech that constitutes genocide or Holocaust denial;
- speech that justifies or glorifies violence against any particular group of persons.

Yes/No

If you have not previously submitted this information, please provide the text and the full legal citation.

Are you in the process of amending, revising, or proposing (new) legislation?

Yes/No

Please describe

3. Policies for criminal justice professionals and the judiciary

3. Are there any policies (including instructions or definitions), practices, guidelines, or strategies to support criminal justice professionals and the judiciary in addressing hate crimes? (for example, guidelines for prosecutors)?

Yes/No

The following information was submitted previously.

n/a

Please indicate whether the previously submitted information is still valid, whether there have been any changes or whether new policies have been introduced.

Please **upload** relevant documents here.

Submitted by (name and position)

Email

Tolerance and Non-Discrimination Information System

http://tandis.odhr.pl
INTERNAL: http://tandis

Hate crimes in the OSCE region : incidents and responses. Questionnaire for the 2011 annual report



Questionnaire III. Notable Examples of Hate Crimes

Introduction

ODIHR collects information on reported hate crimes and government responses in order to describe the extent of hate crimes as well as State responses to them. ODIHR compiles information on:

- racist and xenophobic crimes (including against Roma and Sinti and also migrants, national and visible minorities, refugees and asylum seekers);
- anti-Semitic crimes;
- crimes based on intolerance and discrimination against Muslims;
- crimes related to intolerance and discrimination against Christians and members of other religions;
- crimes against lesbian, gay, bisexual and transgender persons;
- information on crimes committed against other vulnerable groups as indicated in Questionnaire I, Section C.

Please refer to the definition of a hate crime below and provide examples from 2011.

A hate crime is a criminal act committed with a bias motive. Thus, a "hate crime" has two elements. The first element of a hate crime is that an act is committed that constitutes a criminal offence under ordinary criminal code. The second element is that the offender intentionally chose the target of the crime because of some protected characteristic. For example, a man is assaulted because of his ethnicity.

Example 1

Date(s)

Location

Brief description, including reported bias motivation and number and characteristics of victims

Information on the government response, e.g. police and prosecution response, investigation, outcome of trial.

Information on the public response, e.g. national debate or demonstration which occurred as a public reaction to the crime.

Example 2

Date(s)

Location

Brief description, including reported bias motivation and number and characteristics of victims

Information on the government response, e.g. police and prosecution response, investigation, outcome of trial.

Information on the public response, e.g. national debate or demonstration which occurred as a public reaction to the crime.

Example 3

Date(s)

Location

Brief description, including reported bias motivation and number and characteristics of victims

Information on the government response, e.g. police and prosecution response, investigation, outcome of trial.

Information on the public response, e.g. national debate or demonstration which occurred as a public reaction to the crime.

Submitted by (name and position)

Email

Tolerance and Non-Discrimination Information System

<http://tandis.odhr.pl>

INTERNAL: <http://tandis>

Hate crimes in the OSCE region : incidents and responses. Questionnaire for the 2011 annual report



Questionnaire IV. Initiatives

The annual Hate Crime Report compiles information about existing measures to combat hate crimes.

In case you have previously submitted information about practices and initiatives to the ODIHR, a section which outlines a compilation of these can be found on your country page on **TANDIS** (<http://tandis.odhr.pl>). Is this information up to date and accurate?

Yes/No

Please give details as to whether any of these initiatives are obsolete, changed etc.

Please provide information about initiatives not displayed on TANDIS undertaken to combat hate crimes in the categories below.

Please UPLOAD relevant documents/reports. If these reports are not available in English or Russian, you may submit the text in the original language with a short description in either English or Russian.

Initiative 1

Title of the initiative

Category/ies

- Strengthening data collection
- Increasing reporting of hate crimes/community confidence
- Strengthening the response of law enforcement and prosecutors
- Training for criminal justice system
- Victim support
- Other

Implementation level

- Local
- Regional
- National
- Specify further:

Initiator of the initiative, e.g. government, non-governmental organization, specialized body.
Please include the full name of the initiator

Impact of the initiative

Brief summary

Links to website(s) describing the initiative and/or links to reports.

Please **upload** copies of any reports about the initiative and other relevant documents.

Initiative 2

Title of the initiative

Category/ies

- Strengthening data collection
- Increasing reporting of hate crimes/community confidence
- Strengthening the response of law enforcement and prosecutors
- Training for criminal justice system
- Victim support
- Other

Implementation level

- Local
- Regional
- National
- Specify further:

Initiator of the initiative, e.g. government, non-governmental organization, specialized body.
Please include the full name of the initiator

Impact of the initiative

Brief summary

Links to website(s) describing the initiative and/or links to reports.

Please **upload** copies of any reports about the initiative and other relevant documents.

Initiative 3

Title of the initiative

Category/ies

- Strengthening data collection
- Increasing reporting of hate crimes/community confidence
- Strengthening the response of law enforcement and prosecutors
- Training for criminal justice system
- Victim support
- Other

Implementation level

- Local
- Regional
- National

Specify further:

Initiator of the initiative, e.g. government, non-governmental organization, specialized body.
Please include the full name of the initiator

Impact of the initiative

Brief summary

Links to website(s) describing the initiative and/or links to reports.

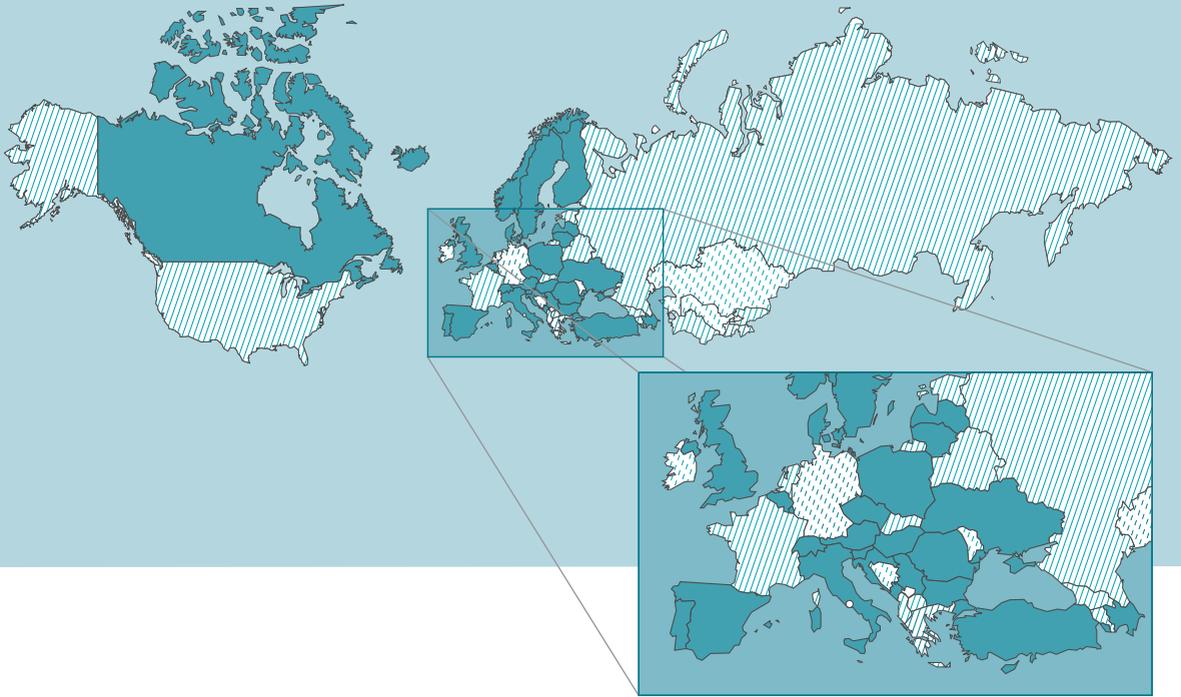
Please **upload** copies of any reports about the initiative and other relevant documents.

.....

Submitted by (name and position)

Email

MAP | No.1 Overview of information submitted by participating States



Participating States that completed questionnaires

- Andorra
- Austria
- Azerbaijan
- Belgium
- Bulgaria
- Canada
- Croatia
- Cyprus
- Czech Republic
- Denmark
- Finland
- Hungary
- Iceland
- Italy
- Latvia
- Liechtenstein
- Lithuania
- Montenegro
- Norway
- Poland
- Portugal
- Romania
- Serbia
- Slovenia
- Spain
- Switzerland
- Sweden
- Turkey
- Ukraine
- United Kingdom

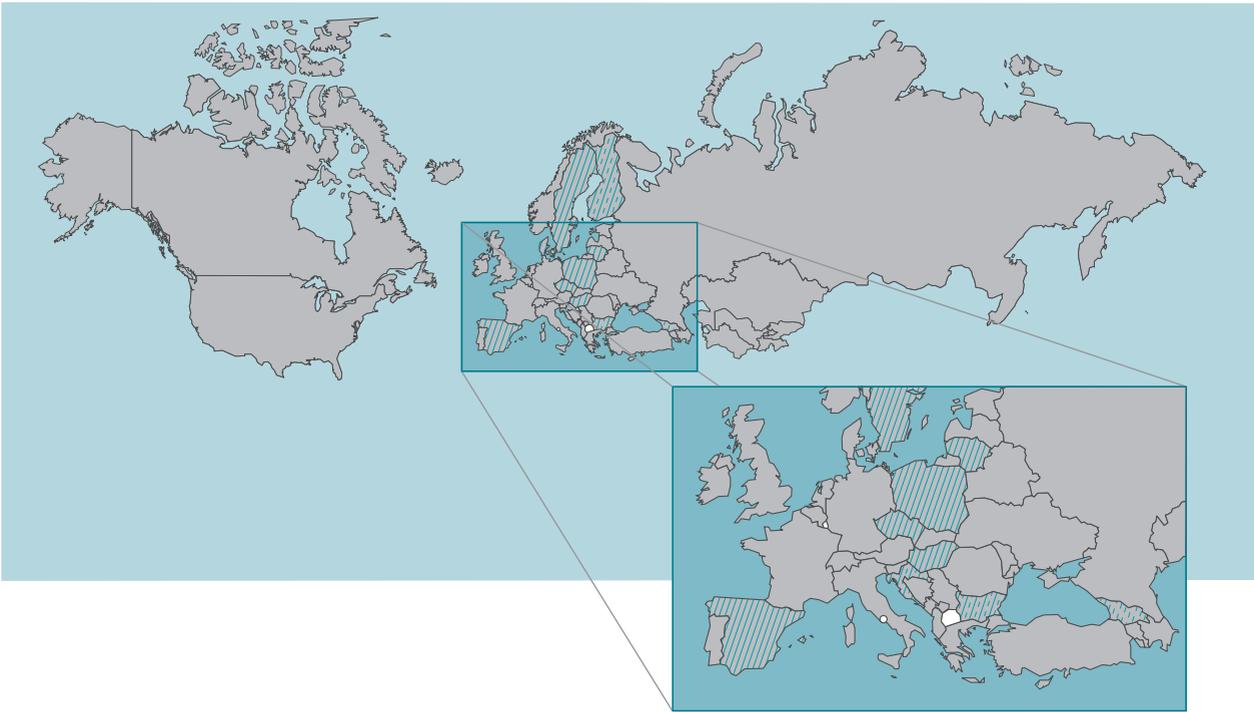
Participating States that provided general information

- ▨ Bosnia and Herzegovina
- ▨ Germany
- ▨ Holy See
- ▨ Ireland
- ▨ Moldova
- ▨ Kazakhstan
- ▨ Uzbekistan

Participating States that did not complete the questionnaire or provide information at the time of writing

- ▧ Albania
- ▧ Armenia
- ▧ Estonia
- ▧ France
- ▧ Georgia
- ▧ Greece
- ▧ Kyrgyzstan
- ▧ Luxembourg
- ▧ Former Yugoslav Republic of Macedonia
- ▧ Malta
- ▧ Monaco
- ▧ Netherlands
- ▧ Russian Federation
- ▧ San Marino
- ▧ Slovakia
- ▧ Tajikistan
- ▧ Turkmenistan
- ▧ United States

MAP | No.2 Overview of information



Who collects data in the OSCE region

- | | |
|--|---|
| <ul style="list-style-type: none"> Albania Andorra Armenia Austria Azerbaijan Belarus Belgium Bosnia and Herzegovina Bulgaria Canada Croatia Cyprus Czech Republic Denmark Estonia Finland France Georgia Germany Greece Hungary Iceland Ireland Italy Kazakhstan Kyrgyzstan Latvia Liechtenstein Lithuania Moldova Montenegro Netherlands Norway Poland | <ul style="list-style-type: none"> Portugal Romania Russian Federation Serbia Slovakia Slovenia Spain Sweden Switzerland Tajikistan Turkey Turkmenistan Ukraine United Kingdom United States Uzbekistan |
|--|---|

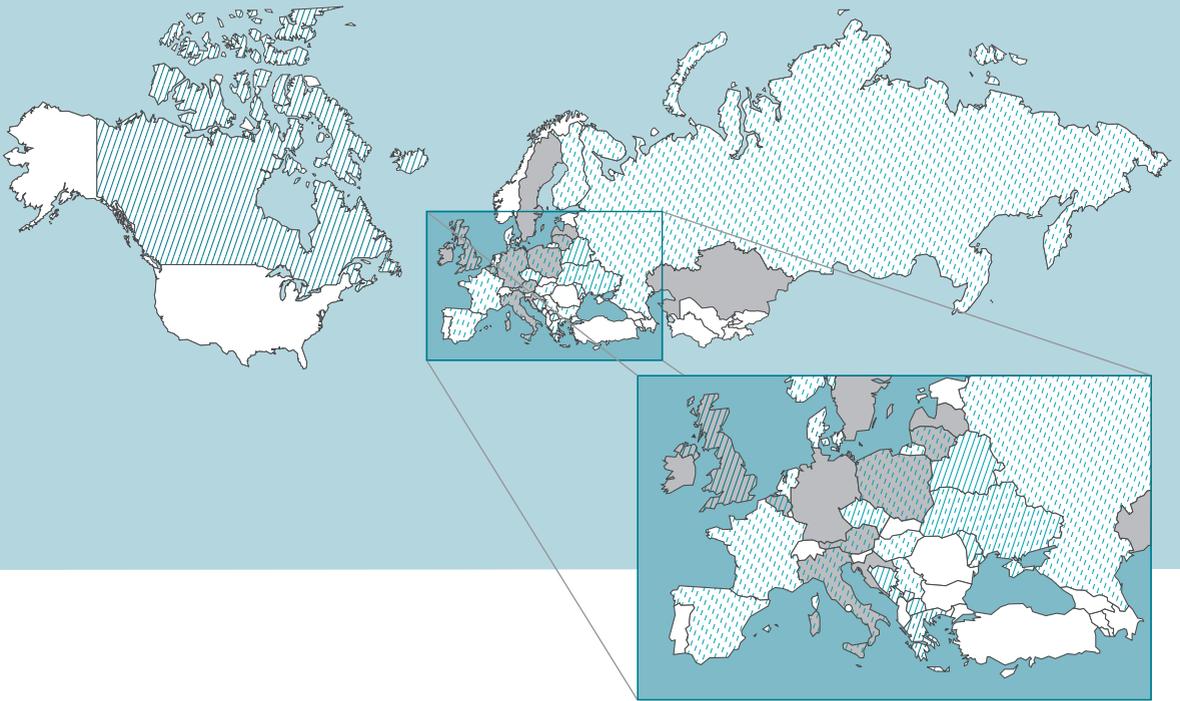
Legal framework developments in 2011

- | | |
|---|---|
|  | <ul style="list-style-type: none"> Bulgaria Croatia Cyprus Finland Georgia |
|---|---|

Institutional developments in 2011

- | | |
|---|--|
|  | <ul style="list-style-type: none"> Bulgaria Croatia Cyprus Czech Republic Finland Hungary Liechtenstein Lithuania Poland Spain Sweden |
|---|--|

MAP | No.3 Racism and Xenophobia



Participating States that submitted data figures or provided information on specific cases

- | | |
|-----------|------------------|
| ■ Austria | ■ Kazakhstan |
| ■ Belgium | ■ Latvia |
| ■ Croatia | ■ Lithuania |
| ■ Germany | ■ Poland |
| ■ Ireland | ■ Sweden |
| ■ Italy | ■ United Kingdom |

Participating States that had not submitted data at the time of writing

- | | |
|---|-----------------|
| □ Albania | □ Slovakia |
| □ Andorra | □ Slovenia |
| □ Armenia | □ Spain |
| □ Azerbaijan | □ Switzerland |
| □ Belarus | □ Tajikistan |
| □ Bosnia and Herzegovina | □ Turkey |
| □ Bulgaria | □ Turkmenistan |
| □ Canada | □ Ukraine |
| □ Cyprus | □ United States |
| □ Czech Republic | □ Uzbekistan |
| □ Denmark | |
| □ Estonia | |
| □ Finland | |
| □ France | |
| □ Georgia | |
| □ Greece | |
| □ Holy See | |
| □ Hungary | |
| □ Iceland | |
| □ Kyrgyzstan | |
| □ Liechtenstein | |
| □ Luxembourg | |
| □ Former Yugoslav Republic of Macedonia | |
| □ Malta | |
| □ Moldova | |
| □ Monaco | |
| □ Montenegro | |
| □ Netherlands | |
| □ Norway | |
| □ Portugal | |
| □ Romania | |
| □ Russian Federation | |
| □ San Marino | |
| □ Serbia | |

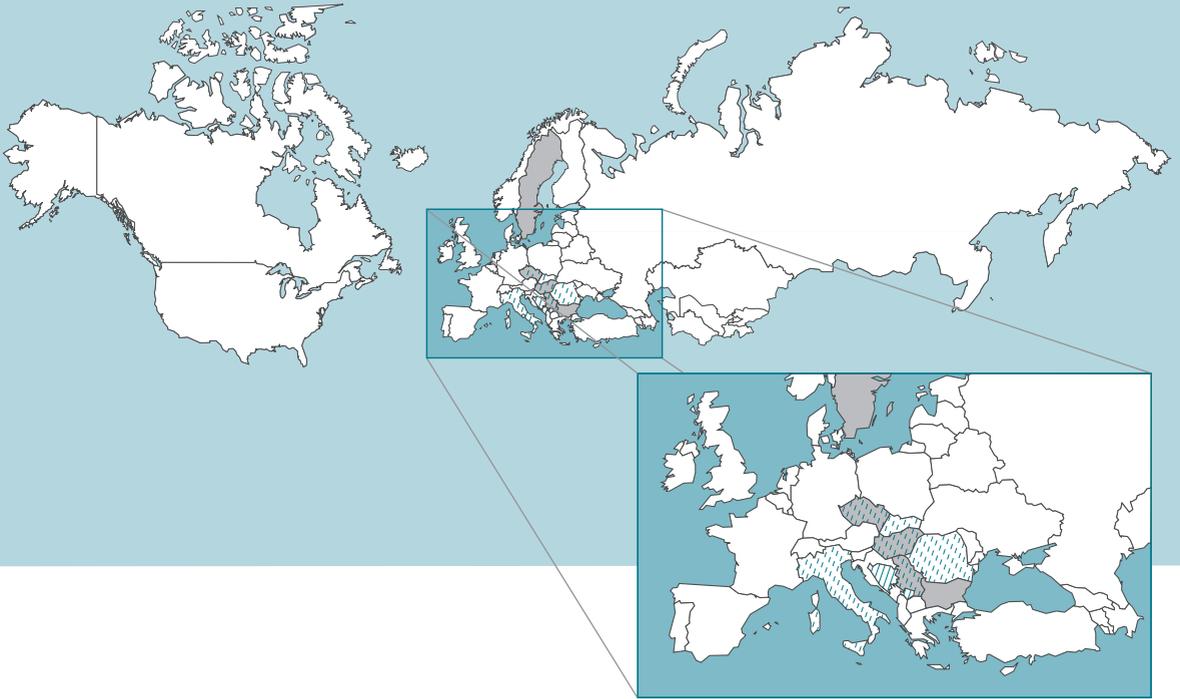
Information provided by OSCE/IOM/UNHCR

- | |
|--|
| ▨ Belarus (UNHCR) |
| ▨ Belgium (UNHCR) |
| ▨ Bosnia and Herzegovina (OSCE) |
| ▨ Canada (UNHCR) |
| ▨ Czech Republic (UNHCR) |
| ▨ Greece (UNHCR) |
| ▨ Former Yugoslav Republic of Macedonia (OSCE) |
| ▨ Moldova (IOM) |
| ▨ Ukraine (IOM) |
| ▨ United Kingdom (UNHCR) |
| ▨ Kosovo (OSCE, UNHCR) |

NGO reports

- | | |
|------------------|----------------------|
| ▨ Austria | ▨ Lithuania |
| ▨ Czech Republic | ▨ Poland |
| ▨ Finland | ▨ Russian Federation |
| ▨ France | ▨ Serbia |
| ▨ Greece | ▨ Spain |
| ▨ Hungary | ▨ Ukraine |
| ▨ Italy | |

MAP | No.4 Roma and Sinti



Participating States that submitted data figures or provided information on specific cases

- Bulgaria
- Czech Republic
- Hungary
- Serbia
- Sweden

Information provided by OSCE/IOM/UNHCR

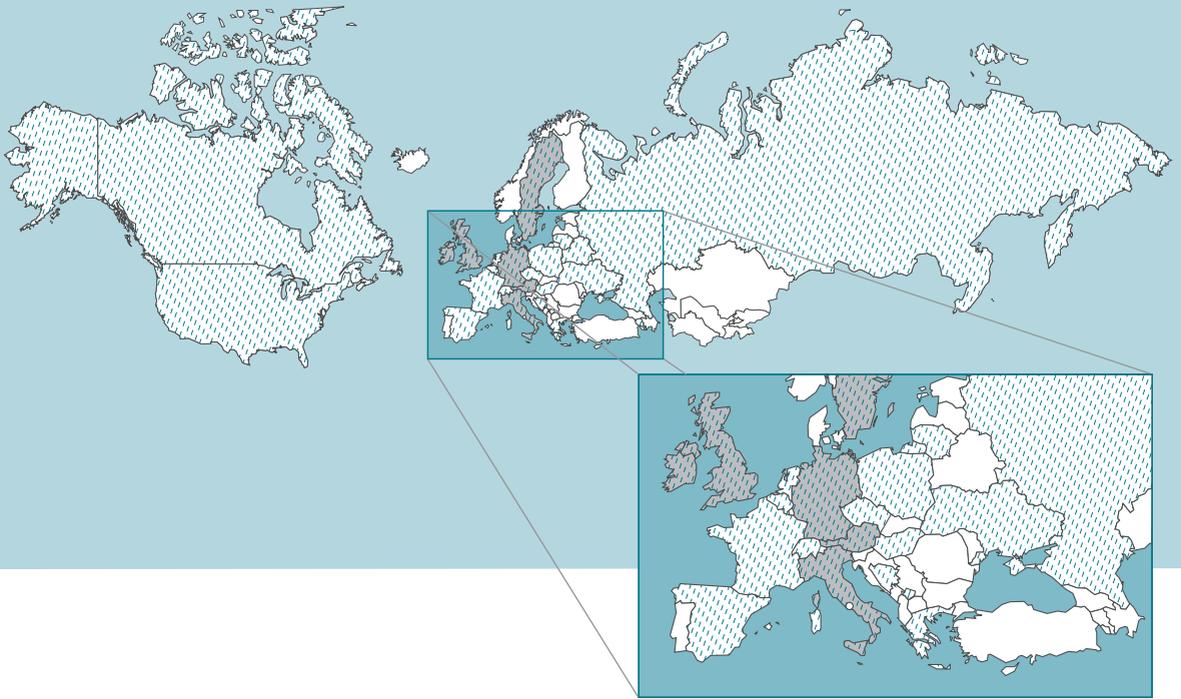
- Bosnia and Herzegovina (OSCE)
- Kosovo (OSCE)

NGO reports

- Czech Republic
- Hungary
- Italy
- Romania
- Serbia
- Slovakia

Participating States that had not submitted data at the time of writing

- Albania
- Andorra
- Armenia
- Austria
- Azerbaijan
- Belarus
- Belgium
- Bosnia and Herzegovina
- Canada
- Croatia
- Cyprus
- Denmark
- Estonia
- Finland
- France
- Georgia
- Germany
- Greece
- Holy See
- Iceland
- Ireland
- Italy
- Kazakhstan
- Kyrgyzstan
- Latvia
- Liechtenstein
- Lithuania
- Luxembourg
- Former Yugoslav Republic of Macedonia
- Malta
- Moldova
- Monaco
- Montenegro
- Netherlands
- Norway
- Poland
- Portugal
- Romania
- Russian Federation
- San Marino
- Slovakia
- Slovenia
- Spain
- Switzerland
- Tajikistan
- Turkey
- Turkmenistan
- Ukraine
- United Kingdom
- United States
- Uzbekistan



Participating States that submitted data figures or provided information on specific cases

- Austria
- Germany
- Ireland
- Italy
- Sweden
- United Kingdom

Information provided by OSCE/IOM/UNHCR

- ▨ Kosovo (OSCE)

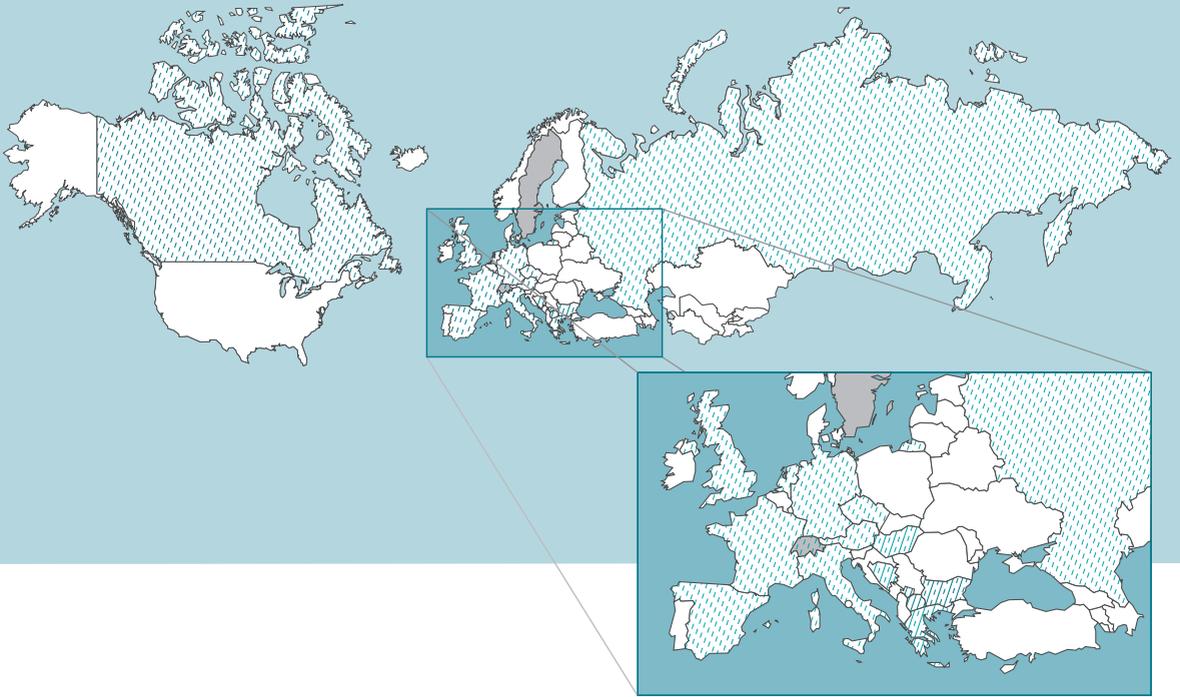
NGO reports

- ▨ Austria
- ▨ Belgium
- ▨ Bosnia and Herzegovina
- ▨ Canada
- ▨ Czech Republic
- ▨ France
- ▨ Germany
- ▨ Greece
- ▨ Hungary
- ▨ Italy
- ▨ Lithuania
- ▨ Netherlands
- ▨ Poland
- ▨ Russian Federation
- ▨ Spain
- ▨ Sweden
- ▨ Switzerland
- ▨ Ukraine
- ▨ United Kingdom
- ▨ United States

Participating States that had not submitted data at the time of writing

- Albania
- Andorra
- Armenia
- Azerbaijan
- Belarus
- Belgium
- Bosnia and Herzegovina
- Bulgaria
- Canada
- Croatia
- Cyprus
- Czech Republic
- Denmark
- Estonia
- Finland
- France
- Georgia
- Greece
- Holy See
- Hungary
- Iceland
- Kazakhstan
- Kyrgyzstan
- Latvia
- Liechtenstein
- Lithuania
- Luxembourg
- Former Yugoslav Republic of Macedonia
- Malta
- Moldova
- Monaco
- Montenegro
- Netherlands
- Norway
- Poland
- Portugal
- Romania
- Russian Federation
- San Marino
- Serbia
- Slovakia
- Slovenia
- Spain
- Switzerland
- Tajikistan
- Turkey
- Turkmenistan
- Ukraine
- United States
- Uzbekistan

MAP | No.6 Intolerance against Muslims



Participating States that submitted data figures or provided information on specific cases

- Sweden
- Switzerland

Information provided by OSCE/IOM/UNHCR

- Bosnia and Herzegovina (OSCE)
- Bulgaria (UNHCR)
- Greece (UNHCR)
- Former Yugoslav Republic of Macedonia (OSCE)
- Kosovo (OSCE)

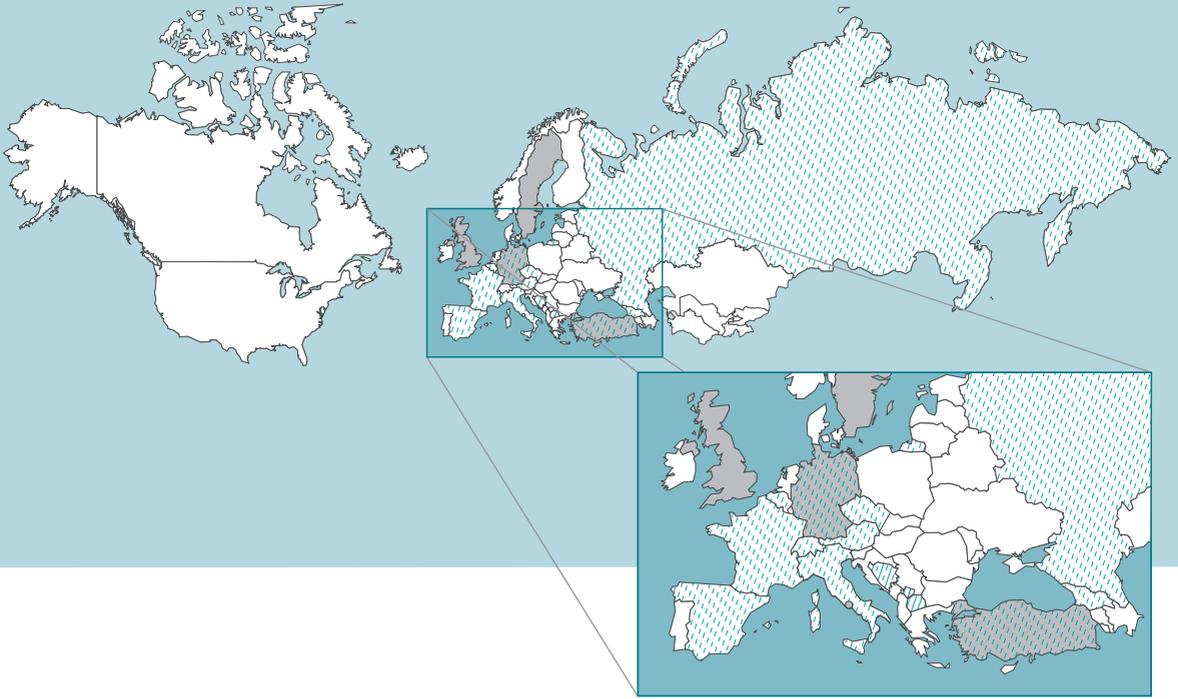
NGO reports

- Austria
- Bosnia and Herzegovina
- Bulgaria
- Canada
- Czech Republic
- France
- Germany
- Greece
- Italy
- Netherlands
- Russian Federation
- Spain
- Switzerland
- United Kingdom

Participating States that had not submitted data at the time of writing

- | | |
|---|---|
| <ul style="list-style-type: none"> Albania Andorra Armenia Austria Azerbaijan Belarus Belgium Bosnia and Herzegovina Bulgaria Canada Croatia Cyprus Czech Republic Denmark Estonia Finland France Georgia Germany Greece Holy See Hungary Iceland Ireland Italy Kazakhstan Kyrgyzstan Latvia Liechtenstein Lithuania Luxembourg Former Yugoslav Republic of Macedonia Malta Moldova | <ul style="list-style-type: none"> Monaco Montenegro Netherlands Norway Poland Portugal Romania Russian Federation San Marino Serbia Slovakia Slovenia Spain Tajikistan Turkey Turkmenistan Ukraine United Kingdom United States Uzbekistan |
|---|---|

MAP | No.7 Intolerance against Christians and members of other religions



Participating States that submitted data figures or provided information on specific cases

- Germany*
- Holy See
- Sweden
- Turkey
- United Kingdom*

Information provided by OSCE/IOM/UNHCR

- Bosnia and Herzegovina (OSCE)
- Former Yugoslav Republic of Macedonia (OSCE)
- Kosovo (OSCE)

NGO reports

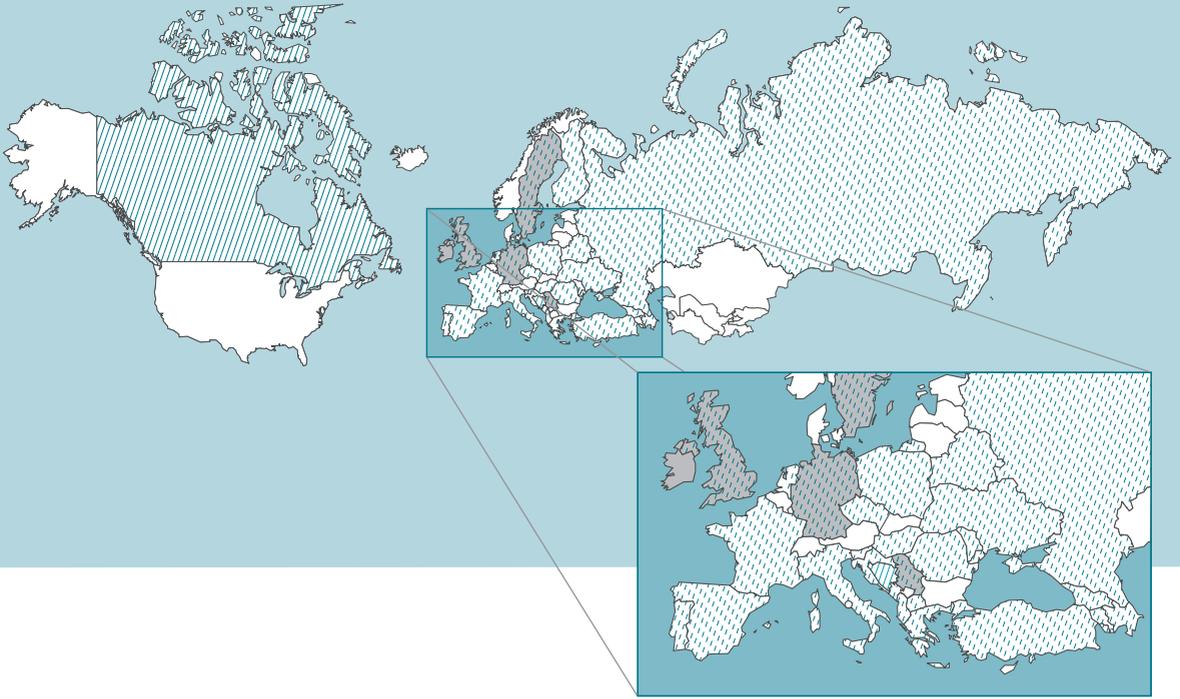
- Belgium
- Bosnia and Herzegovina
- Czech Republic
- France
- Georgia
- Germany
- Italy
- Liechtenstein
- Russian Federation
- Spain
- Switzerland
- Turkey

* Participating States that provided data on crimes committed with a religious bias without differentiation by faith.

Participating States that had not submitted data at the time of writing

- Albania
- Andorra
- Armenia
- Austria
- Azerbaijan
- Belarus
- Belgium
- Bosnia and Herzegovina
- Bulgaria
- Canada
- Croatia
- Cyprus
- Czech Republic
- Denmark
- Estonia
- Finland
- France
- Georgia
- Greece
- Hungary
- Iceland
- Ireland
- Italy
- Kazakhstan
- Kyrgyzstan
- Latvia
- Liechtenstein
- Lithuania
- Luxembourg
- Former Yugoslav Republic of Macedonia
- Malta
- Moldova
- Monaco
- Montenegro
- Netherlands
- Norway
- Poland
- Portugal
- Romania
- Russian Federation
- San Marino
- Serbia
- Slovakia
- Slovenia
- Spain
- Switzerland
- Tajikistan
- Turkmenistan
- Ukraine
- United States
- Uzbekistan

MAP | No.8 Intolerance against LGBT people



Participating States that submitted data figures or provided information on specific cases

- Germany
- Ireland
- Serbia
- Sweden
- United Kingdom

Information provided by OSCE/IOM/UNHCR

- Bosnia and Herzegovina (OSCE)
- Canada (UNHCR)

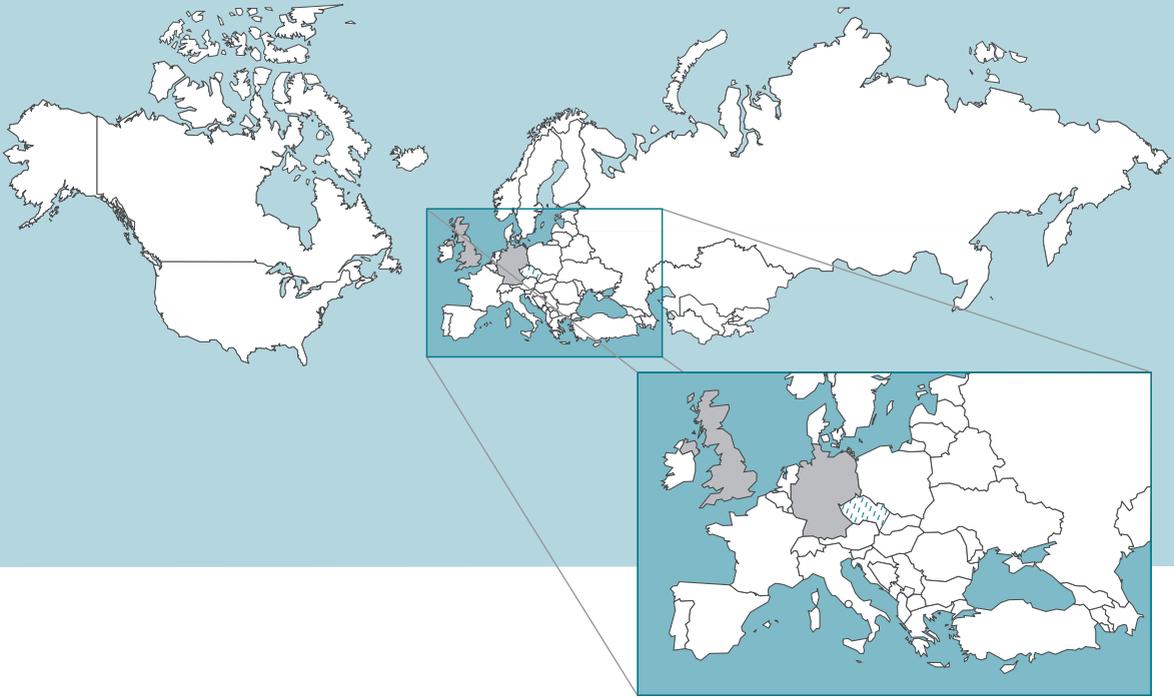
NGO reports

- | | |
|--|---|
| <ul style="list-style-type: none"> Albania Armenia Azerbaijan Belarus Croatia Czech Republic Finland France Georgia Germany Greece Hungary Italy Former Yugoslav Republic of Macedonia Moldova Montenegro Netherlands Poland Portugal | <ul style="list-style-type: none"> Romania Russian Federation Serbia Slovenia Spain Sweden Turkey Ukraine United Kingdom |
|--|---|

Participating States that had not submitted data at the time of writing

- | | |
|---|--|
| <ul style="list-style-type: none"> Albania Andorra Armenia Austria Azerbaijan Belarus Belgium Bosnia and Herzegovina Bulgaria Canada Croatia Cyprus Czech Republic Denmark Estonia Finland France Georgia Greece Holy See Hungary Iceland Italy Kazakhstan Kyrgyzstan Latvia Liechtenstein Lithuania Luxembourg Former Yugoslav Republic of Macedonia Malta Moldova Monaco Montenegro | <ul style="list-style-type: none"> Netherlands Norway Poland Portugal Romania Russian Federation San Marino Slovakia Slovenia Spain Switzerland Tajikistan Turkey Turkmenistan Ukraine United States Uzbekistan |
|---|--|

MAP | No.9 Intolerance against people with disabilities and against people from other groups



Participating States that submitted data figures or provided information on specific cases

- Germany
- United Kingdom

Information provided by OSCE/IOM/UNHCR

-

NGO reports

- Czech Republic

Participating States that had not submitted data at the time of writing

- | | |
|--|--|
| <ul style="list-style-type: none"> Albania Andorra Armenia Austria Azerbaijan Belarus Belgium Bosnia and Herzegovina Bulgaria Canada Croatia Cyprus Czech Republic Denmark Estonia France Finland Georgia Greece Holy See Hungary Iceland Ireland Italy Kazakhstan Kyrgyzstan Latvia Liechtenstein Lithuania Luxembourg Former Yugoslav Republic of Macedonia Malta Moldova Monaco | <ul style="list-style-type: none"> Montenegro Netherlands Norway Poland Portugal Romania Russian Federation San Marino Serbia Slovakia Slovenia Spain Sweden Switzerland Tajikistan Turkey Turkmenistan Ukraine United States Uzbekistan |
|--|--|