

HATE CRIMES IN THE OSCE REGION - INCIDENTS AND RESPONSES

ANNUAL REPORT FOR 2010



Warsaw, November 2011

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Foreword

This, the 2010 edition of *Hate Crimes in the OSCE Region – Incidents and Responses*, is the latest in a line of annual reports prepared by the OSCE Office for Democratic Institutions and Human Rights (ODIHR) as part of the OSCE's efforts to combat hate crime.

This report shows that hate crime remains a significant problem across the OSCE region, undermining personal, neighbourhood and state security, and eroding confidence across and among communities. People were killed, injured or otherwise harmed when they were targeted in 2010 for no other reason than being perceived as belonging to a specific ethnic, "racial", religious or other group. Combating hate crime must, therefore, remain a priority.

I am pleased to report that ODIHR has made a number of important contributions to addressing the problem of hate crime during the past year, including by providing training for law-enforcement agencies, civil society and intergovernmental organizations. The Office has also devoted considerable effort to the collection of data on hate crimes, organizing field visits and sponsoring seminars to build and exchange knowledge about hate crime. ODIHR has continued its work to distribute and encourage the use of two key publications produced by the Office to assist governments and civil society in addressing hate crimes. *Hate Crime Laws: A Practical Guide* sets out effective approaches and good practices in drafting hate crime legislation. *Preventing and Responding to Hate Crimes: A Resource Guide for NGOs in the OSCE Region* provides practical advice on ways to prevent and respond to hate crimes, as well as a compilation of valuable resources related to the subject.

ODIHR's work, however, is just one contribution to what needs to be a comprehensive response to hate crime. It is up to governments and, especially, their criminal-justice agencies to identify more accurately the nature and extent of the problem and to improve their capacity to respond robustly to this particularly harmful source of violence. Civil society organizations can be key partners in prevention and building understanding of hate crimes, as well as responding to them.

This year's report again presents data made available by OSCE participating States, NGOs and intergovernmental organizations, in line with their specific acknowledgement that these data are necessary to effectively understand and deal with the phenomenon. In addition to presenting these data, the report also covers other aspects of addressing the problem of hate crime, to the extent that new developments were reported in 2010.

The production of this report would not have been possible without the co-operation of the participating States and, in particular, the National Points of Contact on Combating Hate Crimes. On behalf of ODIHR, I would also like to express my appreciation for the generous assistance that has been provided by OSCE field operations, civil society groups and international organizations.

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

Acronyms

BBC	British Broadcasting Corporation
CERD Committee	United Nations Committee on the Elimination of Racial Discrimination
ECRI	European Commission against Racism and Intolerance
ECHR	European Court of Human Rights
ERRC	European Roma Rights Centre
EU	European Union
FRA	European Union Agency for Fundamental Rights
ICARE	Internet Centre Anti Racism Europe
IGO	Inter-governmental 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
NGO	Non-governmental organization
NPC	National Point of Contact on Combating Hate Crimes
ODIHR	Office for Democratic Institutions and Human Rights
OIC	Organisation of Islamic Cooperation
OSCE	Organization for Security and Co-operation in Europe
TAHCLE	Training Against Hate Crimes for Law Enforcement
TANDIS	Tolerance and Non-Discrimination Information System
TGEU	Transgender Europe
UN	United Nations
UNDP	United Nations Development Programme
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 1990 about crimes based on prejudice, discrimination, hostility or hatred. 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. 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 stressed how important it is that political representatives speak out against hate-motivated acts. In 2009, the OSCE Ministerial Council adopted its first decision exclusively devoted to addressing the problem of hate crimes.¹ 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. Thus, the purpose of this report is to provide hard data and other information about the extent and types of hate crimes in the OSCE region in 2010, 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 questionnaire. 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).²

Hate crimes are criminal acts committed with a bias motive. These may include any criminal offence targeted at a person or group because of their 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 offenses, but a bias motive may be considered as an aggravating circumstance in an “ordinary” crime, requiring a stronger penalty.

In 2010, hate crimes continued to be a serious problem across the region, including instances of intimidation, threats, vandalism, arson, assault and murder.

A variety of OSCE activities in 2010 were aimed at assisting states, IGOs and NGOs to address hate crimes, including training for law-enforcement officers aimed at increasing awareness of hate crimes and developing effective responses.

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

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

The report for 2010 follows the format, structure and methodology first established in the 2008 report and utilized again in the report for 2009. Where circumstances have not changed, some language is drawn directly from the 2009 report.

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 both governments and NGOs improved in 2010, 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 at all on hate crimes. Some participating States collect data, but do not make the data public.

In various 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 the collection of data.

A higher incidence of hate crimes recorded in a particular state does not necessarily mean that more hate crimes are actually being committed there; this may simply reflect the usage by a particular state of a broader definition of hate crimes or the existence in the state in question of a more effective system for recording data than found in others.

In addition to addressing the statistics and methods of data collection reported by participating States, ODIHR has also included information for 2010 on improvements made to legislation dealing with hate crimes, international legal developments, institutional improvements and activities carried out by international organizations and NGOs to address hate crimes.

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 improved in recent years, in part as a result of support offered by ODIHR in the form of guidance and training activities. Information from NGOs can provide an indication of the extent of hate crimes, particularly in instances where official statistics are limited or non-existent.

An examination of wider societal issues reveals that hate crimes increase inter-ethnic tensions in some instances, while in other instances contextual events can potentially increase the occurrence of hate crimes.

For example, 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 more serious societal conflict. On the other hand, contextual issues such as the continuing effects of the global economic crisis were reported to have increased

inter-ethnic tensions and incidents in 2010. 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 and ways in which hate crimes are recorded. 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

The final section 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.

INTRODUCTION

Violent manifestations of prejudice and intolerance are 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 vulnerable 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 2010. It builds on previous reports covering the years 2006-2009, as well as the initial overview of hate crimes in the OSCE region, completed in 2005.³

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.⁴ 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.⁵ 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.⁶

At Maastricht in 2003, participating States articulated, “the importance of legislation regarding crimes fuelled by intolerance and discrimination”.⁷ 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:

³ *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/33989>>; *Combating Hate Crimes in the OSCE Region: An Overview of Statistics, Legislation, and National Initiatives* (Warsaw: ODIHR, 2005), <<http://www.osce.org/odihr/16405>>.

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

⁵ “Report of the CSCE Meeting of Experts on National Minorities”, Geneva, 19 July 1991, p. 7, <<http://www.osce.org/hcnm/14588>>.

⁶ Document of the Copenhagen Meeting of the Human Dimension Conference, 1990, paragraph 40.1, <<http://www.osce.org/odihr/elections/14304>>.

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

- “To 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”;
- “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”.⁸

The ODIHR 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 counseling, 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”.⁹

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”.¹⁰

⁸ 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>>.

⁹ OSCE Ministerial Council Decision No. 9/09, *op. cit.*, note 1.

¹⁰ OSCE Ministerial Council Decision No. 12/04, “Tolerance and Non-Discrimination”, Sofia, 7 December 2004, <<http://www.osce.org/mc/23114>>.

OSCE decisions and declarations have also included specific commitments, such as to “fighting prejudice, intolerance and discrimination against Christians and members of other religions”.¹¹ Similar commitments to fight these phenomena related to Roma and Sinti were made as early as 1991.¹²

Objective

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 many participating States are able to provide some 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 picture 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. 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, this lack of data does not necessarily reflect an absence of hate crimes within their jurisdictions, just as the availability of more information on hate crimes in other countries does not necessarily mean those countries have a higher incidence of hate crimes. The availability of data and information may simply mean that some participating States have a broader definition of hate crimes or that they are more effective than others 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 a picture of government responses to hate crimes is less problematic than reporting on their extent. This report describes some effective 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 about their hate crime statistics, notable incidents and policy responses. Special attention has been devoted to obtaining data relating to the specific bias motivations on which ODIHR has been asked to focus.

¹¹ 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>>.

¹² “Report of the CSCE Meeting of Experts on National Minorities”, *op. cit.*, note 5.

The report relies mainly on information and statistics provided by governments, since such data collection is primarily the responsibility of states,¹³ as is responsibility for responding to hate crimes.¹⁴

As of May 2010, 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”.¹⁵ 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 2010 contained questions about the following areas:¹⁶

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 early February and the end of March 2011. ODIHR made a special effort to improve the clarity of particular questions, and to provide examples of responses where questions were more complex. An “NPC Corner” was created on TANDIS as a means to communicate with NPCs, and the entry of data directly through the online questionnaire was greatly encouraged. The result of these changes was the submission of more compatible and detailed information from participating States, thus improving the quality and content of the 2010 report.

NGO data

A total of 93 NGOs and seven regional organizations contributed to this year’s report. The support provided to NGOs for the submission of hate crime data was also improved in 2010. An information sheet setting out a sample format for the reporting of hate crimes was created, translated into several languages, and sent to all of ODIHR’s NGO

¹³ OSCE Ministerial Council Decision 9/09, *op. cit.*, note 1.

¹⁴ Participating States underscored that “the primary responsibility for addressing acts of intolerance and discrimination rests with participating States, including their political representatives”, OSCE Ministerial Council Decision No. 10/07, “Tolerance and Non-Discrimination: Promoting Mutual Respect and Understanding”, Madrid, 30 November 2007, <<http://www.osce.org/mc/29452>>.

¹⁵ The list of institutions serving as NPCs can be found in Annex B.

¹⁶ The full text of the questionnaire is available in Annex C.

contacts.¹⁷ Additionally, in accordance with the decision of the Maastricht Ministerial Council, ODIHR made use of publicly available information from IGOs and NGOs.¹⁸ As in previous years, 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 training sessions, with eight such events held in 2010, involving more than 50 participants.

As a result of these efforts, the improvement in the quality and usefulness of information received from NGOs continued. 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. However, some offices, such as those located in Croatia and Ukraine, reported that, due to limited resources and mandates, they were unable to provide ODIHR with relevant information.

ODIHR also organized a training programme in 2010 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 Islamophobia Observatory of the Organization of the Islamic Conference (OIC). Specifically, UNHCR offices covering 21 locations, co-ordinated by its office in Vienna, provided information to ODIHR on hate crimes in their areas of responsibility.¹⁹ ODIHR also received information from 10 IOM field missions, co-ordinated by the IOM office in Geneva.²⁰

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 BBC Monitoring Service, specific

¹⁷ The information sheet provided to NGOs is available in Annex D.

¹⁸ OSCE Ministerial Council Decision No. 4/03, *op cit.*, note 2; The list of NGOs is available in Annex E.

¹⁹ Communication from UNHCR liaison Office, Vienna, 9 June, 2011. Information was received concerning the following countries: Austria, Azerbaijan, Bosnia and Herzegovina, Bulgaria, Finland, France, Georgia, Germany, Greece, Hungary, Ireland, Former Yugoslav Republic of Macedonia, Malta, Moldova, Montenegro, the Netherlands, Russian Federation, Serbia, Switzerland and the United Kingdom. Information was also received concerning Kosovo.

²⁰ Communication from IOM Vienna, 24 March, 2011. The countries providing information were Austria, Azerbaijan, Bosnia and Herzegovina, Bulgaria, Latvia, Portugal, Ukraine, Moldova, Hungary and Finland.

news-platform services, such as Internet Centre Anti Racism Europe (ICARE), as well as international or national newspapers, mainly in English.²¹

Terminology

A hate crime is a criminal act committed with a bias motive.²² 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 chose 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.²³ 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 offense 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.²⁴

²¹ A list of all media sources is contained in Annex F.

²² This language is included in the preamble paragraphs of OSCE Ministerial Council Decision 9/09, *op. cit.*, note 1.

²³ *Hate Crime Laws: A Practical Guide*, (Warsaw: ODIHR, 2009), p. 16, <<http://www.osce.org/odihr/36426>>.

²⁴ *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

A. *Introduction*

This part of the 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 sought information related to three principal sets of issues: data collection, legislative developments and improvements in institutional responses to hate crimes.

The trend identified in 2009 continued in 2010, with the participating States submitting, overall, higher quality and more relevant data. Nevertheless, there continue to be disparities in the quality and level of detail of the submissions from participating States that present an obstacle to making sound comparative analyses of the data. As submissions from different states become more uniform, it may become possible to undertake a more meaningful comparative analysis of the information and data compiled.

Despite the improved responses received from participating States, there is still an overall paucity of clear, reliable and detailed data on the nature and scope of hate crimes in the OSCE area. This scarcity of statistical information impedes sound analysis and the formulation of effective policy responses. Reliable data are needed to enable states to assess the extent and nature of hate crimes within their jurisdictions and, thus, to allow them to address the problem effectively. Data are also needed to test the extent to which policy responses have been successful.

Even where statistics exist, they are not always disaggregated according to bias motivation, type of crime or outcome of prosecution. In the absence of data of this type, it is impossible to determine the frequency with which particular types of hate crimes occur in the OSCE region, whether hate crimes are on the rise, or which groups are most often targeted. Since different participating States keep statistics in different manners, it is also not possible to make comparative judgments on the extent of hate crimes.

This part of the report 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 on many countries in the OSCE region and may spur changes in national legislation.

With respect to institutional improvements, participating States offered information on new policy initiatives they have undertaken aimed at addressing various aspects of hate crime. The full texts of these initiatives will be posted on ODIHR’s TANDIS website.

B. Data collection

Overview

At the time this report was completed, ODIHR had received 31 completed questionnaires with information on hate crime data collection for the year 2010, as well as data from the Netherlands and general information from Uzbekistan.²⁵

In the information received from 2008 to 2010, 50 participating States indicated that they collect some data on hate crimes, with Luxembourg and the former Yugoslav Republic of Macedonia stating that they do not compile any statistics of this type.²⁶ The remaining four states have not indicated whether or not they collect hate crime data.²⁷

Of the 50 states that report collecting data, ODIHR had received statistics or information on incidents of hate crimes from government agencies in 22 participating States at the time this report was completed.²⁸ 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 2008 through 2010.

Details of the information submitted by each country can be found in the country-by-country overview in Part IV.

Authorities responsible for hate crime data collection

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

- Law enforcement bodies: 29 states;²⁹
- Prosecutor's office: 26 states;³⁰
- Interior Ministry: 24 states;³¹

²⁵ The participating States submitting questionnaires were Andorra, Austria, Azerbaijan, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Italy, Kazakhstan, Latvia, Liechtenstein, Lithuania, Moldova, Norway, Poland, Portugal, Serbia, Spain, Sweden, Switzerland, Turkey and the United Kingdom.

²⁶ 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.

²⁷ Holy See, Malta, Monaco and San Marino.

²⁸ Austria, Azerbaijan, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, Denmark, Finland, France, Georgia, Germany, Greece, Ireland, Kazakhstan, Latvia, Liechtenstein, Poland, Spain, Sweden, Switzerland, Turkey and the United Kingdom. The Holy See reported on hate crimes in 12 other states.

²⁹ Albania, Armenia, Austria, Bosnia and Herzegovina, Belgium, 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.

³⁰ 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.

³¹ 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.

- Ministry of Justice: 18 states;³²
- Statistic offices: 11 states;³³
- Intelligence agencies: 5 states;³⁴ and
- Other institutions: 15 states.³⁵

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 invited 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 victim categories:

- Ethnicity/origin/minority: 35 states;³⁶
- Religion: 35 states;³⁷
- “Race”/colour: 34 states;³⁸
- Sexual orientation: 20 states;³⁹
- Citizenship: 18 states;⁴⁰
- Gender: 15 states;⁴¹
- Language: 13 states;⁴²
- Disability: 13 states;⁴³

³² Andorra, Belgium, Bosnia and Herzegovina, Croatia, Czech Republic, Estonia, Finland, France, Greece, Hungary, Latvia, Poland, Portugal, Serbia, Slovakia, Slovenia, Tajikistan and Turkey.

³³ Bosnia and Herzegovina, Canada, Finland, Georgia, Ireland, Moldova, Montenegro, Russian Federation, Serbia, Switzerland and Ukraine.

³⁴ Bosnia and Herzegovina, Denmark, Serbia, Spain and Tajikistan.

³⁵ Armenia (Ombudsman), Bulgaria (Supreme Court), Croatia (Municipal Criminal Court and Senior Magistrate’s Court), Finland (Police College of Finland), Georgia (Supreme Court), Ireland (NGO), Kazakhstan (Committee of National Security), Latvia (Ombudsman and Court Administration), Montenegro (Supreme Court), Netherlands (NGO), 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).

³⁶ 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.

³⁷ 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, Spain, Sweden, Switzerland, Tajikistan, United Kingdom, United States and Uzbekistan.

³⁸ 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, Spain, Sweden, Switzerland, Tajikistan, United Kingdom, United States and Uzbekistan.

³⁹ Andorra, Belgium, Canada, Croatia, Cyprus, Denmark, Finland, France, Germany, Iceland, Ireland, Liechtenstein, Lithuania, Netherlands, Norway, Serbia, Spain, Sweden, United Kingdom and the United States.

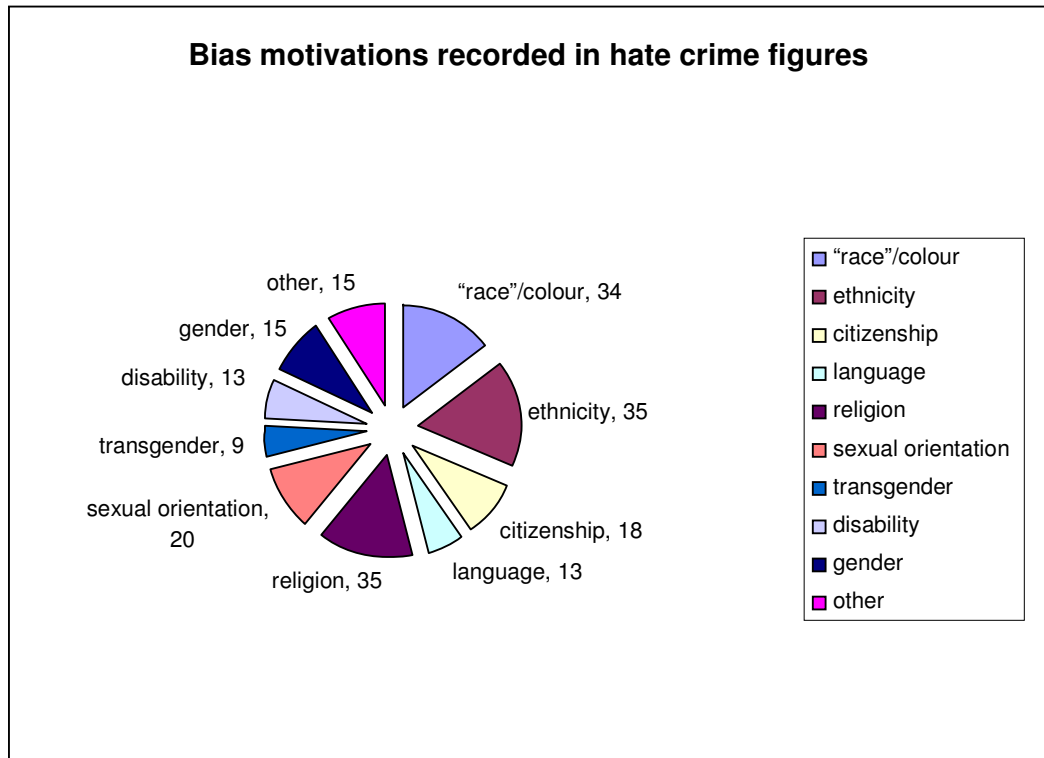
⁴⁰ Austria, Belgium, Cyprus, Finland, France, Germany, Hungary, Ireland, Liechtenstein, Moldova, Poland, Russian Federation, Serbia, Slovakia, Spain, Switzerland, Ukraine and the United Kingdom.

⁴¹ Belgium, Canada, Croatia, Cyprus, Czech Republic, France, Hungary, Liechtenstein, Moldova, Netherlands, Serbia, Slovakia, Tajikistan, Ukraine and Uzbekistan.

⁴² Belgium, Canada, Croatia, Cyprus, Finland, Georgia, Germany, Lithuania, Moldova, Serbia, Slovakia, United Kingdom and Uzbekistan.

- Transgender people: 9 states;⁴⁴ and
- Other: 15 states.⁴⁵

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



Of a total of 43 responses concerning recorded bias motivations, 40 states reported recording data on more than one category.⁴⁶ For example, many states record data on "race"/colour, ethnicity and religion. However, slightly more than one-third of participating States, or 22 participating States, disaggregate those data and provide separate figures for the individual categories.⁴⁷ Nearly one-half of participating States, or 25 participating States, reported that their data on hate crimes are simply recorded as one figure without specifying numbers of crimes committed according to each bias

⁴³ Belgium, Canada, Croatia, Cyprus, Finland, France, Georgia, Germany, Moldova, Netherlands, Serbia, United Kingdom and the United States.

⁴⁴ Belgium, Canada, Finland, Germany, Norway, Portugal, Serbia, Sweden and the United Kingdom.

⁴⁵ Austria, Belgium, Canada, Croatia, Cyprus, Czech Republic, Denmark, France, Germany, Hungary, Liechtenstein, Lithuania, Poland, Serbia and Ukraine.

⁴⁶ Andorra, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Denmark, Finland, France, Germany, 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.

⁴⁷ 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.

motivation.⁴⁸ The remaining roughly one-sixth of participating States, or 9 participating States, did not provide a response.⁴⁹

Multiple biases in hate crimes – when a crime is committed because of more than one bias (such as “race” and religion) – are now recorded by 17 states.⁵⁰

Overview of specific bias motivations recorded in statistics

In 2010, there were few changes reported with regard to the recording of crimes with specific bias motivations. The chart below provides an overview showing that, among the specific bias motivations identified, 18 participating States recorded anti-Semitic crimes,⁵¹ 16 recorded anti-Muslim crimes,⁵² 13 recorded crimes motivated by bias against Christians and members of other religions,⁵³ and 12 recorded anti-Roma crimes.⁵⁴ It must be emphasized, however, that data submitted on hate crimes with specific bias motivations remain scarce.

Participating State	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		
Italy	x			
Latvia				x
Liechtenstein	x	x		
Moldova	x	x	x	x

⁴⁸ 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.

⁴⁹ Armenia, Holy See, Luxembourg, former Yugoslav Republic of Macedonia, Malta, Monaco, Montenegro, San Marino and Turkmenistan.

⁵⁰ Cyprus, Czech Republic, Finland, Georgia, Germany, Greece, Liechtenstein, Lithuania, Moldova, Netherlands, Norway, Portugal, Serbia, Slovenia, Spain, Switzerland and the United Kingdom.

⁵¹ Austria, Belgium, Canada, Croatia, Czech Republic, France, Germany, Italy, Liechtenstein, Moldova, Netherlands, Poland, Serbia, Spain, Sweden, Switzerland, United Kingdom and the United States.

⁵² Austria, Belgium, Bulgaria, Canada, Croatia, Czech Republic, Liechtenstein, Moldova, Netherlands, Poland, Serbia, Sweden, Switzerland, Tajikistan, United Kingdom and the United States.

⁵³ Belgium, Bulgaria, Canada, Croatia, Czech Republic, Moldova, Netherlands, Poland, Serbia, Sweden, Switzerland, United Kingdom and the United States.

⁵⁴ Bulgaria, Croatia, Czech Republic, Latvia, Moldova, Netherlands, Poland, Portugal, Serbia, Sweden, Switzerland and the United Kingdom.

Netherlands	x	x	x	x
Poland	x	x	x	x
Portugal				x
Serbia	x	x	x	x
Spain	x			
Sweden	x	x	x	x
Switzerland	x	x	x	x
Tajikistan		x		
United Kingdom	x	x	x	x
United States	x	x	x	

Methodological issues relating to categorizing data

The hate crime categories participating States use to collect data on hate crimes vary greatly. For example, some countries include the category of “social status”,⁵⁵ “education”,⁵⁶ or “foreigner”,⁵⁷ as well as “ethnicity” or “race”. These categories may well reflect the most common types of hate crimes that take place in particular states. However, 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 reported that they classify data on hate crimes according to the type of crime committed.⁵⁸

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

- Homicide: 38 states;⁵⁹
- Physical assault: 37 states;⁶⁰

⁵⁵ For example, Croatia.

⁵⁶ For example, Belgium.

⁵⁷ For example, Ukraine.

⁵⁸ 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.

⁵⁹ 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.

⁶⁰ 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,

- Damage to property: 34 states;⁶¹
- Grave desecrations: 32 states;⁶²
- Vandalism: 34 states;⁶³
- Threats/threatening behaviour: 35 states;⁶⁴
- Attacks on places of worship: 25 states;⁶⁵ and
- Other: 24 states.⁶⁶

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 primary motive may be economic, religious bias, or both.

Some states collect data under the rubric of “extremism”.⁶⁷ In general, extremist crimes are crimes 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 offenses” 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 offenses and, therefore, it is difficult to discern exact figures on hate crimes. While these laws can

Slovenia, Spain, Sweden, Switzerland, Tajikistan, Ukraine, United Kingdom, United States and Uzbekistan.

⁶¹ 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.

⁶² 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.

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

⁶⁴ 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.

⁶⁵ 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.

⁶⁶ 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.

⁶⁷ For example, Austria, Czech Republic, Germany, Slovakia, Switzerland and the Russian Federation all have such laws, although of very differing 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.

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 2010 highlights the difficulties in distinguishing between hate crimes and other manifestations of intolerance in this report's data. Among the 50 participating States that report 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.⁶⁸ The table comparing hate crime statistics from 2008 to those from 2010 at the end of Part I B draws attention to such 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

As in previous years, most participating States indicated that they use data collected on hate crimes to formulate policy and to address domestic security issues.

Responses to the questionnaire indicated that 34 participating States make publicly available some form of data on hate crimes.⁶⁹ Ten states reported that the public has limited access to data on hate crimes.⁷⁰ In 10 states, data can be obtained by the public upon request and if appropriate procedures are followed.⁷¹

Number of hate crimes

States were asked in the questionnaire to indicate the number of hate crimes they recorded between 2008 and 2010.

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) highlights the challenges to making valid comparisons. The table below presents an overview of the numbers of hate crimes 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

⁶⁸ For the full list of states collecting data, see *op. cit.*, note 26. The states reporting they collect data on both hate crimes and crimes of incitement to hatred crimes and/or discrimination were: Armenia, Austria, Belarus, Bulgaria, Canada, Croatia, Czech Republic, Denmark, Estonia, France, Germany, Hungary, Iceland, Italy, Kazakhstan, Kyrgyzstan, Latvia, Liechtenstein, Netherlands, Norway, Poland, Romania, Russian Federation, Slovakia, Spain, Sweden, Switzerland, Turkey and Ukraine.

⁶⁹ Andorra, Armenia, Austria, Belarus, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Denmark, Cyprus, Czech Republic, Finland, Georgia, Greece, Hungary, Iceland, Ireland, Kazakhstan, Latvia, Liechtenstein, Montenegro, Moldova, Norway, Poland, Romania, Russian Federation, Serbia, Slovakia, Slovenia, Sweden, Switzerland, Ukraine, United Kingdom and the United States.

⁷⁰ Albania, Croatia, France, Italy, Kyrgyzstan, Netherlands, Spain, Tajikistan, Turkey and Uzbekistan.

⁷¹ Croatia, Estonia, France, Germany, Kyrgyzstan, Lithuania, Moldova, Netherlands, Spain and Turkey.

victims. The table includes the number of crimes recorded in each year from 2008 to 2010.

As was the case in previous years, statistics from Canada and the United States were not available until later in the year or until the following year, while Denmark and Finland had only part of their data available.⁷²

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

⁷² The most recent data figures provided can be found in the table below and in the country-by-country overview in Part IV.

Table: Hate Crimes in the OSCE Region: Police Reports, Prosecutions and Convictions in 2008, 2009 and 2010

Participating State	Type of data	Cases recorded by police 2010	Cases recorded by police 2009	Cases recorded by police 2008	Cases prosecuted 2010	Cases prosecuted 2009	Cases prosecuted 2008	Cases sentenced 2010	Cases sentenced 2009	Cases sentenced 2008
Albania										
Andorra				0			0			0
Armenia				0			0			0
Austria	Data represent the total number of offences with xenophobic/racist, anti-Semitic and Islamophobic motives.	99	61	91						
Azerbaijan		1								
Belarus	Police data include crimes of incitement to hatred and those of damaging historical/cultural values.		72	70		3	1			
Belgium										
Bosnia and Herzegovina	Data include crimes of incitement to hatred.	15	15							
Bulgaria	Data include crimes of incitement to hatred and crimes of discrimination.	20	20		34	22		4	9	
Canada			not yet available	1473	1036					
Croatia	Data include crimes of incitement to hatred and those involving insults.	34	32	29	34			3		
Cyprus		32	8	6	not yet available	3	1			1
Czech Republic	Data represent total number of criminal offenses with an extremist context.		265 (including 34 crimes involving violence against people or property)	217 (including 33 crimes involving violence against people or property)		188 (including 66 crimes involving violence against people or property)	215 (including 48 crimes involving violence against people or property)		103 people	97 people
Denmark	Police data include discrimination and propaganda crimes; prosecution data refer only to cases of incitement to hatred.	not yet available	306	98		5	5		1	1
Estonia	Data include crimes of incitement to hatred.		2							
Finland	Police data include hate crime, as well as crimes of discrimination and incitement to hatred; prosecution data only includes crimes of discrimination and incitement to hatred.	1094	1004 reports 1385 offences	859 reports 1163 offenses	38	41				

Participating State	Type of data	Cases recorded by police 2010	Cases recorded by police 2009	Cases recorded by police 2008	Cases prosecuted 2010	Cases prosecuted 2009	Cases prosecuted 2008	Cases sentenced 2010	Cases sentenced 2009	Cases sentenced 2008
France	Data include discrimination crimes and defamation crimes.				2007	3344	4117		610	682
Georgia		19	41	27	1	11	7			1
Germany	Police data include hate crimes, as well as those of incitement to hatred and of propaganda; prosecution data only include crimes of incitement to hatred and those of propaganda.	3770 (including 467 violent crimes)	4583 (including 590 violent crimes)	4757 (including 561 violent crimes)	not yet available	3079	3269	not yet available	2221	2377
Greece			2	1		2	1			
Holy See										
Hungary	Data include crimes of incitement to hatred crimes and of discrimination.		12	12		7	8			6
Iceland	Data include crimes of incitement to hatred crimes and of discrimination.		0	3		0	0		0	0
Ireland				265			45			3
Italy	Data include crimes of incitement to hatred and those involving insults.	63	142							
Kazakhstan	Data include crimes of incitement to hatred.	13	15	38	9	4	15	9	4	15
Kyrgyzstan	Data include extremist crimes.		79	93		58	49		41	49
Latvia	Data include crimes of incitement to hatred.		6	9	6	5	1			
Liechtenstein		6	6	3	3	3	3	3	1	2
Lithuania			3	2						
Luxembourg										
The Former Yugoslav Republic of Macedonia										
Malta										
Moldava			2	2		0	0		0	0
Monaco										
Montenegro										
Netherlands	Total data refer to all registered discrimination cases at the Prosecution Service.				170	160 (including 15 cases with violence or threat of violence)	232 (including 30 cases with violence or threat of violence)	90	135	114

Participating State	Type of data	Cases recorded by police 2010	Cases recorded by police 2009	Cases recorded by police 2008	Cases prosecuted 2010	Cases prosecuted 2009	Cases prosecuted 2008	Cases sentenced 2010	Cases sentenced 2009	Cases sentenced 2008
Norway	Data include crimes of incitement to hatred.		236	213						
Poland	Data include crimes of incitement to hatred.	251	194	196	30	28	28	30	28	31
Portugal										
Romania	Data refer to crimes of incitement to hatred crimes and of discrimination.		not yet available	59		28	27		not made public	not made public
Russian Federation	Data include crimes of incitement to hatred.			460						
San Marino										
Serbia	Data refer only to crimes of incitement to hatred.		82	81		42	69		38	26
Slovakia	Data include crimes of incitement to hatred.		132	213 (including 211 incitement to hatred)		not made public	not made public		18	26
Slovenia				22						
Spain			23	38		not yet available	246		not yet available	not yet available
Sweden	Data include crimes of incitement to hatred crimes and of discrimination.	5139	5797	5895	440	450	292			
Switzerland	Data include crimes involving discrimination.				not yet available	36	27	not yet available	30	14
Tajikistan										
Turkey	Data only include crimes of incitement to hatred crimes and of discrimination.				330	250	258		242	97
Turkmenistan										
Ukraine	Data include both hate crimes and of incitement to hatred crimes and of discrimination.			8			1			1
United Kingdom		48127 (crimes in England, Wales and Northern Ireland) 5819 (crimes in Scotland)	52102 (crimes in England and Wales) 6,590 (crimes in Scotland)	46300 (crimes in England and Wales)	15020 (crimes in England, Wales and Northern Ireland) 4322 (crimes in Scotland)	13030 (crimes in England and Wales)	14186 (crimes in England and Wales)		10690 (crimes in England and Wales)	
United States			not yet available	7783			not made public			not made public
Uzbekistan			6						0	0

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 2008.⁷³ 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. Many states, however, are still in the process of enacting relevant legislation.

The European Court of Human Rights (ECHR) continued in 2010 to examine cases that involved the obligation of states to take reasonable steps to investigate bias motivation where there is an indication that it has played a role in the commission of violent crime.⁷⁴ In several cases, the Court declined to rule that states had failed to properly investigate possible bias motivation, noting that in these cases either the applicant had not raised the issue properly before domestic courts⁷⁵ or before the ECHR,⁷⁶ or that there was insufficient indication that racial bias motivated the violations of the right to life.⁷⁷

However, in *Milanović v. Serbia*, for the first time the ECHR referenced the duty of officials to investigate a religiously-motivated crime.⁷⁸ The Court stated that, just as in the case of “racially motivated attacks, when investigating violent incidents, State authorities have the additional duty to take all reasonable steps to unmask any religious motive and to establish whether or not religious hatred or prejudice may have played a role in the events.”⁷⁹ The applicant in the case was a leading member of the Vaishnava Hindu religious community, also known as Hare Krishna, and suffered a series of attacks between 2001 and 2007. The attacks began as threats by telephone, and quickly escalated into five physical assaults, four of which involved a knife. These attacks all occurred just prior to or after a major Serbian Orthodox religious holiday. While the police responded to each incident and investigated, no perpetrators were identified, despite suggested leads from the applicant concerning an organized nationalist group. The Court held that the officers’ attitudes during the investigation, including reference to the applicant’s known religious beliefs and his “strange appearance”, suggested that the police did not take his case seriously. Also, with a

⁷³ 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, 06 December 2008, pp. 0055 – 0058, <<http://www.legal-project.org/documents/219.pdf>>.

⁷⁴ Generally, the Court views this as a procedural obligation under Article 2 (right to life) and Article 3 (prohibition on inhumane and degrading treatment) in conjunction with the non-discrimination principle in Article 14. See, *Šečić v. Croatia* (App No. 40116/02) (2007) ECHR.

⁷⁵ *Seidova and Others v. Bulgaria* (App No. 310/04) (2010) ECHR; *Sashov and Others v. Bulgaria* (App No. 14383/03) (2010) ECHR.

⁷⁶ *Stefanou v. Greece* (App No. 2954/07) (2010) (ECHR).

⁷⁷ *Soare and Others v. Romania* (App No. 24329/02) (2010) ECHR; *Mižigárová v. Slovakia* (App No. 74832/01) (2010) ECHR.

⁷⁸ *Milanović v. Serbia* (App No. 44614/07) (2010) ECHR.

⁷⁹ *Ibid.*, at par. 96.

clearly identifiable pattern of attacks occurring near a major religious holiday, no preventative efforts were made to protect the applicant. Therefore, the Court held, the investigation and police responses were simply *pro forma* and failed to adequately consider the potential religious bias in the case.

Additionally, there was a notable ECHR case concerning the state's obligation to protect human rights defenders. As noted elsewhere in this report,⁸⁰ participating States have recognized the need to protect human rights defenders. In a case involving Hrant Dink, a Turkish-Armenian journalist and human rights defender, the ECHR held that the state failed to protect his life. The Court found that the state could have been reasonably expected to be aware of potential assassination attempts on Mr. Dink's life by nationalist groups.⁸¹ Furthermore, the Court held that Turkey failed to conduct an effective investigation into the failures that occurred in protecting Mr. Dink.⁸²

National developments

The following information was submitted by OSCE participating States regarding legislative changes related to hate crimes in 2010.

Bosnia and Herzegovina: Amendments to the Criminal Codes of Republika Srpska and the Brcko District were adopted and entered into force on 7 August and 30 June, respectively. The amendments include a substantive definition of a hate crime that includes protected characteristics such as religion, nationality, language and sexual orientation. Based on that definition, bias-motivation can be considered as an aggravating circumstance during sentencing for any criminal offence. Additionally, the amendments include specific penalty enhancements based on bias-motivation for the specific offences of murder, physical assault, rape, theft, robbery, malicious mischief and causing public danger.⁸³

Bulgaria: The Commission on the Protection against Discrimination was tasked by the government with reviewing its laws for compliance with the EU Framework Decision. The Commission stated that improvements should be made to current legislation to ensure that racist or xenophobic motivations are considered as possible aggravating circumstances for all crimes, as they currently have limited application in the Bulgarian Criminal Code.⁸⁴

Cyprus: A bill aimed at transposing the EU Framework Decision into national legislation was sent in December 2010 to the Law Committee of the House of Representatives. The bill provides, *inter alia*, that a racist motivation for any offence constitutes an aggravating circumstance. The bill also creates four new offences.⁸⁵

⁸⁰ See Part II, Section F on Human Rights Defenders.

⁸¹ *Dink v. Turkey* (App No 2668/07, 6102/08, 30079/08, 7072/09 and 7124/09) (2010) (ECHR) (Judgment available only in French).

⁸² Information from the Turkish NPC, 6 September 2011.

⁸³ Questionnaire from Bosnia and Herzegovina, 1 August 2011; Communication from the Mission to Bosnia and Herzegovina, 25 March 2011.

⁸⁴ Questionnaire from the Bulgarian NPC, 25 March 2011.

⁸⁵ Questionnaire from the Cypriot NPC, 29 March 2011.

Estonia: Legislation was drafted to ensure that bias motivation can be taken into account during sentencing, consistent with the EU Framework Decision.⁸⁶

Finland: Amendments to legislation were proposed to increase the applicability of the general sentencing enhancement for bias-motivated crimes, to specifically include bias motivations of “race”, religion, sexual orientation and disability. Additionally, the provision no longer requires the victim to be a member of a specific group, as long as the victim or targeted property was perceived by the offender to be associated with a particular group. The amendments were adopted in March 2011 and entered into force on 1 June 2011.⁸⁷

D. Activities by international organizations to address hate crimes

OSCE and ODIHR Activities

The OSCE Astana Commemorative Declaration, issued at the Summit Meeting on 3 December 2010 in Astana, reaffirmed the participating States’ commitments to making “[g]reater efforts ... to promote freedom of religion or belief and to combat intolerance and discrimination”.⁸⁸

The OSCE High Level Conference on Tolerance in Astana in June 2010 provided the opportunity to review and assess progress in the area of tolerance and non-discrimination, as well as a chance to discuss current problems and ways in which they might be addressed. The Conference was attended by representatives from participating States, OSCE Partners for Co-operation, international organizations, NGOs and OSCE institutions and field operations. The Astana Declaration, issued by the Chairperson-in-Office at the end of the Conference, reiterated OSCE commitments and concerns about hate crimes and called for strong action to counter them. Suggested activities included: data collection, monitoring, education, promoting constructive discourse, in the media and other public forums, 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. The Astana Declaration also called for co-operation with NGOs on community outreach, education, victim assistance and the monitoring of hate groups.⁸⁹

In March 2010, ODIHR convened an expert meeting on “Incitement to Hatred vs. Freedom of Expression: Challenges of Combating Hate Crimes Motivated by Hate on the Internet” in Warsaw. This meeting was convened in response to OSCE Ministerial Council Decision No. 9/09, adopted in Athens in December 2009, which asked 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

⁸⁶ Questionnaire from the Estonian NPC, 25 March 2011.

⁸⁷ Questionnaire from the Finnish NPC, 25 March 2011.

⁸⁸ OSCE Astana Commemorative Declaration, Astana, 3 December 2010, par. 7, <<http://summit2010.osce.org/sites/default/files/documents/444.pdf>>.

⁸⁹ Astana Declaration by the Chairperson-in-Office, Astana, 30 June 2010, <<http://www.osce.org/cio/68972>>.

taken”.⁹⁰ The meeting generated significant interest, drawing 97 participants from 31 participating States and one OSCE Partner for Co-operation, including representatives from governments, international organizations, law-enforcement agencies, prosecutors’ offices, civil society organizations and minority groups. ODIHR held further meetings with social-network providers to discuss future areas of co-operation for 2011 to identify concrete measures governments, civil society and those who run social-network sites can take to tackle hate-motivated Internet content without infringing on freedom of expression.⁹¹

More specifically in the area of hate crimes, ODIHR conducted numerous workshops, including in Ankara, Belgrade and Sarajevo, for a wide range of participants, such as OSCE field staff, state officials, and law-enforcement and civil society representatives.

ODIHR’s training programme for law-enforcement officials on addressing hate crimes underwent revision during 2010 and was re-piloted as a new programme, entitled Training Against Hate Crimes for Law Enforcement (TAHCLE). The initiative, formerly called the Law Enforcement Officer Programme on Combating Hate Crime, was designed to increase the capacity of law-enforcement agencies to recognize, record, report and respond to hate crimes, as well as to engage effectively with affected communities. The updated workshop was offered for the first time in the form of training for Georgian police in Tbilisi in November 2010, organized in collaboration with the European Commission Technical Assistance and Information Exchange and the Italian Carabinieri (a military corps with police duties).

Additionally, ODIHR continued to collaborate with the Polish Interior Ministry on incorporating training on addressing hate crimes into the curriculum for new police recruits and into in-service training for already-serving officers. The Interior Ministry also produced a booklet of translated ODIHR materials providing detailed explanations of the phenomenon of hate crime and made the booklet available on compact disc. ODIHR and the Ministry were also in the process of finalizing a pocket-sized booklet on hate crimes, including definitions and potential responses, that will be distributed to all police officers in Poland.

ODIHR continued to develop other guides and tools to help address hate crimes. In addition to a factsheet outlining the concept of hate crime and the resources that ODIHR can provide (*ODIHR and the Battle Against Hate Crime*),⁹² in 2010 the Office developed the first in a planned series of country-specific versions of the booklet *Understanding Hate Crimes*. The booklet is aimed at helping police, prosecutors, government officials and NGOs better understand the concept of hate crime and associated issues within the local context. The first in the series was designed for Bosnia and Herzegovina, with versions printed in English, Bosnian, Croatian and Serbian.⁹³

Finally, as part of its legislative review activities, ODIHR, in conjunction with the OSCE Mission in Moldova, reviewed Moldovan draft anti-discrimination legislation and draft

⁹⁰ OSCE Ministerial Council Decision 9/09, *op. cit.*, note 1.

⁹¹ See “Report of OSCE-ODIHR activities on hate on the Internet” (Warsaw, October 2010), <<http://www.osce.org/odihhr/73461>>.

⁹² The factsheet is available online at <<http://www.osce.org/odihhr/68668>>.

⁹³ *Understanding Hate Crimes: A Handbook for Bosnia and Herzegovina*, (ODIHR, Warsaw, 2010), <http://www.oscebih.org/documents/osce_bih_doc_2010122712342149eng.pdf>.

amendments to the Criminal Code related to hate crime.⁹⁴ ODIHR's recommendations were discussed during a workshop attended by prosecutors and representatives from the Ministry of Justice and civil society in Chisinau in June 2010.

Activities of other international organizations

In 2010, the issue of hate crime was raised in country reviews conducted by several United Nations treaty bodies, as well as during Universal Periodic Reviews by the Human Rights Council.

The UN Human Rights Committee, which oversees states' implementation of their commitments under the International Covenant on Civil and Political Rights, mentioned hate crimes in the OSCE area in several of its Concluding Observations. The Committee recommended that Belgium improve its prosecution and punishment of hate crimes,⁹⁵ that Hungary should ensure proper training for judges, prosecutors and police to recognize hate crimes,⁹⁶ and expressed concern with Poland's reportedly low rate of investigation and prosecution of crimes potentially motivated by racial hatred.⁹⁷

The Committee on the Elimination of Discrimination (CERD Committee), which oversees states' implementation of the Covenant for the Elimination of all forms of Racial Discrimination, had similar comments for states in responding to hate crimes. In its Concluding Observations, the Committee encouraged states to continue applying criminal provisions to hate crimes (Bosnia and Herzegovina)⁹⁸ and noted the limited information from states on prosecutions and convictions for ethnically/racially motivated offences (Kazakhstan⁹⁹ and the Netherlands¹⁰⁰). The CERD Committee also noted with concern the number of racially motivated attacks in Slovakia, encouraging investigation, prosecution and increased punishment for racially motivated violence.¹⁰¹

⁹⁴ "Opinion on the Draft Law on Preventing and Combating Discrimination of the Republic of Moldova", ODIHR, Warsaw, 29 October 2010, <http://www.legislationline.org/download/action/download/id/3208/file/Opinion%20on%20draft%20ADL%20Moldova_29%20Oct%202010_en.pdf>.

⁹⁵ "Draft concluding observations of the Human Rights Committee: Belgium" CCPR/C/BEL/CO/5, p. 5, 16 November 2010, <<http://www2.ohchr.org/english/bodies/hrc/hrcs100.htm>>.

⁹⁶ "Draft concluding observations of the Human Rights Committee: Hungary" CCPR/C/HUN/CO/5, p. 5, 16 November 2010, <<http://www2.ohchr.org/english/bodies/hrc/hrcs100.htm>>.

⁹⁷ "Draft concluding observations of the Human Rights Committee: Poland" CCPR/C/POL/CO/6, p. 2, 15 November 2010, <<http://www2.ohchr.org/english/bodies/hrc/hrcs100.htm>>.

⁹⁸ "Concluding observations of the Committee on the Elimination of Racial Discrimination: Bosnia and Herzegovina" CERD/C/BIH/CO/7-8, p. 3, 23 September 2010, <<http://www2.ohchr.org/english/bodies/cerd/cerds77.htm>>.

⁹⁹ "Concluding observations of the Committee on the Elimination of Racial Discrimination: Kazakhstan" CERD/C/KAZ/CO/4-5, p. 5, 6 April 2010, <<http://www2.ohchr.org/english/bodies/cerd/docs/co/CERD.C.KAZ.CO.4-5.doc>>.

¹⁰⁰ "Concluding observations of the Committee on the Elimination of Racial Discrimination: Netherlands" CERD/C/NLD/CO/17-18, p. 5, 25 March 2010, <<http://www2.ohchr.org/english/bodies/cerd/docs/co/CERD-C-NLD-CO-18-20.doc>>.

¹⁰¹ "Concluding observations of the Committee on the Elimination of Racial Discrimination: Slovak Republic" CERD/C/SVK/CO/6-8, p. 5, 25 March 2010, <<http://www2.ohchr.org/english/bodies/cerd/docs/co/CERD.C.SVK.CO.6-8.doc>>.

The Human Rights Council, in its Universal Periodic Review, encouraged states to apply criminal provisions on hate crimes (Bosnia and Herzegovina¹⁰² and Slovenia¹⁰³), to continue the establishment of a systematic process for monitoring and responding to hate crimes (Croatia),¹⁰⁴ and to continue efforts to prevent, combat and prosecute hate crimes (Sweden).¹⁰⁵ During the Periodic Review, the Council also noted the need for states to strengthen measures to prevent, investigate and punish hate crimes (especially acts of violence against migrants), as well as to record and publish statistics on hate crimes (Spain).¹⁰⁶

In 2010, ECRI made a number of recommendations to OSCE participating States in their efforts to combat hate crimes:

- With regard to Bosnia and Herzegovina, ECRI recommended that the authorities ensure all “incidents of alleged racist violence be thoroughly and promptly investigated” and that they should “introduce systematic and comprehensive monitoring of all incidents which may constitute racist violence.”¹⁰⁷
- With regard to Estonia, ECRI noted that police need an increased awareness of the problem of racist crimes and recommended that “police thoroughly investigate racist crime” and that the “authorities establish and operate a system for recording and monitoring racist incidents.”¹⁰⁸
- ECRI encouraged France to continue its training for police, prosecutors and judges on criminal-law provisions to combat racism, to improve systematic responses to complainants in racist acts, and to improve recording of racist incidents.¹⁰⁹
- With regard to Georgia, ECRI recommended the implementation of public-awareness campaigns about the existence of hate crime laws, as well as encouragement of victim reporting. It also urged authorities to “reinforce their

¹⁰² “Report of the Working Group on the Universal Periodic Review: Bosnia and Herzegovina”, Human Rights Council Working Group on the Universal Periodic Review, 17 March 2010, A/HRC/14/16, p.16, <http://lib.ohchr.org/HRBodies/UPR/Documents/Session7/BA/A_HRC_14_16_Bosnia_and_Herzegovina.pdf>.

¹⁰³ “Report of the Working Group on the Universal Periodic Review: Slovenia”, Human Rights Council Working Group on the Universal Periodic Review, 15 March 2010, A/HRC/14/15, p.19, <http://lib.ohchr.org/HRBodies/UPR/Documents/Session7/Sl/A_HRC_14_15_Slovenia.pdf>.

¹⁰⁴ “Report of the Working Group on the Universal Periodic Review: Croatia”, Human Rights Council Working Group on the Universal Periodic Review, 4 January 2011, A/HRC/16/13, p.16, <http://www.upr-info.org/IMG/pdf/a_hrc_16_13_croatia_e.pdf>.

¹⁰⁵ “Report of the Working Group on the Universal Periodic Review: Sweden”, Human Rights Council Working Group on the Universal Periodic Review, 16 June 2010, A/HRC/15/11, p. 14, <http://www.upr-info.org/IMG/pdf/A_HRC_15_11_E.pdf>.

¹⁰⁶ “Report of the Working Group on the Universal Periodic Review: Spain”, Human Rights Council Working Group on the Universal Periodic Review, 16 June 2010, A/HRC/15/6, p. 13, <http://www.upr-info.org/IMG/pdf/A_HRC_15_6_E.pdf>.

¹⁰⁷ “ECRI Report on Bosnia and Herzegovina (fourth monitoring cycle)”, ECRI, adopted 7 December 2010, published 8 February 2011, CRI(2011)2, p. 25, <http://www.coe.int/t/dghl/monitoring/ecri/Country-by-country/Bosnia_Herzegovina/BIH-CBC-IV-2011-002-ENG.pdf>.

¹⁰⁸ “ECRI Report on Estonia (fourth monitoring cycle)”, ECRI, adopted 15 December 2009, published 2 March 2010, CRI(2010)3, p. 29, <<http://www.coe.int/t/dghl/monitoring/ecri/Country-by-country/Estonia/EST-CbC-IV-2010-003-ENG.pdf>>.

¹⁰⁹ “ECRI Report on France (fourth monitoring cycle)”, ECRI, adopted 29 April 2010, published 15 June 2010, CRI(2010)16, p. 17, <<http://www.coe.int/t/dghl/monitoring/ecri/country-by-country/france/FRA-CbC-IV-2010-016-ENG.pdf>>.

efforts to combat violent manifestations of religious intolerance involving physical assault and/or attacks on property”¹¹⁰

- With regard to the former Yugoslav Republic of Macedonia, ECRI discussed the inadequacy of data-collection methods and suggested that authorities had not been attentive to the problem of racist violence.¹¹¹
- ECRI made several recommendations to the government of Turkey, including encouraging the enactment of legislation that ensures racist motivation is considered an aggravating circumstance of criminal acts, the thorough investigation of alleged racist incidents, and the introduction of a “systematic and comprehensive monitoring of all incidents that might constitute racist violence.”¹¹²

E. Institutional developments

A number of participating States undertook initiatives in 2010 to improve their institutional responses to hate crimes. These actions did not require legislative changes but, rather, used existing powers to develop programmes or to improve the skills and capacities of staff.

Denmark: The Copenhagen Police and the city councils of Copenhagen and Frederiksberg worked with the Danish Institute for Human Rights to launch an awareness-raising campaign to encourage victims to report hate crimes. The campaign includes an information website, posters, theatre performances and art.¹¹³

Finland: Victim Support Finland, a national service advising victims of crime, added advisory services for hate crime victims and data collection on such crimes as part of its mandate. Staff training occurred in regional offices and 26 local areas. The establishment and training process is expected to be completed in 2012.¹¹⁴ In addition, the Interior Ministry trained police officers on addressing hate crimes and increased co-operation with minority groups to improve responses.¹¹⁵

France: The Directorate General of the National Police developed an online-reporting site (www.internet-signalement.gouv.fr) to report cybercrime, including bias-motivated crimes, and to inform the public about what constitute crimes committed via the Internet.¹¹⁶

¹¹⁰ “ECRI Report on Georgia (fourth monitoring cycle)”, ECRI, adopted 28 April 2010, published 15 June 2010, CRI(2010)17, pp. 13, 21, <<http://www.coe.int/t/dghl/monitoring/ecri/Country-by-country/Georgia/GEO-CbC-IV-2010-017-ENG.pdf>>.

¹¹¹ “ECRI Report on the former Yugoslav Republic of Macedonia (fourth monitoring cycle)”, ECRI, adopted 28 April 2010, published 15 June 2010, CRI(2010)19, p 25, <http://www.coe.int/t/dghl/monitoring/ecri/Country-by-country/former_yugoslav_republic_macedonia/MKD-CbC-IV-2010-018-ENG.pdf>.

¹¹² “ECRI Report on Turkey (fourth monitoring cycle)”, ECRI, adopted 10 December 2010, published 8 February 2011, CRI(2011)5, pp. 16 and 43, <<http://www.coe.int/t/dghl/monitoring/ecri/Country-by-country/Turkey/TUR-CBC-IV-2011-005-ENG.pdf>>.

¹¹³ Questionnaire from the Danish NPC, 5 July 2011. For more information, see the campaign website, available in Danish and English: “Stop Hadforbrydelser”, <<http://www.stophadforbrydelser.dk/#>>.

¹¹⁴ Questionnaire from the Finnish NPC, *op. cit.*, note 87.

¹¹⁵ Communication from IOM Vienna, *op. cit.*, note 20, citing Finnish Ministry of Interior Press Release, 3 November 2010.

¹¹⁶ Questionnaire from the French NPC, 8 April 2011.

Poland: Continuing with the implementation of ODIHR’s law-enforcement training programme on hate crimes, three training sessions were organized on the national level, providing training for 50 individuals. Training sessions were also implemented at the local level, with approximately 21,000 police officers trained in addressing hate crimes. The Ministry of Interior and Administration, together with the police, developed and published an auxiliary training manual on hate crimes to support the police, in collaboration with the General Prosecutor’s Office, ODIHR and the Never Again Association, an NGO. During an expert seminar in December 2010, the Ministry of Interior and Administration delivered the results of a mapping exercise of hate crimes, including types of crimes, locations and common targets, based on information from public institutions and NGOs.¹¹⁷

Russian Federation: In 2010, over 30 agreements on co-operation between state authority bodies and religious organizations were concluded to carry out joint projects aimed at combating religious intolerance.¹¹⁸

Spain: The Interior Ministry and the Ministry of Labour and Immigration collaborated on designing and implementing a data-collection system on assault and other crimes with racist or xenophobic motivation. This system was introduced on 1 January 2011 and will allow statistical data related to racism and xenophobia to inform performance management tools. There was also a reform of the security statistics system, managed by the Office of Homeland Security Studies of the Secretary of State of Security. The aim of the reform was to improve co-ordination of data between national police (National Police, Guardia Civil), and regional police bodies (Ertzainza in Basque Region and Mossos d’Esquadra in Catalunya).¹¹⁹ On 10 March 2010, the regional police body in Catalunya, Mossos d’Esquadra, implemented its “Procedure on Hate Crimes and Discrimination”, which was distributed to all members of the police force and provides the tools to record crimes committed with a discriminatory motive.¹²⁰

Sweden: The specialized hate crime unit within the Stockholm City Police organized training on addressing hate crimes for all police officers working in the field. The Police Authority of Västernorrland County improved its recording of hate crimes for both internal and external use, and also reviewed its associated regulations and procedures.¹²¹

United Kingdom: The True Vision website, a joint initiative between the Police and the Cross Government Hate Crime Programme, was launched in December 2010. The purpose of the website is to publish hate crime data, news items and information, and to enable victims and third party organizations to report hate crimes online directly to the relevant police agency. The online reporting facility received over 600 reports of hate crimes in the first nine months.¹²² In addition, the Hate Crime Strategy Board, a cross-government initiative comprised of senior representatives and led by the Ministry of Justice, was established to improve criminal justice service to victims. In 2010, the Board produced the “Hate Crime Diagnostic Toolkit”, which supports local police and prosecutors in

¹¹⁷ Questionnaire from the Polish NPC, 25 March 2011.

¹¹⁸ Communication from the Embassy of the Russian Federation in Poland, 28 April 2011.

¹¹⁹ Questionnaire from the Spanish NPC, 24 March 2011.

¹²⁰ “Memoria Año 2010”, Communication from the Barcelona Provincial Prosecution Service on Discrimination and Hate Crime, 30 June 2011.

¹²¹ Questionnaire from the Swedish NPC, 28 March 2011.

¹²² The True Vision Website can be accessed via the following link: <www.report-it.org.uk>.

identifying and implementing necessary improvements in the investigation and prosecution of hate crimes.¹²³ Furthermore, the “Victim’s Fund”, which is sponsored by the Ministry of Justice, was allocated over two million pounds to be used for a broad range of hate crime initiatives delivered by civil society groups offering direct support to victims of crime.¹²⁴ In Northern Ireland, the Criminal Justice Board, which is made up of senior representatives of the seven main statutory criminal-justice agencies in Northern Ireland, reached consensus on a shared definition of “hate crime”.¹²⁵

Details of all the initiatives described above are available on the TANDIS website.¹²⁶

¹²³ Questionnaire from the United Kingdom NPC, 16 September 2011.

¹²⁴ “Criminal Justice Responses to Hate Crimes in the UK”, Communication from the Institute for Conflict Research, 8 April 2011.

¹²⁵ “Criminal Justice Responses to Hate Crimes in the UK”, Communication from the Institute for Conflict Research, 8 April 2011.

¹²⁶ See TANDIS website: <<http://tandis.odhr.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 also includes information from a variety of other sources, including IGOs and NGOs. These sources are quoted in accordance with ODIHR's mandate from the OSCE Ministerial Council to make use of such information.¹²⁷

While the number of NGOs submitting information for the 2010 report was similar to that in previous years, NGOs overall reported fewer incidents. This may not reflect an actual decrease in incidents, however, since several NGOs indicated that they had fewer resources to dedicate to monitoring activities as a result of reduced funding.

This part of the report begins by placing the information provided by governments into a wider context. It describes the danger individual hate crimes pose of escalating into broader conflicts that can threaten social stability. It also discusses issues of 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”¹²⁸ and “the uniqueness...of the historical background of each form”.¹²⁹ 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, 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. *Danger of escalation*

Hate crimes and incidents can escalate rapidly into broader social unrest, and this occurred in the OSCE region in 2010. Escalation can be particularly dangerous in post-conflict situations in which ethnicity played a part in the conflict. However, hate crimes can escalate into wider disturbances even 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 unrest is a particularly relevant issue for a security organization such as the OSCE.

¹²⁷ OSCE Ministerial Council Decision No. 4/03, *op. cit.*, note 2; See also, “Methodology”, in Part I.

¹²⁸ OSCE Ministerial Council Decision No. 10/07, *op. cit.*, note 14.

¹²⁹ OSCE Ministerial Council Decision No. 13/06, *op. cit.*, note 8.

One example of escalation occurred on Saturday, 11 December 2010, when a violent demonstration erupted in central Moscow, resulting in a number of racially motivated attacks. The demonstrations began with a memorial rally organized in Moscow's Manezh Square for Yegor Sviridov, a 28-year-old Spartak Football Club fan who was shot dead the previous week during a street clash. Those suspected of his murder were reportedly young men from the North Caucasus region. Anger at Sviridov's death among Spartak fans was fuelled by a police decision to release the main suspects in the murder. Spartak fans organized a rally on 8 December to demand that the police re-arrest the suspects and investigate Sviridov's murder. While beginning peacefully, the memorial rally organized for 11 December escalated into a violent demonstration involving several thousand people, who clashed with riot police and attacked people of non-Slavic appearance, including Africans and people from the Caucasus region. Rioters were chanting slogans such as "Russia for Russians" and "Moscow is a Russian city". Dozens of people were reportedly injured.¹³⁰ Police reported to the media that a total of 19 participants were arrested in Moscow.¹³¹

C. 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 crimes against them for a number of reasons, including fear of the police or a lack of trust that the authorities will follow up on their cases seriously. In some instance, 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 report the offence, the police or another agency may not have a hate crime-reporting system that can capture this information.

In addition, some victims fear the stigma that can result from being the victim of a crime or hate crime. For example, an NGO in Almaty reported that the victim of a serious assault was reluctant to report the offence to the police because he feared that his sexual orientation might be made public.¹³² Such under-reporting distorts statistics and may create the impression that hate crimes are less prevalent than they actually are. Lack of reporting also underscores the significant barriers many victims face in gaining access to justice.

¹³⁰ Information from the Moscow Protestant Chaplaincy Task Force on Racial Violence, quarterly statistical reports, 28 February 2011; Alexander Verkhovsky and Galina Kozhevnikova, "The Phantom of Manezhnaya Square: Radical Nationalism and Efforts to Counteract It in 2010", the SOVA Center for Information and Analysis, 2010.

¹³¹ "19 arrested in rally in memory of killed football fan in Moscow", Ria Novosti website, 15 January 2011, <<http://en.rian.ru/russia/20110115/162157411.html>>.

¹³² Information from ILGA-Europe, 31 March 2011; Information from Amulet NGO, received through ILGA-Europe, 31 March 2011.

D. 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”¹³³ and have repeatedly expressed their concern regarding “racist, xenophobic and discriminatory public discourse”.¹³⁴ 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 crimes, it can inflame social tensions and induce fear among targeted groups. This concern has been echoed in the reports of ECRI.¹³⁵ Thomas Hammarberg, the Council of Europe Commissioner for Human Rights, also commented on the problem of inflammatory political rhetoric against migrants and Roma in Europe.¹³⁶

Instances of intolerant public speech and hate speech were reported in many parts of the OSCE region in 2010. By way of example, NGOs reported intolerant discourse against Roma in Romania¹³⁷, against LGBT individuals in Turkey¹³⁸ and against Muslims in the United States.¹³⁹ IOM reported similar themes of public intolerant discourse in Ukraine.¹⁴⁰

E. Human rights defenders

Participating States have specifically recognized the importance of protecting human rights defenders.¹⁴¹ Reports by IGOs and NGOs make clear that crimes against human rights defenders remained a serious issue of concern in 2010. Defenders were subject to harassment, threats and abuse for their activities. There are no official data on hate crimes against defenders, since being a defender 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.

¹³³ OSCE Permanent Council Decision No. 607, “Combating Anti-Semitism”, Vienna, 22 April 2004, <<http://www.osce.org/pc/30980>>.

¹³⁴ OSCE Ministerial Council, Decision No. 13/06, *op. cit.*, note 8.

¹³⁵ “ECRI Report on Armenia (fourth monitoring cycle)”, ECRI, adopted on 7 December 2010, published on 8 February 2011, CRI(2011)1, p. 16, <<http://www.coe.int/t/dghl/monitoring/ecri/Country-by-country/Armenia/ARM-CBC-IV-2011-001-ENG.pdf>>; “ECRI Report on Estonia (fourth monitoring cycle)”, ECRI, *op. cit.*, note 108, p.30; “ECRI Report on France (fourth monitoring cycle)”, ECRI, *op. cit.*, note 109, pp. 8, 26; “ECRI Report on Georgia (fourth monitoring cycle)”, ECRI, *op. cit.*, note 110, p. 21; ECRI Report on the former Yugoslav Republic of Macedonia (fourth monitoring cycle)”, ECRI, *op. cit.*, note 111, p. 9.

¹³⁶ See e.g., “Address by Thomas Hammarberg, Council of Europe Commissioner for Human Rights, before the Committee on Justice of the Dutch Senate”, CommDH/Speech(2010)3, 28 September 2010, <<https://wcd.coe.int/wcd/ViewDoc.jsp?id=1674957&Site=CommDH&BackColorInternet=FEC65B&BackColorIntranet=FEC65B&BackColorLogged=FFC679>>.

¹³⁷ Information from Romani Center for Social Intervention and Studies (CRISS), 22 April 2011.

¹³⁸ Information from NGOs Kaos GL, Izmir Black, Pink Triangle and Pink Life received through ILGA-Europe, *op. cit.*, note 132.

¹³⁹ “Fourth OIC Observatory Report on Islamophobia (Intolerance and Discrimination against Muslims)”, OIC Observatory, May 2010-April 2011, p. 15, <http://www.oic-oci.org/uploads/file/Islamphobia/2011/en/islamphobia_rep_May_2010_to_April_2011_en.pdf>.

¹⁴⁰ Information from IOM Ukraine, Diversity Initiative, 24 March 2011.

¹⁴¹ “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.”

On 15 April 2010, the Human Rights Council adopted a resolution that “ ... urges States not to discriminate against human rights defenders on any grounds, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status, and to desist, in this context, from any discriminatory measures against them, including intimidation, profiling, confiscation of assets, suspension of activities and exclusion from national consultative processes ...”.¹⁴² In addition, the Thirteenth Session of the UN Human Rights Council stated that it was “gravely concerned by threats, harassment, violence, including gender-based violence, and attacks faced by many human rights defenders, reflected, *inter alia*, in the reports of the Special Rapporteur on the situation of human rights defenders and other human rights mechanisms”.¹⁴³

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

Azerbaijan: The Council of Europe’s Commissioner for Human Rights cited concerns in relation to human rights defenders.¹⁴⁴

Kyrgyzstan: Human Rights Watch reported that several of Kyrgyzstan’s most prominent human rights leaders received threats in connection with their investigations into ethnic violence that occurred in June.¹⁴⁵ The Dublin-based NGO Front Line reported that five human rights defenders were severely beaten, requiring hospitalization.¹⁴⁶ Front Line also reported the arrest in June of a prominent human rights defender, Azimjan Askarov, his alleged mistreatment while in detention, and his subsequent trial.¹⁴⁷

Spain: Leaders of a human rights NGO, Movement against Intolerance, received death threats.¹⁴⁸

Russian Federation: Human Rights Watch reported threats against human rights activists in Dagestan.¹⁴⁹ Two members of the SOVA Center for Information and Analysis received death threats.¹⁵⁰

¹⁴² “Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development”, Human Rights Council, 15 April 2010, A/HRC/RES/13/13, <http://www2.ohchr.org/english/bodies/hrcouncil/docs/13session/A.HRC.RES.13.13_AEV.pdf>.

¹⁴³ “Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development”, Human Rights Council, *op. cit.*, note 142

¹⁴⁴ “Report by Thomas Hammarberg, Commissioner for Human Rights of the Council of Europe, following his visit to Azerbaijan from 1 to 5 March 2010”, Council of Europe, 29 June 2010, <<https://wcd.coe.int/wcd/ViewDoc.jsp?id=1642017>>.

¹⁴⁵ *Human Rights Watch World Report 2011* (New York: Human Rights Watch, 2011), p. 453, <<http://www.hrw.org/en/reports/2011/01/24/world-report-2011>>; Information from Front Line, 27 May, 2011.

¹⁴⁶ Information from Front Line, *op. cit.*, note 145.

¹⁴⁷ “Kyrgyzstan: arrest and detention of human rights defender Azimjan Askerov”, Front Line, 16 June 2010, <<http://www.frontlinedefenders.org/node/2566>>; “Beaten human rights defender faces death threats in Kyrgyz court”, Front Line, September 2010, <<http://www.frontlinedefenders.org/node/13327>>.

¹⁴⁸ “Informe especial J/2010: Incidencias e islamofobia”, Union of Islamic Communities in Spain, 2010.

¹⁴⁹ *Human Rights Watch World Report 2011*, p. 457, *op. cit.*, note 145.

¹⁵⁰ Information from the SOVA Center for Information and Analysis, 11 August 2011.

Turkey: In September 2010, the ECHR held that Turkey had failed to protect the life of Hrant Dink, a Turkish-Armenian journalist and human rights defender, when it could reasonably be expected to be aware of potential assassination attempts on his life by nationalist groups.¹⁵¹ Furthermore, the Court held that Turkey failed to conduct an effective investigation into the failures that occurred in protecting the life of Mr. Dink. Also in 2010, the person who killed Mr. Dink was found guilty of premeditated murder and sentenced to 21 years' and six months' imprisonment.¹⁵²

Ukraine: Human Rights Watch reported an attack against a Ukrainian disability-rights activist, resulting in hospitalization in May 2010.¹⁵³

¹⁵¹ *Dink v. Turkey* (App No 2668/07, 6102/08, 30079/08, 7072/09 and 7124/09) (2010) (ECHR) (Judgment available only in French).

¹⁵² Information from the Turkish NPC, 6 September 2011.

¹⁵³ *Ibid.*, p. 494.

F. 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 Document¹⁵⁴ and the Charter of Paris for a New Europe¹⁵⁵ 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.¹⁵⁶

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 denouncing such crimes.¹⁵⁷

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.¹⁵⁸

In furtherance of its mandate, ODIHR organized a number of events and activities in 2010 to address the problems of racism and xenophobia. Throughout the year, ODIHR continued to provide support to OSCE participating States in the area of police training on addressing hate crimes. For example, ODIHR staff co-delivered various training events conducted by the Polish police, as well as a hate crimes awareness-raising initiative conducted by the Polish Interior Ministry. The ODIHR Adviser for Combating Racism and Xenophobia also made a number of presentations on hate crimes to various audiences and stakeholders across the OSCE region, and co-ordinated ODIHR efforts on tackling hate on the Internet (“cyberhate”), in co-operation with a broad range of partners.

¹⁵⁴ “Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE”, 5-29 June 1990, p. 21, <<http://www.osce.org/odihr/elections/14304>>.

¹⁵⁵ “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>>.

¹⁵⁶ “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 2; OSCE Ministerial Council, Decision No. 12/04, *op. cit.*, note 10; OSCE Ministerial Council, Decision No. 10/05, *op. cit.*, note 11; OSCE Ministerial Council Decision No. 10/07, *op. cit.*, note 14.

¹⁵⁷ OSCE Ministerial Council, Decision No. 4/03, *op. cit.*, note 2.

¹⁵⁸ Astana Declaration by the Chairperson-in-Office, *op. cit.*, note 89.

At the OSCE High Level Conference on Tolerance and Non-discrimination, Mario Mauro, the OSCE Chairperson-in-Office's Personal Representative on Combating Racism, Xenophobia and Discrimination, also focusing on Intolerance and Discrimination against Christians and Members of Other Religions, expressed concern about persistent racism and xenophobia and the threat it poses to community cohesion in many parts of the OSCE region.

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

As detailed in Part I B (data collection), there is diversity in the approaches participating States take to classifying bias motivations in relation to racism and xenophobia. Looking at the broadest spectrum, 40 participating States report 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.¹⁵⁹ Of those 38 states, 14 report that they disaggregate these data using more specific categories. At the time this report was prepared, 12 states had provided actual figures to ODIHR, while the NPCs from Austria, Bosnia and Herzegovina, Germany, Greece, Ireland, Poland and Switzerland had identified specific cases. The Barcelona Provincial Prosecution Service on Discrimination and Hate Crime in Spain provided figures for the Catalunya region.

In addition to official information from governments, 21 NGOs and civil society organizations from 13 participating States submitted information on hate crimes or incidents motivated by racism and xenophobia.¹⁶⁰

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, the information provided from different sources may overlap.

Austria: Official figures record 88 hate crimes; four physical assaults, 33 cases of damage to property, 14 cases of threats/threatening behaviour, and 37 other racist or xenophobic crimes or incidents. The NPC also reported a case in which xenophobic slogans and a swastika were scratched into the paint of a car. This was categorized as a "xenophobic/racist offence."¹⁶¹ The NGO Zara reported five physical assaults, one of which resulted in serious bodily injury, one threat, one arson attack and one attack by a group.¹⁶²

Bosnia and Herzegovina: Official figures record 15 hate crimes. The NPC also reported one physical assault motivated by bias against the ethnicity of the victim.¹⁶³ The OSCE

¹⁵⁹ 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.

¹⁶⁰ Austria, Bulgaria, Cyprus, Denmark, Georgia, Germany, Greece, Italy, Latvia, Poland, Russian Federation, Spain and Ukraine.

¹⁶¹ Questionnaire from the Austrian NPC, 23 March 2011.

¹⁶² "Racism Report 2010: Case report on racist incidents and structures in Austria", ZARA, <http://www.zara.or.at/_doc/2011/Zara_RassismusReport_2010.pdf>.

¹⁶³ Questionnaire from Bosnia and Herzegovina, *op. cit.*, note 83.

Mission to Bosnia and Herzegovina reported a shooting in front of the house of a Bosniak returnee, 12 physical assaults, of which one involved serious bodily injury, one threat, two cases of damage to property, one incident of attempted breaking and entering, and 18 cases of graffiti on property.¹⁶⁴ IOM reported that hate incidents targeting refugees occurred during cross-border movement between Bosnia and Herzegovina and Croatia.¹⁶⁵

Bulgaria: No official data on racist or xenophobic crimes were reported to ODIHR. The Office of the Grand Mufti of Bulgaria reported graffiti displaying anti-Turkish sentiments on a mosque and a school.¹⁶⁶

Cyprus: No official data on racist or xenophobic crimes were reported to ODIHR. Two NGOs, Turkish Cypriot Foundation and Embargoed!, reported the following hate incidents targeting Turkish-Cypriots; a serious physical assault leading to hospitalization, one other physical assault, two attacks involving groups and one case of damage to property.¹⁶⁷ The Turkish Cypriot Foundation reported an additional ten physical assaults targeting Turkish-Cypriots, eight of which were carried out by the same perpetrators, as well as one case of damage to property.¹⁶⁸

Denmark: Official figures record 73 hate crimes; nine physical assaults, 19 cases of damage to property, eight cases of threats or threatening behaviour and 37 other racist or xenophobic crimes or incidents.¹⁶⁹ The European Muslim Initiative for Social Cohesion (EMISCO) reported three physical assaults and one attack by a group, armed with knives and baseball bats, that was attempting to gain forced entry into a refugee centre.¹⁷⁰

Finland: Official figures record 911 hate crimes motivated by racism and xenophobia.¹⁷¹ No information was provided by NGOs.

France: The NPC reported 1,778 convictions for crimes committed with a racist motive. No information was provided by NGOs.

Georgia: No official data on racist or xenophobic crimes were reported to ODIHR. The NGO Public Movement Multinational Georgia reported one murder and one serious physical assault against Russian speakers.¹⁷²

Germany: Official figures record 2,166 xenophobic hate crimes, of which 308 were of a violent nature, and 433 racist hate crimes, of which 64 were violent.¹⁷³ The NPC also

¹⁶⁴ Communication from the OSCE Mission to Bosnia and Herzegovina, *op. cit.*, note 83.

¹⁶⁵ Communication from IOM Vienna, *op. cit.*, note 20.

¹⁶⁶ Communication from the Office of the Grand Mufti of Bulgaria, 6 May 2011.

¹⁶⁷ Information from the Turkish Cypriot Foundation, 29 March 2011; Information from Embargoed!, 31 March 2011.

¹⁶⁸ Information from the Turkish Cypriot Foundation, *op. cit.*, note 167.

¹⁶⁹ Questionnaire from the Danish NPC, *op. cit.*, note 113.

¹⁷⁰ Information from European Muslim Initiative for Social Cohesion (EMISCO), 10 June 2011.

¹⁷¹ Information from the Finnish NPC, 28 October 2011.

¹⁷² Information from the Public Movement Multinational Georgia, 29 September 2010.

¹⁷³ Information from the German NPC, 7 September 2011.

reported one physical assault against a man from Ecuador.¹⁷⁴ The NGO RAA Sachsen reported 230 hate incidents occurring in eastern Germany, including one murder.¹⁷⁵

Greece: The NPC reported a physical assault on a Bangladeshi citizen and an arson attack on the premises of a group of Bangladeshi citizens. Both cases are under investigation.¹⁷⁶ UNHCR reported multiple instances of physical assaults on refugees and a series of attacks on the property of the Greek Forum of Refugees. UNHCR also reported one murder, two physical assaults causing serious injury and one case of damage to property. The following attacks involving groups were also reported by UNHCR: physicals assaults against Afghan nationals, an arson attack on the home of Bangladeshi immigrants, who were inside the home at the time, and an arson attack on the home of Tunisian immigrants, who were also inside the home.¹⁷⁷ The NGO Praksis reported 206 hate-motivated incidents resulting in injuries to refugees, asylum seekers and undocumented migrants.¹⁷⁸ The Federation of Western Thrace Turks in Europe and the Western Thrace Minority University Graduates Association reported one case of damage to property targeted at the Turkish Youth Union.¹⁷⁹ In addition, the Federation of Western Thrace Turks in Europe reported two arson attacks on the Consulate General of the Republic of Turkey and one case of damage to property.¹⁸⁰

Ireland: The NPC reported the murder of a boy of African origin.¹⁸¹ No information was provided by NGOs.

Italy: Official figures record 23 hate crimes under the category of “racism” and ten hate crimes under the category of “xenophobia”.¹⁸² Human Rights Watch reported a series of attacks by groups on migrant workers in January. The organization reported that many crimes occurred, including the serious physical injury of 11 African workers, ten physical assaults and one arson attack.¹⁸³

Kazakhstan: Official figures record 13 hate crimes under the category of “social, ethnic, racial or religious”, four homicides, one in which a cemetery was desecrated and eight under the heading “other”.¹⁸⁴ No information was provided by NGOs.

Latvia: Official figures record four cases of threats, all of which resulted in convictions and sentencing (one case was based on “race/colour” and three on “ethnicity/national

¹⁷⁴ Questionnaire from the German NPC, 14 June 2011.

¹⁷⁵ “Monitoring Hate Crime in Saxonia, Germany”, RAA Sachsen e.V, 2010; Information from RAA Sachsen, 7 May 2011; This case was confirmed by the German NPC but it was not recorded as a hate crime. Information from the German NPC, 18 August 2011.

¹⁷⁶ Questionnaire from the Greek NPC, 12 May 2011.

¹⁷⁷ Communication from UNHCR, 9 June 2011.

¹⁷⁸ Information from Praksis, received through UNHCR, *Ibid.*

¹⁷⁹ Information from the Federation of Western Thrace Turks in Europe, 25 March 2011; Information from the Western Thrace Minority University Graduates Association, 31 March 2011.

¹⁸⁰ Information from the Federation of Western Thrace Turks in Europe, *op. cit.*, note 179.

¹⁸¹ Information from the Irish NPC, 7 June 2011.

¹⁸² Statistics from the Italian Ministry of Interior. Communication from the Permanent Mission of Italy to the International Organisations - OSCE Delegation – in Vienna, 23 June 2010, 16 October 2010 and 28 February 2011.

¹⁸³ “Everyday Intolerance: Racist and Xenophobic Violence in Italy”, Human Rights Watch, 2011,

<<http://www.hrw.org/en/node/97231/section/1>>.

¹⁸⁴ Questionnaire from the Kazakh NPC, 25 March 2011.

origin/minority”).¹⁸⁵ The Latvian Human Rights Committee and the Latvian Centre for Human Rights reported one physical assault leading to serious bodily injury.¹⁸⁶ The Latvian Human Rights Committee also reported another physical assault causing serious injury.¹⁸⁷ Both of these reports were of assaults against people of Russian origin that resulted in hospitalization.

Liechtenstein: Official figures record one hate crime in the victim category of “ethnicity/national origin/national minority” and one in the ‘citizenship’ category.¹⁸⁸ No information was provided by NGOs.

Former Yugoslav Republic of Macedonia: No data on racist or xenophobic crimes were reported to ODIHR by officials or NGOs. The OSCE Mission to Skopje reported one attack by a group.¹⁸⁹

Malta: No data on racist or xenophobic crimes were reported to ODIHR by officials or NGOs. UNHCR reported several cases of racial and religious graffiti.¹⁹⁰

Moldova: No data on racist or xenophobic crimes were reported to ODIHR by officials or NGOs. The UNDP Office in Moldova reported one case of physical harassment accompanied by racial slurs.¹⁹¹

Poland: The NPC reported a case involving a physical assault against a citizen of Kenya. Authorities investigated and the perpetrator was convicted and sentenced.¹⁹² Never Again Association and the Helsinki Foundation for Human Rights both reported one physical assault.¹⁹³ Never Again Association reported additional incidents, including eight physical assaults, four of which involved serious bodily injury, one case of threats, two cases of graffiti on property, one case of graffiti on a place of worship, and one attack involving arson and damage to and graffiti on property.¹⁹⁴ The Helsinki Foundation for Human Rights reported one additional physical assault.¹⁹⁵

Russian Federation: No official data on racist or xenophobic crimes were reported to ODIHR. The SOVA Center for Information and Analysis reported 38 murders (including 15 victims from Central Asia, four from the Caucasus and three from Asia-Pacific regions), 391 physical assaults (including 78 victims from Central Asia and 42 from the Caucasus),

¹⁸⁵ Information from the Latvian NPC, 25 March 2011.

¹⁸⁶ Information from the Latvian Human Rights Committee, 19 March 2011; Information from the Latvian Centre for Human Rights, 16 May 2011.

¹⁸⁷ Information from the Latvian Human Rights Committee, *op. cit.*, note 186.

¹⁸⁸ Questionnaire from the Liechtenstein NPC, 24 February 2011.

¹⁸⁹ Communication from the OSCE Mission to Skopje, 7 February 2011.

¹⁹⁰ Communication from UNHCR, *op. cit.*, note 177.

¹⁹¹ Information from UNDP, 16 March 2010.

¹⁹² Questionnaire from the Polish NPC, *op. cit.*, note 117.

¹⁹³ “Brown Book 2010”, East European Monitoring Centre, Never Again Association, 2010; “Racism in Poland”, Agnieszka Mikulska, Helsinki Foundation for Human Rights and EVZ, Warsaw, 2010.

¹⁹⁴ “Brown Book 2010”, East European Monitoring Centre, Never Again Association, 2010, *op. cit.*, note 193.

¹⁹⁵ Agnieszka Mikulska, “Racism in Poland”, Helsinki Foundation for Human Rights and EVZ, *op. cit.*, note 193.

and two cases of graffiti on Armenian sites.¹⁹⁶ The Moscow Protestant Chaplaincy reported three murders, 22 physical assaults, seven of which involved serious bodily injury, two cases of threats and one attack by a group. The majority of victims were of African origin.¹⁹⁷ The Moscow Bureau for Human Rights reported 19 murders and 89 physical assaults. The victims were of various nationalities. The Bureau also reported 59 cases of damage and graffiti to property.¹⁹⁸

Spain: The Barcelona Provincial Prosecution Service on Discrimination and Hate Crime reported police figures on racist and xenophobic crimes, including 12 incidents resulting in injuries and 6 instances of threats being made.¹⁹⁹ The NGO Union of Islamic Communities in Spain reported five physical assaults, two of which involved serious bodily injury, two cases of threats and one case of damage to property.²⁰⁰

Sweden: Official figures record 3786 hate crimes with xenophobia/racist motives.²⁰¹ No information was provided by NGOs.

Switzerland: The NPC reported a physical assault against a French woman of Algerian origin.²⁰² No information was provided by NGOs.

Ukraine: No data on racist or xenophobic crimes were reported to ODIHR by officials or NGOs. IOM Ukraine reported two physical assaults causing serious bodily injury (one victim was from the Congo and the other from Kuwait), seven other cases of physical assault, one case of graffiti on property, one case of graffiti on a place of worship and one attack by a group. Both property incidents targeted Crimean Tartars.²⁰³ The NGO Social Action Centre reported nine physical assaults, five of which involved serious bodily injury.²⁰⁴

United Kingdom: Official figures record 39,311 racist hate crimes in England, Wales and Northern Ireland. Police in Scotland recorded 5,819 racist hate crimes.²⁰⁵ UNHCR reported the murder of a Senegalese man.²⁰⁶ In addition, UNHCR and the Institute of Race Relations both reported one physical assault causing serious bodily injury, and one other physical assault against an asylum seeker.²⁰⁷

¹⁹⁶ Alexander Verkhovsky and Galina Kozhevnikova, “The Phantom of Manezhnaya Square: Radical Nationalism and Efforts to Counteract It in 2010”, the SOVA Center for Information and Analysis, *op. cit.*, note 130.

¹⁹⁷ Information from the Moscow Protestant Chaplaincy Task Force on Racial Violence, quarterly statistical reports, *op. cit.*, note 130.

¹⁹⁸ Information from the Moscow Bureau for Human Rights, 10 June 2010.

¹⁹⁹ Communication from Barcelona Provincial Prosecution Service on Discrimination and Hate Crime, *op. cit.*, 120.

²⁰⁰ “Informe especial J/2010: Incidencias e islamafobia”, Union of Islamic Communities in Spain, 2010, *op. cit.* 148.

²⁰¹ Questionnaire from the Swedish NPC, 26 August 2011.

²⁰² Questionnaire from the Swiss NPC, 20 July 2011.

²⁰³ Communication from IOM Ukraine, *op. cit.*, note 140.

²⁰⁴ Information from Social Action Centre, 4 October 2011.

²⁰⁵ Questionnaire from the United Kingdom NPC, *op. cit.*, note 123.

²⁰⁶ Communication from UNHCR, *op. cit.*, note 177.

²⁰⁷ Communication from UNHCR, *Ibid.*; “Driven to Desperate Measures 2006-2010”, Institute of Race Relations, October 2010, <http://www.irr.org.uk/pdf2/DtDM_2006_2010.pdf>.

The OSCE Mission in Kosovo reported 25 hate incidents targeting returnees in Zallq/Žac, involving physical assaults, stone-throwing, arson, property damage and threats. Elsewhere in Kosovo, the Mission reported two physical assaults against individuals, one assault against several people, one arson attack, and six cases of damage to property, which involved the throwing of explosives and stones.²⁰⁸ UNHCR reported one physical assault against a returnee and one case of damage to property.

Key resolutions and statements from international organizations

The UN Human Rights Committee encouraged Belgium to intensify its efforts to prosecute and punish racist crimes.²⁰⁹ The Committee on the Elimination of Racial Discrimination encouraged endeavors to combat ethnic prejudice (Bosnia and Herzegovina)²¹⁰ and to include ethnic, racial or religious motivation as an aggravating circumstance in the criminal code (Estonia).²¹¹ The CERD also noted its concern with states that reported low numbers of offences motivated by racism or xenophobia (Kazakhstan and Netherlands)²¹² and states with a reported increase in racially motivated attacks (Slovakia).²¹³ ECRI commented on the need to better address racist crime in Bosnia and Herzegovina,²¹⁴ Estonia,²¹⁵ France,²¹⁶ Georgia,²¹⁷ Poland,²¹⁸ Spain,²¹⁹ the former Yugoslav Republic of Macedonia²²⁰ and Turkey.²²¹

Government and NGO responses to crimes and incidents motivated by racism or xenophobia

In Canada, the Alberta Hate Crimes Committee, a multi-sector collaboration bringing together law-enforcement, government, non-profit, community and university stakeholders to strategically address bias-motivated crimes and incidents in Alberta, conducted a number of activities, including training for law-enforcement personnel and organizing a hate crime awareness-raising day.²²²

²⁰⁸ Communication from the OSCE Mission in Kosovo, 25 March 2011.

²⁰⁹ “Draft concluding observations of the Human Rights Committee: Belgium”, *op. cit.*, note 95.

²¹⁰ “Concluding observations of the Committee on the Elimination of Racial Discrimination: Bosnia and Herzegovina”, *op. cit.*, note 98.

²¹¹ “Concluding observations of the Committee on the Elimination of Racial Discrimination: Estonia”, CERD/C/EST/CO/8-9, p. 2, 23 September 2010.

²¹² “Concluding observations of the Committee on the Elimination of Racial Discrimination: Kazakhstan” CERD/C/KAZ/CO/4-5, *op. cit.*, note 99; “Concluding observations of the Committee on the Elimination of Racial Discrimination: Netherlands” CERD/C/NLD/CO/17-18, *op. cit.*, note 100.

²¹³ “Concluding observations of the Committee on the Elimination of Racial Discrimination: Slovakia” CERD/C/SVK/CO/6-8, *op. cit.*, note 101.

²¹⁴ “ECRI Report on Bosnia and Herzegovina (fourth monitoring cycle)”, ECRI, *op. cit.*, note 107, p. 23.

²¹⁵ “ECRI Report on Estonia (fourth monitoring cycle)”, ECRI, *op. cit.*, note 108.

²¹⁶ “ECRI Report on France (fourth monitoring cycle)”, ECRI, *op. cit.*, note 109.

²¹⁷ “ECRI Report on Georgia (fourth monitoring cycle)”, ECRI, *op. cit.*, note 110.

²¹⁸ “ECRI Report on Poland (fourth monitoring cycle)”, ECRI, adopted 28 April 2010, published 15 June 2010, CRI(2010)18, p. 14, <<http://www.coe.int/t/dghl/monitoring/ecri/country-by-country/poland/POL-CbC-IV-2010-018-ENG.pdf>>.

²¹⁹ “ECRI Report on Spain (fourth monitoring cycle)”, ECRI, adopted on 7 December 2010, published on 8 February 2011, CRI (2011)4 p.10, <<http://www.coe.int/t/dghl/monitoring/ecri/Country-by-country/Spain/ESP-CBC-IV-2011-004-ENG.pdf>>.

²²⁰ “ECRI Report on the former Yugoslav Republic of Macedonia (fourth monitoring cycle)”, ECRI, *op. cit.*, note 111.

²²¹ “ECRI Report on Turkey (fourth monitoring cycle)”, ECRI, *op. cit.*, note 112.

²²² Information from Alberta Hate Crimes Committee, 6 June, 2011, <<http://www.albertahatecrimes.ca/>>.

In Ireland, the European Network Against Racism (ENAR) Ireland held a seminar on "Racist Crime: Issues, Opportunities and the Framework Decision on Racism and Xenophobia". The purpose of the seminar was to identify ways forward in implementing the European Framework Decision on Racism and Xenophobia and strengthen hate crime legislation in Ireland. A seminar report was also prepared to provide an overview and key conclusions.²²³

In Poland and Ukraine, the Never Again Association, in conjunction with the Union of European Football Associations (UEFA), organized training for officials and stewards about racism and football for the upcoming 2012 European football championship.²²⁴ The Never Again Association also prepared information booklets about monitoring football-related racist crime.

In the Russian Federation, the Moscow Bureau for Human Rights reported that 170 people were convicted for crimes motivated by xenophobia between January and May 2010.²²⁵ The SOVA Center for Information and Analysis reported that, in 2010, 320 violent hate crime offenders were sentenced and 18 offenders were convicted for vandalism.²²⁶ Additionally, the Ministry of Regional Affairs developed guidelines on "Tolerance and Culture in Inter-ethnic Relations", containing a comprehensive methodology and a rich bibliography. The guidelines were approved for use by schools in the Krasnodar region.

Box 1: The murder of Toyosi Shittabey

On 2 April, 2010 on Mount Eustace in Tyrelstown, Ireland, 15-year-old Toyosi Shittabey was walking home from a swimming pool when he and a friend were targeted with a racist verbal assault. As Shittabey and his friend were walking away from the scene, the assailants went to a house, acquired a knife, followed the youngsters to their car, and stabbed Toyosi in the heart.

The Irish police appointed an official from their Racial and Intercultural Office to work in the area in response to the incident, amid concerns about tensions. More than 300 people attended Toyosi's funeral.

Two men were charged with Toyosi's murder. The trial is due to commence in October 2011 at the Dublin Circuit Criminal Court.²²⁷

²²³ *Racist Crime: Issues, Opportunities and the Framework Decision on Racism and Xenophobia: Seminar Report*, (Dublin: ENAR, June 2010), <http://issuu.com/lastudio/docs/10301_enar_report>.

²²⁴ Communication from Never Again Association, June 2011.

²²⁵ Information from the Moscow Bureau for Human Rights, *op. cit.*, note 198.

²²⁶ Information from the SOVA Center for Information and Analysis, 11 August 2011.

²²⁷ Information from the Irish NPC, 6 June 2010.

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.²²⁸ In 1994, 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)”.²²⁹ The 1999 Istanbul Summit Declaration deplored violence and other manifestations of racism and discrimination against minorities, including specifically those against Roma and Sinti.²³⁰

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.²³¹ Subsequent Ministerial Council decisions reiterated the importance of these commitments.²³² In 2009, the Ministerial Council, meeting in Athens, adopted Decision No. 8/09 on “Enhancing OSCE Efforts to Ensure Roma and Sinti Sustainable Integration”.²³³ 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.²³⁴

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.²³⁵

²²⁸ “Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE”, *op. cit.*, note 6.

²²⁹ “CSCE Budapest Document 1994: Towards a Genuine Partnership in a New Era”, *op. cit.*, note 141.

²³⁰ “Istanbul Summit Declaration”, Istanbul Document 1999, p. 52, <<http://www.osce.org/mc/39569>>.

²³¹ 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).

²³² OSCE Ministerial Council, Decision No. 10/07, *op. cit.*, note 14; “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>>.

²³³ 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>>.

²³⁴ *Ibid.*, the Ministerial Council tasked ODIHR, in co-operation and co-ordination with the 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.”

²³⁵ Astana Declaration by the Chairperson-in-Office, *op. cit.*, note 89.

At the OSCE High-Level Conference in Astana, Mario Mauro, the Personal Representative of the OSCE Chairperson in Office on Combating Racism, Xenophobia and Discrimination, also focusing on Intolerance and Discrimination against Christians and Members of Other Religions, expressed his concern about manifestations of intolerance and violence against Roma and attacks targeting Roma communities. He reminded participants of the importance of paying more attention to root causes of racism and xenophobia.

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. Twelve participating States reported collecting these data in 2010.²³⁶ However, at the time this report was written, Sweden was the only participating State to provide data. Nine NGOs in eight states reported information on hate crimes against Roma and Sinti.²³⁷

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.

Bosnia and Herzegovina: No data on crimes or incidents motivated by bias against Roma and Sinti were reported to ODIHR by officials or NGOs. The OSCE Mission to Bosnia and Herzegovina reported one physical assault and one burglary.²³⁸

Bulgaria: No data on crimes or incidents motivated by bias against Roma and Sinti were reported to ODIHR by officials or NGOs. IOM reported incidents between the Roma community and “skinheads” but did not provide any examples or data figures.²³⁹

Czech Republic: No official data on crimes or incidents motivated by bias against Roma and Sinti were reported to ODIHR. The European Roma Rights Centre (ERRC) reported eight physical assaults, two of which involved serious bodily injury, and five cases of arson, all of which involved the throwing of Molotov cocktails at Roma homes. One arson attack injured 14 people and was publicly denounced by the then-Prime Minister; the perpetrators were apprehended, convicted and sentenced.²⁴⁰

²³⁶ Bulgaria, Croatia, Czech Republic, Latvia, Moldova, Netherlands, Poland, Portugal, Serbia, Sweden, Switzerland and the United Kingdom.

²³⁷ Czech Republic, France, Hungary, Poland, Romania, Serbia, Slovakia and Ukraine.

²³⁸ Communication from the OSCE Mission to Bosnia and Herzegovina, *op. cit.*, note 83.

²³⁹ Communication from IOM Vienna, *op. cit.*, note 20.

²⁴⁰ “Imperfect Justice: Anti-Roma Violence and Impunity”, European Roma Rights Centre, March 2011, <<http://www.errc.org/cms/upload/file/czech-hungary-slovakia-imperfect-justice-06-march-2011.pdf>>; “Attacks against Roma in the Czech Republic: January 2008 – April 2011”, European Roma Rights Centre, 4 May 2011, <<http://www.errc.org/cms/upload/file/attacks-list-in-czech-republic.pdf>>.

France: No official data on crimes or incidents motivated by bias against Roma and Sinti were reported to ODIHR. An NGO reported an attack involving shots being fired at a Roma camp and the breaking into and burglary of homes there.²⁴¹

Hungary: No official data on crimes or incidents motivated by bias against Roma and Sinti were reported to ODIHR. IOM and the ERRC reported one arson attack and one case of damage to property, during which shots were fired. Both incidents targeted the homes of Roma families.²⁴² In addition, the ERRC reported one physical assault and one arson attack.²⁴³ Human Rights First reported four arson attacks involving the throwing of Molotov cocktails into family homes.²⁴⁴ The Movement for Desegregation Foundation reported 12 murders, 24 physical assaults, of which six involved serious bodily injury, seven cases where threats were made, 29 cases of arson targeting the homes of Roma families (four of which resulted in injury and five of which also involved shotgun fire on the houses), ten cases of damage to property targeting the homes of Roma families (one of which resulted in the serious injury of a 12 year old girl and seven of which involved the use of a shotgun) and two cases of graffiti to property.²⁴⁵

Poland: No official data on crimes or incidents motivated by bias against Roma and Sinti were reported to ODIHR. The Never Again Association reported one attack by a group against a Roma family. The incident was reported to be part of a repeated series of attacks beginning in 2009.²⁴⁶

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 serious physical assault and an arson attack targeting a Romanian citizen of Hungarian origin.²⁴⁷

Serbia: No official data on crimes or incidents motivated by bias against Roma and Sinti were reported to ODIHR. The NGO Chachipe reported one arson attack that targeted a Roma settlement.²⁴⁸ The Regional Center for Minorities reported one physical assault, one case of arson and three cases of graffiti. In addition, four nights of rioting took place that targeted a Roma community and involved harassment, damage to property and arson. The riots occurred following a murder perpetrated by a Roma man. Six persons were arrested and convicted and sentenced for orchestrating the riots, and the Roma man was convicted and sentenced for the murder.²⁴⁹

²⁴¹ Information from Gens du Voyage 14 June 2011; Communication from Collectif de soutien aux Roms de la plaine de Triel-Chanteloup, 14 June 2011; See also “Armed, masked bands attack in France”, Romea.cz website, 1 November 2010, <http://www.romea.cz/english/index.php?id=detail&detail=2007_1989>.

²⁴² “Attacks against Roma in Hungary: January 2008 – April 2011”, European Roma Rights Centre, 19 April, <<http://www.errc.org/cms/upload/file/attacks-list-in-hungary.pdf>>; Communication from the IOM Regional Mission for Central and South Eastern Europe, 23 March 2011.

²⁴³ “Attacks against Roma in Hungary: January 2008 – April 2011”, European Roma Rights Centre, *op. cit.*, note 242.

²⁴⁴ “Combating Violence Against Roma in Hungary”, Human Rights First, October 2010, <<http://www.humanrightsfirst.org/wp-content/uploads/pdf/HungaryBlueprint.pdf>>.

²⁴⁵ Information from the Movement for Desegregation Foundation, 1 April 2011.

²⁴⁶ “Brown Book 2010”, East European Monitoring Centre, Never Again Association, *op. cit.*, note 193.

²⁴⁷ Information from Romani CRISS, *op. cit.*, note 193.

²⁴⁸ Information from Chachipe, 8 April 2011.

²⁴⁹ Information from the Regional Center for Minorities, 1 May 2011.

Slovakia: No official data on crimes or incidents motivated by bias against Roma and Sinti were reported to ODIHR. The ERRC reported a series of shots fired at a number of Romani family homes.²⁵⁰

Sweden: Official figures record 145 hate crimes motivated by bias against Roma and Sinti.²⁵¹ No information was provided by NGOs.

Ukraine: No official data on crimes or incidents motivated by bias against Roma and Sinti were reported to ODIHR. The NGO Social Action Centre reported one murder.²⁵²

Key resolutions and statements from international organizations

The CERD Committee recommended that Denmark provide human rights protection for Roma, including protection from hate crimes.²⁵³ The Committee also expressed concern about the reported increase in racist violence against Roma in France.²⁵⁴

In a number of speeches, the Council of Europe Commissioner for Human Rights, Thomas Hammarberg, discussed the problem of widespread racism and discrimination against Roma across Europe.²⁵⁵

²⁵⁰ “Attacks against Roma in Slovakia: January 2008 – December 2010”, the European Roma Rights Centre, 8 February 2011, <<http://www.errc.org/cms/upload/file/attacks-list-in-slovakia.pdf>>.

²⁵¹ Information from the Swedish NPC, 26 August 2011.

²⁵² Information from Social Action Centre, *op. cit.*, note 204.

²⁵³ “Concluding observations of the Committee on the Elimination of Racial Discrimination: Denmark” CERD/C/DNK/CO/18-19, 20 September 2010, p.3.

²⁵⁴ “Concluding observations of the Committee on the Elimination of Racial Discrimination: France” CERD/C/FRA/CO/17-19, 23 September 2010, p. 3.

²⁵⁵ See “Human rights in the European democracies: Fear-mongering, xenophobia and austerity budgets threaten the protection of human rights”, Speech by Thomas Hammarberg, Council of Europe Commissioner for Human Rights at the London School of Economics, London, 9 December 2010, CommDH/Speech(2010)12,

<<https://wcd.coe.int/wcd/ViewDoc.jsp?id=1718369&Site=CommDH&BackColorInternet=FEC65B&BackColorIntranet=FEC65B&BackColorLogged=FFC679>>; “Intervention by Thomas Hammarberg, Council of Europe Commissioner for Human Rights, in the framework of the ‘Debate under urgent procedure: recent rise in national security discourse in Europe: the case of Roma’”, Parliamentary Assembly of the Council of Europe, 2010 Ordinary Session (4th part)”, Strasbourg, 07 October 2010, CommDH/Speech(2010)5,

<<https://wcd.coe.int/wcd/ViewDoc.jsp?id=1682559&Site=CommDH&BackColorInternet=FEC65B&BackColorIntranet=FEC65B&BackColorLogged=FFC679>>; “The discrimination of Roma in Europe: A Human Rights Perspective” Speech by Thomas Hammarberg, Commissioner for Human Rights of the Council of Europe, (Seminar on Roma rights organized by the ABF - Workers’ Educational Association), Stockholm, 30 September 2010, CommDH/Speech(2010)4,

<<https://wcd.coe.int/wcd/ViewDoc.jsp?id=1674977&Site=CommDH&BackColorInternet=FEC65B&BackColorIntranet=FEC65B&BackColorLogged=FFC679>>; “Address by Thomas Hammarberg, Council of Europe Commissioner for Human Rights, before the Committee on Justice of the Dutch Senate”, The Hague, 28 September 2010, CommDH/Speech(2010)3,

<<https://wcd.coe.int/wcd/ViewDoc.jsp?id=1674957&Site=CommDH&BackColorInternet=FEC65B&BackColorIntranet=FEC65B&BackColorLogged=FFC679>>.

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

In October 2010, a Czech court found four men guilty of racially motivated attempted murder.²⁵⁶ The men were convicted of throwing Molotov cocktails into a house inhabited by Roma in Vitkov, resulting in a two-year-old child suffering severe burns. Three of the perpetrators were sentenced to 22 year prison terms and the other to a term of 20 years.

The Hungarian Ministry of Public Administration and Justice's State Secretariat for Social Inclusion and the Ministry of Foreign Affairs, together with ODIHR, organized a roundtable discussion on 23 November 2010 in Budapest. The roundtable was attended by government officials, representatives from national human rights institutions, academics and Roma NGOs, and discussed strategic and operational methods to prevent anti-Roma violence and promote Roma inclusion in Hungary.²⁵⁷

The Hungarian Civil Liberties Union launched a Roma programme in the north-eastern part of Hungary. The programme has established 16 support stations, equipped with communication tools in order to provide access to a team of lawyers who offer legal support for victims.²⁵⁸

Box 2: Attack on a Roma camp

A group of armed and masked assailants attacked a Roma camp in the Parisian suburb of Triel-sur-Seine on 7 February 2010. The men drove a car with a siren and were dressed as police officers. Carrying nightsticks and pistols, they broke down the doors of several caravans and harassed their Roma occupants. One woman was forced to remove her clothes. The perpetrators allegedly also robbed the Roma present of their personal documents. The men forced their way into one of the caravans, where they fired shots and threatened the residents.

"The families will never forget this. The worst part is they have no documents now," an aid worker to the Roma told the French media.

About 30 Roma families have lived in the suburb for years and are being threatened with eviction from the privately owned land where they are camped. They have been requesting for some time that the authorities designate another appropriate campsite, with access to running water. Police are said to be conducting an intensive search for the attackers.²⁵⁹

²⁵⁶ This development was reported in the last year's report, *Hate Crimes in the OSCE Region – Incidents and Responses, Annual Report for 2009, op. cit.*, note 3, p. 56; See also, "Imperfect Justice: Anti-Roma Violence and Impunity", European Roma Rights Centre, *op. cit.*, note 240, p. 11.

²⁵⁷ *Addressing Violence, Promoting Integration: Field Assessment of Violent Incidents against Roma in Hungary- Key Developments, Findings and Recommendations* (Warsaw: ODIHR, June 2009), <<http://www.osce.org/odhr/68545>>.

²⁵⁸ Information from the Hungarian Civil Liberties Union, 31 March 2011.

²⁵⁹ Information from Gens du Voyage 14 June 2011; Communication from Collectif de soutien aux Roms de la plaine de Triel-Chanteloup, 14 June 2011 ; See also "Armed, masked bands attack Roma in France", *Romea.cz, op. cit.*, note 241.

ANTI-SEMITIC CRIMES AND INCIDENTS

Background

Anti-Semitism was first condemned by OSCE participating States in the Copenhagen Document, in 1990.²⁶⁰ 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.²⁶¹ In 2004, the participating States committed themselves to collecting reliable information on anti-Semitic hate crimes.²⁶² Since then, OSCE commitments against anti-Semitism have been repeated in a number of Ministerial Council decisions and declarations.²⁶³

The Astana Declaration, issued by the Chairperson-in-Office in Astana on 30 June 2010, at the end of the OSCE High Level Conference on Tolerance and non-Discrimination, reiterated commitments and concerns about hate crimes, including those motivated by anti-Semitism.²⁶⁴

In 2010, ODIHR held a number of key events on education against anti-Semitism, including teacher-training sessions in Lithuania, Poland and Ukraine, in addition to a meeting for representatives of Ministries of Education on education to combat anti-Semitism. Anti-Semitism on the Internet, which can also lead to hate crimes, was discussed at an ODIHR-organized expert meeting on “Challenges of Combating Hate Crimes Motivated by Hate on the Internet” in Warsaw on 22 March 2010.

The Personal Representative of the OSCE Chairperson-in-Office on Anti-Semitism, Rabbi Andrew Baker, visited a number of member countries, including Germany, Sweden and the United Kingdom, in which he highlighted the issue of anti-Semitic hate crimes. During the OSCE High-Level Conference in Astana he stressed the importance of monitoring and reporting anti-Semitic hate crimes.²⁶⁵

²⁶⁰ “Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE”, *op. cit.*, note 6, p. 21.

²⁶¹ Fourth Meeting of the CSCE Council of Ministers, “CSCE and the New Europe - Our Security is Indivisible Decisions of the Rome Council Meeting”, *op. cit.*, note 156, p. 18.

²⁶² OSCE Ministerial Council, Decision No. 12/04, *op. cit.*, note 10.

²⁶³ OSCE Ministerial Council, Decision No. 10/05, *op. cit.*, note 11; OSCE Ministerial Council, Decision No. 13/06, *op. cit.*, note 8; OSCE Ministerial Council Decision No. 10/07, *op. cit.*, note 14; “Bucharest Declaration by the Chairman-in-Office”, *op. cit.*, note 232; “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 89.

²⁶⁴ Astana Declaration by the Chairperson-in-Office, *op. cit.*, note 89.

²⁶⁵ Rabbi Andrew Baker, Personal Representative of the OSCE Chair-in-Office on Combating Anti-Semitism, OSCE High Level Conference on Tolerance and Non-discrimination, Astana 29-30 June 2010, <<http://www.osce.org/cio/68841>>.

Information and data on anti-Semitic crimes and incidents

Currently, 20 participating States report that they collect data on anti-Semitic crimes.²⁶⁶ At the time this report was written, Germany, Italy, Sweden and the United Kingdom were the only participating States that provided 2010 data to ODIHR. France and Germany had reported specific cases.

Twenty-four NGOs and civil society organizations, covering 31 countries, reported data to ODIHR on anti-Semitic incidents.²⁶⁷ In particular, the Stephen Roth Institute for the Study of Contemporary Antisemitism and Racism, a research institution attached to Tel Aviv University, collected data on a regional basis using a consistent methodology, monitoring hate incidents motivated by anti-Semitism in many countries around the world, including the majority of OSCE participating States.

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.

Armenia: No official data on anti-Semitic crimes were reported to ODIHR. The Stephen Roth Institute reported one hate incident.²⁶⁸

Austria: No official data on anti-Semitic crimes were reported to ODIHR. The Stephen Roth Institute reported four hate incidents.²⁶⁹ The NGO Zara reported one physical attack and one threat.²⁷⁰

Belarus: No official data on anti-Semitic crimes were reported to ODIHR. The Stephen Roth Institute reported two hate incidents.²⁷¹

Belgium: No official data on anti-Semitic crimes were reported to ODIHR. The NGO Antisemitisme.be reported seven physical assaults, three incidents involving threats, two

²⁶⁶ Austria, Belgium, Canada, Croatia, Czech Republic, Finland, France, Germany, Greece, Italy, Liechtenstein, Moldova, Netherlands, Poland, Serbia, Spain, Sweden, Switzerland, United Kingdom and the United States.

²⁶⁷ Armenia, Austria, Belarus, Belgium, Bulgaria, Canada, Croatia, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Italy, Kazakhstan, Kyrgyzstan, Latvia, Lithuania, Moldova, Netherlands, Poland, Russian Federation, Slovakia, Spain, Sweden, Switzerland, Ukraine, United Kingdom and the United States.

²⁶⁸ “Antisemitism Worldwide 2010 – General Analysis”, Tel Aviv University, Stephen Roth Institute for the Study of Contemporary European Antisemitism and Racism, 2010, <<http://www.tau.ac.il/Anti-Semitism/asw2010/general-analysis-10.pdf>>.

²⁶⁹ *Ibid.*

²⁷⁰ “Racism Report 2010: Case report on racist incidents and structures in Austria”, ZARA, *op. cit.*, note 162.

²⁷¹ “Antisemitism Worldwide 2010 – General Analysis”, Tel Aviv University, Stephen Roth Institute, *op. cit.*, note 268.

arson attacks on synagogues and three cases of graffiti and vandalism.²⁷² The Stephen Roth Institute reported 14 hate incidents.²⁷³

Bosnia and Herzegovina: No data on anti-Semitic crimes were reported to ODIHR by officials or NGOs. The OSCE Mission to Bosnia and Herzegovina reported two cases of graffiti.²⁷⁴

Bulgaria: No official data on anti-Semitic crimes were reported to ODIHR. The Organization of the Jews in Bulgaria reported two cases of the desecration of cemeteries and five cases of graffiti, three of which targeted a holocaust memorial statue.²⁷⁵ The Stephen Roth Institute reported one hate incident.²⁷⁶

Canada: No official data on anti-Semitic crimes were reported to ODIHR. The League for Human Rights of B'nai Brith Canada reported 24 cases of violence and 317 cases of vandalism, of which 32 targeted synagogues.²⁷⁷ The Stephen Roth Institute reported 99 hate incidents.²⁷⁸

Croatia: No official data on anti-Semitic crimes were reported to ODIHR. The Stephen Roth Institute reported one hate incident.²⁷⁹

Czech Republic: No official data on anti-Semitic crimes were reported to ODIHR. The Stephen Roth Institute reported four hate incidents.²⁸⁰

Denmark: No official data on anti-Semitic crimes were reported to ODIHR. The Stephen Roth Institute reported four hate incidents.²⁸¹

Estonia: No official data on anti-Semitic crimes were reported to ODIHR. The Stephen Roth Institute reported one hate incident.²⁸²

Finland: No official data on anti-Semitic crimes were reported to ODIHR. The Stephen Roth Institute reported one hate incident.²⁸³

²⁷² “Rapport sur l’antisémitisme en Belgique – Année 2010”, Antisemitisme.be, 23 February 2011, <http://www.antisemitisme.be/site/event_detail.asp?eventId=1171&catId=53&language=FR>.

²⁷³ “Antisemitism Worldwide 2010 – General Analysis”, Tel Aviv University, Stephen Roth Institute, *op. cit.*, note 268.

²⁷⁴ Communication from the OSCE Mission to Bosnia and Herzegovina, *op. cit.*, note 83.

²⁷⁵ “Anti-Semitic Manifestations in Bulgaria: 2009-2010”, Organization of the Jews in Bulgaria, 2010, <http://shalompr.org/wp-content/uploads/2011/05/BULETIN_2011-ENG_ALL.pdf>.

²⁷⁶ “Antisemitism Worldwide 2010 – General Analysis”, Tel Aviv University, Stephen Roth Institute, *op. cit.*, note 268.

²⁷⁷ “2010 Audit of Antisemitic Incidents”, League for Human Rights of the B’nai Brith Canada, 2011, <<http://jewishtribune.ca/tribune/PDF/audit2010/ENAudit2010.pdf>>.

²⁷⁸ “Antisemitism Worldwide 2010 – General Analysis”, Tel Aviv University, Stephen Roth Institute, *op. cit.*, note 268.

²⁷⁹ *Ibid.*

²⁸⁰ *Ibid.*

²⁸¹ *Ibid.*

²⁸² *Ibid.*

²⁸³ *Ibid.*

France: The NPC reported 125 convictions for crimes committed with an anti-Semitic motive. The NPC also reported on an individual case that involved an attempted homicide resulting in serious injury, in which perpetrator admitted that the motive was anti-Semitic. The crime was categorized as “racial, ethnic or religious”; the court case is still pending.²⁸⁴ The Jewish Community Protection Service reported one murder, 56 physical assaults (including at least six causing serious bodily injury), eight cases of arson, 66 cases of damage to property and 168 cases of graffiti on property and places of worship.²⁸⁵ The International League against Racism and Anti-Semitism (LICRA) reported two serious physical assaults, one of which resulted in charges of aggravated attempted homicide. LICRA also reported one physical assault and one case of graffiti on a synagogue. All of the incidents reported by LICRA were investigated.²⁸⁶ The Stephen Roth Institute reported 134 hate incidents.²⁸⁷

Germany: Official figures record 1,268 anti-Semitic hate crimes, of which 37 were violent.²⁸⁸ The NPC reported two instances of arson, one at a synagogue and one at a Jewish cemetery.²⁸⁹ The NGO RAA Sachsen reported 14 hate incidents occurring in eastern Germany.²⁹⁰ The Amadeu Antonio Foundation reported six physical assaults, one case of threats, one case of damage to property, two arson attacks, nine cases of graffiti on property, the desecration of one cemetery and one attack in which a group threw stones at a Jewish dance group.²⁹¹ The Stephen Roth Institute reported 38 hate incidents.²⁹²

Greece: No official data on anti-Semitic crimes were reported to ODIHR. The Greek Helsinki Monitor reported two arson attacks on a synagogue in Crete.²⁹³ The Stephen Roth Institute reported seven hate incidents.²⁹⁴

Hungary: No official data on anti-Semitic crimes were reported to ODIHR. IOM and the Hungarian Civil Liberties Union reported one case of damage to property on the occasion of the second Seder night of Pesach.²⁹⁵ The Stephen Roth Institute reported six hate incidents.²⁹⁶

²⁸⁴ Questionnaire from the French NPC, *op. cit.*, note 116.

²⁸⁵ “Annual Report on anti-Semitism in France”, The Jewish Community Protection Service, 2010, <<http://spcj.org/publications/2010report.pdf>>.

²⁸⁶ Information from the International League against Racism and Anti-Semitism (LICRA), 22 April 2011.

²⁸⁷ “Antisemitism Worldwide 2010 – General Analysis”, Tel Aviv University, Stephen Roth Institute, *op. cit.*, note 268.

²⁸⁸ Information from the German NPC, *op. cit.*, note 173.

²⁸⁹ Questionnaire from the German NPC, *op. cit.*, note 174.

²⁹⁰ “Monitoring Hate Crime in Saxonia, Germany”, RAA Sachsen e.V., *op. cit.*, note 175.

²⁹¹ Information from the Amadeu Antonio Foundation, 25 May 2011.

²⁹² “Antisemitism Worldwide 2010 – General Analysis”, Tel Aviv University, Stephen Roth Institute, *op. cit.*, note 268.

²⁹³ “Greece: Jewish communities condemn double arson of the Chania synagogue”, Greek Helsinki Monitor, 19 January 2010, <<http://cm.greekhelsinki.gr/index.php?sec=194&cid=3589>>.

²⁹⁴ “Antisemitism Worldwide 2010 – General Analysis”, Tel Aviv University, Stephen Roth Institute, *op. cit.*, note 268.

²⁹⁵ Communication from the IOM Regional Mission for Central and South Eastern Europe, *op. cit.*, note 242; Information from the Hungarian Civil Liberties Union, *op. cit.*, note 258.

²⁹⁶ “Antisemitism Worldwide 2010 – General Analysis”, Tel Aviv University, Stephen Roth Institute, *op. cit.*, note 268.

Italy: Official figures record 30 anti-Semitic hate crimes.²⁹⁷ The Stephen Roth Institute reported two hate incidents.²⁹⁸

Kazakhstan: No official data on anti-Semitic crimes were reported to ODIHR. The Stephen Roth Institute reported one hate incident.²⁹⁹

Kyrgyzstan: No official data on anti-Semitic crimes were reported to ODIHR. The Stephen Roth Institute reported four hate incidents.³⁰⁰

Latvia: No official data on anti-Semitic crimes were reported to ODIHR. The Latvian Human Rights Committee reported two cases of damage to places of worship, the desecration of a cemetery and of a Jewish monument.³⁰¹ The Latvian for Centre for Human Rights reported two cases of cemeteries being desecrated.³⁰² The Stephen Roth Institute reported two hate incidents.³⁰³

Lithuania: No official data on anti-Semitic crimes were reported to ODIHR. The Stephen Roth Institute reported two hate incidents.³⁰⁴

Moldova: No official data on anti-Semitic crimes were reported to ODIHR. The Stephen Roth Institute reported one hate incident.³⁰⁵

Netherlands: No official data on anti-Semitic crimes were reported to ODIHR. The Stephen Roth Institute reported one hate incident.³⁰⁶

Poland: No official data on anti-Semitic crimes were reported to ODIHR. The Never Again Association reported a series of attacks on property, three cases of damage to property (one targeted a non-Jewish man associated with promoting Polish-Jewish relations), four cases of graffiti on property, one case of damage to a place of worship and four incidents of graffiti on places of worship.³⁰⁷ The Stephen Roth Institute reported seven hate incidents.³⁰⁸

Russian Federation: No official data on anti-Semitic crimes were reported to ODIHR. The SOVA Centre for Information and Analysis reported 15 cases of damage to property, one

²⁹⁷ Statistics from the Italian Ministry of Interior. Communication from the Permanent Mission of Italy to the International Organisations - OSCE Delegation – in Vienna, *op. cit.*, note 182.

²⁹⁸ “Antisemitism Worldwide 2010 – General Analysis”, Tel Aviv University, Stephen Roth Institute, *op. cit.*, note 268.

²⁹⁹ *Ibid.*

³⁰⁰ *Ibid.*

³⁰¹ Information from the Latvian Human Rights Committee, *op. cit.*, note 186.

³⁰² Information from the Latvian Centre for Human Rights, *op. cit.*, note 186.

³⁰³ “Antisemitism Worldwide 2010 – General Analysis”, Tel Aviv University, Stephen Roth Institute, *op. cit.*, note 268.

³⁰⁴ *Ibid.*

³⁰⁵ *Ibid.*

³⁰⁶ *Ibid.*

³⁰⁷ “Brown Book 2010”, East European Monitoring Centre, Never Again Association, *op. cit.*, note 193.

³⁰⁸ “Antisemitism Worldwide 2010 – General Analysis”, Tel Aviv University, Stephen Roth Institute, *op. cit.*, note 268.

of which involved arson.³⁰⁹ The Moscow Bureau for Human Rights reported two physical assaults, five cases of damage to Jewish property, one arson attack on a synagogue, the desecration of a cemetery and 46 cases of graffiti.³¹⁰ The Euro-Asian Jewish Congress reported two physical assaults, one attack by a group on a Jewish school, one instance of the desecration of a cemetery, six cases of damage to the property of Jewish organizations, five cases of damage to synagogues, one case of damage to the home of a Rabbi and one arson attack.³¹¹ The Stephen Roth Institute reported 17 hate incidents.³¹²

Slovakia: No official data on anti-Semitic crimes were reported to ODIHR. The Stephen Roth Institute reported one hate incident.³¹³

Spain: No official data on anti-Semitic crimes were reported to ODIHR. The Association for the Defense of Religious Freedom reported one physical assault and one case of damage to property. The use of Anti-Semitic slurs was reported in both incidents.³¹⁴ The Federation of Jewish Communities of Spain and the Observatory on Anti-Semitism in Spain reported two physical assaults and three cases of graffiti on property.³¹⁵ The Stephen Roth Institute reported three hate incidents.³¹⁶

Sweden: Official figures record 161 anti-Semitic hate crimes.³¹⁷ The Stephen Roth Institute reported six hate incidents.³¹⁸

Switzerland: No official data on anti-Semitic crimes were reported to ODIHR. The Stephen Roth Institute reported one hate incident.³¹⁹

Ukraine: No official data on anti-Semitic crimes were reported to ODIHR. IOM reported four cases of graffiti on property and one of graffiti on a place of worship.³²⁰ The Jewish Foundation of Ukraine reported one murder as part of an attack during a Jewish pilgrimage. Two physical assaults, one of which involved serious injury, four cases of graffiti on property, seven cases of the desecration of cemeteries, two cases of graffiti on a synagogue and one case of damage to a synagogue were also reported.³²¹ Human Rights Without

³⁰⁹ Alexander Verkhovsky and Galina Kozhevnikova, “The Phantom of Manezhnaya Square: Radical Nationalism and Efforts to Counteract It in 2010”, the SOVA Center for Information and Analysis, *op. cit.*, note 130.

³¹⁰ “Anti-Semitism Manifestations in Russia in 2010”, Moscow Bureau for Human Rights, 2010, pp. 4–9.

³¹¹ “Anti-Semitism in Russia 2010: Final Report”, Euro-Asian Jewish Congress (EAJC), <<http://eajc.org/page521>>.

³¹² “Antisemitism Worldwide 2010 – General Analysis”, Tel Aviv University, Stephen Roth Institute, *op. cit.*, note 268.

³¹³ *Ibid.*

³¹⁴ Information from the Association for the Defense of Religious Freedom, 20 April 2011.

³¹⁵ “Report on anti-Semitism in Spain in 2010”, Observatorio de Antisemitismo en España, March 2011, <http://observatorioantisemitismo.fcje.org/wp-content/uploads/wpcf7_uploads//2009/10/informe_observatorio_2010.pdf>.

³¹⁶ “Antisemitism Worldwide 2010 – General Analysis”, Tel Aviv University, Stephen Roth Institute, *op. cit.*, note 268.

³¹⁷ Information from the Swedish NPC, *op. cit.*, note 251.

³¹⁸ *Ibid.*

³¹⁹ *Ibid.*

³²⁰ Communication from IOM Ukraine, *op. cit.*, note 140.

³²¹ “Antisemitism in Ukraine: facts and comments”, The Jewish Foundation of Ukraine, <<http://www.jew-fund.kiev.ua/antisemitism.php>>.

Frontiers reported two murders, one serious physical assault, three cases of graffiti on property and the desecration of one cemetery.³²² The Stephen Roth Institute reported 16 hate incidents.³²³

United Kingdom: Official figures record 488 anti-Semitic hate crimes in England, Wales and Northern Ireland.³²⁴ The Community Security Trust reported 114 physical assaults, 83 cases of damage to or desecration of Jewish property (including cemeteries, schools, the buildings of Jewish organizations and private homes) and 27 threats.³²⁵ The Stephen Roth Institute reported 144 hate incidents.³²⁶

United States: No official data on anti-Semitic crimes were reported to ODIHR. The Anti-Defamation League reported 22 physical assaults and 317 cases of vandalism.³²⁷ The Stephen Roth Institute reported 28 hate incidents.³²⁸

Key resolutions and statements from international organizations

The CERD Committee expressed its concern over the reported increase in anti-Semitic violence in Slovakia and urged authorities to intensify their efforts to combat and prevent such crimes.³²⁹

The Human Rights Committee noted that authorities should intensify their efforts to prosecute and punish anti-Semitic crimes in Belgium,³³⁰ and noted with concern “persistent manifestations of anti-Semitism, including physical attacks and desecration of Jewish cemeteries” in Poland.³³¹

ECRI noted that attackers continued to damage religious sites in Bosnia and Herzegovina.³³² ECRI noted reports of increased convictions in France in connection with racist and anti-Semitic crimes as indications of an improved response by the court system.³³³ In regard to

³²² “Anti-Semitism in Ukraine in 2010”, Human Rights Without Frontiers, <<http://www.hrwf.net/Joom/images/reports/2010/2010%20antisemitism%20ukraine.pdf>>.

³²³ “Antisemitism Worldwide 2010 – General Analysis”, Tel Aviv University, Stephen Roth Institute, *op. cit.*, note 268.

³²⁴ Questionnaire from the United Kingdom NPC, *op. cit.*, note 123.

³²⁵ “Antisemitic Incidents Report 2010”, Community Security Trust, <<http://www.thecst.org.uk/docs/Incidents%20Report%202010.pdf>>.

³²⁶ “Antisemitism Worldwide 2010 – General Analysis”, Tel Aviv University, Stephen Roth Institute, *op. cit.*, note 268.

³²⁷ “2010 Audit of Anti-Semitic Incidents”, Anti-Defamation League, 4 October 2011, <http://www.adl.org/main_Anti_Semitism_Domestic/2010_Audit.htm?Multi_page_sections=sHeading_1>.

³²⁸ “Antisemitism Worldwide 2010 – General Analysis”, Tel Aviv University, Stephen Roth Institute, *op. cit.*, note 268.

³²⁹ “Concluding observations of the Committee on the Elimination of Racial Discrimination: Slovak Republic” CERD/C/SVK/CO/6-8, *op. cit.*, note 101.

³³⁰ “Draft concluding observations of the Human Rights Committee: Belgium” CCPR/C/BEL/CO/5, *op. cit.*, note 95.

³³¹ “Draft concluding observations of the Human Rights Committee: Poland” CCPR/C/POL/CO/6, *op. cit.*, note 97.

³³² “ECRI Report on Bosnia and Herzegovina (fourth monitoring cycle)”, ECRI, *op. cit.*, note 107, p. 25.

³³³ “ECRI Report on France (fourth monitoring cycle)”, ECRI, *op. cit.*, note 109.

Poland, ECRI reported on instances of the desecration of Jewish cemeteries and widespread instances of anti-Semitic graffiti.³³⁴

In 2010, FRA published a report on manifestations of anti-Semitism in the EU, covering statistical data from 2001 to 2009.³³⁵

Government and NGO responses to anti-Semitic crimes and incidents

In Bulgaria, the Socialist Party's Youth Association Campaign organized a series of "Clean Start in History" days, on which young people removed swastikas and anti-Semitic slogans from monuments and historical sites.³³⁶

In Poland, authorities took prompt investigative action when the historic sign at the entrance gate to the Auschwitz-Birkenau concentration camp was stolen on the night of 17 December 2009. The sign, which had been cut into three pieces by the perpetrators, was recovered quickly by the police and suspects were arrested. Following a trial in March 2010, the court sentenced the defendants to prison sentences ranging from 18 months to two-and-a-half years. In December 2010, the court sentenced a former member of the National Socialist Front (*Nationalsocialistisk Front*), a Swedish neo-Nazi organization, to two years and eight months in prison for instigating the theft.³³⁷

In Spain, the Federation of Jewish Communities organized an international seminar on anti-Semitism in Madrid to raise awareness and to discuss education and civic engagement.³³⁸

Box 3: Anti-Semitic attack

During the night of 17 May 2010, unidentified perpetrators carried out an arson attack against the synagogue in Worms. They set fire to the outside of the walls at a number of spots and to two entrance doors, threw at least one Molotov cocktail against a window in the first upper floor and set another fire under a staircase in the interior of the synagogue. Firefighters managed to extinguish the flames quickly, so the only damage was to the exterior of the walls and the doors into the synagogue, as well as the window, which did not break.

Several flyers were found at the scene containing the following text: „Sobald ihr nicht den Palästinenser Ruhe gibt, geben wir euch keine Ruhe!!!" ("As long as you prey on the Palestinian minds, we will prey on yours!!!")

In response, the police set up a special commission, consisting of about 35 officers, to investigate the crime and interview a large number of witnesses. Despite these investigations, no suspects were identified. As a result, the Public Prosecutor closed the investigation into the arson attack in June 2011.³³⁹

³³⁴ "ECRI Report on Poland (fourth monitoring cycle)", ECRI, *op. cit.*, note 218, p. 30

³³⁵ "Anti-Semitism: summary overview of the situation in the European Union 2001-2009", FRA, April 2010, <http://www.fra.europa.eu/fraWebsite/attachments/Antisemitism_Update_2010.pdf>.

³³⁶ "Anti-Semitic Manifestations in Bulgaria: 2009-2010", Organisation of the Jews in Bulgaria, *op. cit.*, note 336.

³³⁷ "The Brown Book 2010", East Europe Monitoring Centre, Never Again Association, *op. cit.*, note 193.

³³⁸ "Report on anti-Semitism in Spain in 2010", Observatorio de Antisemitismo en España, *op. cit.*, note 315.

³³⁹ Information from the German NPC, 17 June 2011.

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.³⁴⁰ Moreover, at the 2007 High Level Conference on Combating 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.³⁴¹ 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.³⁴²

Following a visit by a delegation of the OIC to Warsaw on 4 March, ODIHR Director Ambassador Janez Lenarčič visited the headquarters of the OIC in Jeddah in April. The two visits provided the opportunity to discuss possible areas of co-operation in addressing discrimination and hate crimes. An agreement was reached for ODIHR to provide training in 2011 on hate crime monitoring for the staff of the OIC Islamophobia Observatory.

From 27 to 29 May, OSCE Secretary General Marc Perrin de Brichambaut participated in the Third Global Forum of the Alliance of Civilizations in Rio de Janeiro. In addition to serving as a speaker and commentator at several of the Forum's sessions, the Secretary General delivered a speech on OSCE activities concerning hate crimes against Muslims at the Roundtable Meeting on Islamophobia, co-hosted by the OIC and the Council of Europe.

The personal representative of the OSCE Chairman-in-Office on Combating Intolerance and Discrimination against Muslims, Adil Akhmetov, visited Jeddah, Brussels, Geneva, London, Berlin and Astana as part of his activities for 2010. During these visits, he drew attention to the fact that anti-Muslim hate crimes were significantly under-reported and under-recorded, and urged participating States to enhance trust between Muslim communities and law-enforcement officers, to create data-collection mechanisms and to train the police and judiciary on addressing this specific form of intolerance. He also encouraged participating States to support the efforts of NGOs dealing with hate crimes against Muslims.

³⁴⁰ "Tenth Meeting of the Ministerial Council", Porto, 6 and 7 December 2002, <<http://www.osce.org/mc/40521>>.

³⁴¹ Press release, "Countering intolerance and discrimination against Muslims purpose of OSCE meeting in Cordoba", OSCE, Cordoba, 9 October 2007, <<http://www.osce.org/item/27234.html>>.

³⁴² "Astana Declaration on Combating Intolerance and Discrimination," Astana, 30 June 2010, <<http://www.osce.org/cio/68972>>.

Information and data on anti-Muslim hate crimes and incidents

Currently, 18 participating States³⁴³ collect numerical data on anti-Muslim hate crimes. However, Germany and Sweden were the only participating States that provided data for 2010 to ODIHR at the time this report was completed. Austria, France and the United Kingdom each reported specific cases.

Seventeen NGOs and civil society organizations reported incidents targeting Muslims in 12 participating States.³⁴⁴

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: The NPC reported one case of the harassment of a Turkish citizen. The incident was categorized as an Islamophobic offence and the perpetrator was convicted and sentenced.³⁴⁵ No information was provided by NGOs.

Bosnia and Herzegovina: No data on anti-Muslim crimes were reported to ODIHR by officials or NGOs. The OSCE Mission to Bosnia and Herzegovina reported four cases of damage to mosques and the desecration of one cemetery.³⁴⁶

Bulgaria: No official data on anti-Muslim crimes were reported to ODIHR. Human Rights First reported one arson attack on a mosque.³⁴⁷ The Office of the Grand Mufti reported one arson attack, three cases of damage to property and three cases of graffiti targeting mosques and Muslim cemeteries.³⁴⁸

Canada: No official data on anti-Muslim crimes were reported to ODIHR. The Organization of the Islamic Conference Observatory (OIC Observatory) reported one arson attack on a mosque and one case in which a pig's head was left outside a mosque.³⁴⁹ The Canadian Council on American-Islamic Relations (CAIR-CAN) reported one attack using golf clubs in which people were attacked and cars damaged at an Islamic centre. In addition, CAIR-CAN reported two physical assaults, one case of damage to property, three

³⁴³ Austria, Belgium, Bulgaria, Canada, Croatia, Czech Republic, Finland, Greece, Liechtenstein, Moldova, Netherlands, Poland, Serbia, Sweden, Switzerland, Tajikistan, United Kingdom and the United States.

³⁴⁴ Bulgaria, Canada, France, Germany, Greece, Netherlands, Norway, Russian Federation, Spain, Ukraine, United Kingdom and the United States.

³⁴⁵ Questionnaire from the Austrian NPC, *op. cit.*, note 161.

³⁴⁶ Communication from the OSCE Mission to Bosnia and Herzegovina, *op. cit.*, note 83.

³⁴⁷ "Violence against Muslims", Human Rights First, March 2011, <<http://www.humanrightsfirst.org/wp-content/uploads/pdf/3-2010-muslim-factsheet-update.pdf>>.

³⁴⁸ Communication from the Office of the Grand Mufti of Bulgaria, *op. cit.*, note 166.

³⁴⁹ "Third OIC Observatory Report on Islamophobia (Intolerance & Discrimination against Muslims)", OIC Observatory, May 2009-April 2010, <http://www.oic-oci.org/uploads/file/Islamphobia/2010/en/Islamphobia_rep_May_22_5_2010.pdf>; "Fourth OIC Observatory Report on Islamophobia (Intolerance & Discrimination against Muslims)", OIC Observatory, *op. cit.*, note 139.

cases of graffiti on property, one case of damage to a mosque, one arson attack on a mosque and two threats of arson.³⁵⁰

France: The NPC reported one case of vandalism and graffiti on a mosque, for which two people were convicted and received prison sentences.³⁵¹ The OIC Observatory reported two cases of graffiti on property in reaction to the building of a new mosque, nine cases of graffiti on existing mosques, one arson threat and three cases in which cemeteries were desecrated.³⁵² Human Rights First reported one physical assault and the desecration of one Muslim cemetery, in which 30 graves were damaged.³⁵³ The NGO COJEP reported a series of hate incidents against property, one arson attack on a mosque, three cases of damage to property (including the desecration of a cemetery), three cases of graffiti on property and two cases of graffiti on places of worship.³⁵⁴ The NGO Collective Against Islamophobia in France reported 152 hate incidents, including 12 physical assaults, four arson attacks on mosques, 11 cases of graffiti on mosques and three cases in which pigs' heads were left outside mosques.³⁵⁵

Germany: The NPC reported 22 hate crimes targeting mosques, two of which were recorded as violent crimes.³⁵⁶ The OIC Observatory reported one arson attack on a mosque and one arson attack on an Islamic cultural centre.³⁵⁷ Human Rights First reported three arson attacks on mosques in Berlin, carried out by the same perpetrator.³⁵⁸

Greece: No official data on anti-Muslim crimes were reported to ODIHR. UNHCR reported a number of physical assaults, one of which resulted in serious bodily injury, and a series of attacks on mosques, including two arson attacks and one case of damage.³⁵⁹ The Federation of Western Thrace Turks in Europe, the Western Thrace Minority University Graduates Association and the Culture and Solidarity Association of the Turks of Rhodes, Kos and Dodecanese reported one case of the desecration of a cemetery, in which more than 20 gravestones were destroyed.³⁶⁰ In addition, the Federation of Western Thrace Turks in Europe and the Western Thrace Minority University Graduates Association reported one arson attack on a mosque, one case of damage to property, in which gravestones were desecrated, and other offences, including attacks against animals belonging to Turkish

³⁵⁰ Information from the Canadian Council on American-Islamic Relations (CAIR-CAN), 15 June 2011.

³⁵¹ Questionnaire from the French NPC, *op. cit.*, note 116.

³⁵² "Third OIC Observatory Report on Islamophobia (Intolerance & Discrimination against Muslims)", The OIC Observatory, *op. cit.*, note 349; "Fourth OIC Observatory Report on Islamophobia (Intolerance & Discrimination against Muslims)", OIC Observatory, *op. cit.*, note 139.

³⁵³ "Violence against Muslims", Human Rights First, *op. cit.*, note 347.

³⁵⁴ Information from COJEP, 8 April 2011.

³⁵⁵ "Rapport sur l'islamophobie en France 2010", Collectif Contre l'islamophobie en France, 15 March 2010, <http://www.islamophobie.net/user-res/fichiers/rapport_ccif_2010_PDF>.

³⁵⁶ Information from the German NPC, *op. cit.*, note 173.

³⁵⁷ "Fourth OIC Observatory Report on Islamophobia (Intolerance & Discrimination against Muslims)", OIC Observatory, *op. cit.*, note 139.

³⁵⁸ "Violence against Muslims", Human Rights First, *op. cit.*, note 347; This case was confirmed by the German NPC but it was not recorded as a hate crime. Information from the German NPC, *op. cit.*, note 175.

³⁵⁹ Communication from UNHCR, *op. cit.*, note 177.

³⁶⁰ Information from the Federation of Western Thrace Turks in Europe, *op. cit.*, note 179; Information from the Western Thrace Minority University Graduates Association, *op. cit.*, note 179; Information from the Culture and Solidarity Association of the Turks of Rhodes, Kos and Dodecanese, 27 January 2011.

people.³⁶¹ The Western Thrace Minority University Graduates Association and the Culture and Solidarity Association of the Turks of Rhodes, Kos and Dodecanese also reported one arson attack.³⁶² Human Rights First reported the desecration of a Muslim cemetery³⁶³ and the Western Thrace University Graduates Association also reported the desecration of a cemetery.³⁶⁴

Netherlands: No official data on anti-Muslim crimes were reported to ODIHR. The OIC Observatory reported the desecration of one mosque and one case in which a dead sheep was left outside a mosque.³⁶⁵ Human Rights First reported one case of arson and graffiti on a mosque and one case of damage to property.³⁶⁶ The Turks Forum reported one physical assault, four arson attacks on mosques, two cases of damage to property, four cases of graffiti on property and three cases in which pigs' heads were left outside mosques.³⁶⁷

Norway: No official data on anti-Muslim crimes were reported to ODIHR. The OIC reported the desecration of one mosque.³⁶⁸

Russian Federation: No official data on anti-Muslim crimes were reported to ODIHR. Human Rights First reported the desecration of a Muslim cemetery.³⁶⁹ The SOVA Centre for Information and Analysis reported nine cases of vandalism targeting Muslim sites, including two cases of arson.³⁷⁰

Spain: No official data on anti-Muslim crimes were reported to ODIHR. The NGO Union of Islamic Communities in Spain reported one physical assault involving serious bodily injury and several cases of graffiti against Mosques and Islamic owned businesses in Xati, Valencia.³⁷¹

Sweden: Official figures record 272 anti-Muslim hate crimes.³⁷² No information was provided by NGOs.

³⁶¹ Information from the Federation of Western Thrace Turks in Europe, *op. cit.*, note 179; Information from the Western Thrace Minority University Graduates Association, *op. cit.*, note 179.

³⁶² Information from the Western Thrace Minority University Graduates Association, *op. cit.*, note 179; Information from the Culture and Solidarity Association of the Turks of Rhodes, Kos and Dodecanese, *op. cit.*, note 360.

³⁶³ "Violence against Muslims", Human Rights First, *op. cit.*, note 347.

³⁶⁴ Information from the Western Thrace Minority University Graduates Association, *op. cit.*, note 179.

³⁶⁵ "Third OIC Observatory Report on Islamophobia (Intolerance & Discrimination against Muslims)", OIC Observatory, *op. cit.*, note 352; "Fourth OIC Observatory Report on Islamophobia (Intolerance & Discrimination against Muslims)", OIC Observatory, *op. cit.*, note 139.

³⁶⁶ "Violence against Muslims", Human Rights First, *op. cit.*, note 347.

³⁶⁷ Information from Turks Forum Netherlands, 29 March 2011.

³⁶⁸ "Fourth OIC Observatory Report on Islamophobia (Intolerance & Discrimination against Muslims)", OIC Observatory, *op. cit.*, note 139.

³⁶⁹ "Violence against Muslims", Human Rights First, *op. cit.*, note 347.

³⁷⁰ Alexander Verkhovsky and Galina Kozhevnikova, "The Phantom of Manezhnaya Square: Radical Nationalism and Efforts to Counteract It in 2010", SOVA Centre for Information and Analysis, *op. cit.*, note 130.

³⁷¹ "Informe especial J/2010: Incidencias e islamafobia", Union of Islamic Communities in Spain, 2010, *op. cit.*, 148; The physical assault was also reported in the Racism and Xenophobia section of this report, p. 47.

³⁷² Information from the Swedish NPC, *op. cit.*, note 251.

Ukraine: No official data on anti-Muslim crimes were reported to ODIHR. IOM Ukraine and Human Rights first reported an attempted arson attack and graffiti on a mosque in the Crimea.³⁷³ Human Rights First reported an additional arson attack on the same mosque later in the year.³⁷⁴

United Kingdom: The NPC reported a series of demonstrations in which mosques and businesses owned by people of South Asian background were attacked and people were injured.³⁷⁵ The OIC Observatory reported a series of attacks against a mosque in Essex resulting in damage to property, one case of damage to property, one arson attack on a mosque and one case of harassment.³⁷⁶ The OIC Observatory and Human Rights First reported the serious physical assault of a 13-year-old girl; the alleged perpetrators have been arrested and face trial in 2011. Human Rights First reported two additional physical assaults and two arson attacks.³⁷⁷ The National Association of Muslim Police reported 15 cases of arson and damage to property targeting mosques, and five cases of graffiti in Muslim cemeteries.³⁷⁸ The Institute of Race Relations reported 12 physical assaults and 20 hate incidents involving graffiti and damage to property, eight of which targeted mosques.³⁷⁹ The Muslim Council of Britain reported two physical assaults, two arson attacks on mosques and eight cases of damage to property (four targeting mosques, three targeting Muslim cemeteries, and one as part of a series of attacks on the home of a Muslim family).³⁸⁰ The NGO ENGAGE reported six physical assaults, one of which involved serious bodily injury, two arson attacks on mosques, five cases of damage to mosques, the desecration of a cemetery, one case of graffiti and four cases in which pigs' heads were left outside mosques.³⁸¹

United States: No official data on anti-Muslim crimes were reported to ODIHR. The OIC Observatory reported three physical assaults, one threat, two cases of graffiti on mosques and seven cases of damage to mosques.³⁸² Human Rights First and the Council on American-Islamic Relations (CAIR) reported one serious physical assault.³⁸³ Human Rights First also reported one case of damage to property.³⁸⁴ In addition, CAIR reported five physical assaults, a case in which a boy was regularly beaten at school by his classmates, six cases of damage to property, seven cases of graffiti on property, two cases of damage to

³⁷³ Communication from IOM Ukraine, *op. cit.*, note 140; “Violence against Muslims”, Human Rights First, *op. cit.*, note 347.

³⁷⁴ “Violence against Muslims”, Human Rights First, *op. cit.*, note 347.

³⁷⁵ Information from the United Kingdom NPC, 2 August 2011.

³⁷⁶ “Third OIC Observatory Report on Islamophobia (Intolerance & Discrimination against Muslims)”, OIC Observatory, *op. cit.*, note 352; “Fourth OIC Observatory Report on Islamophobia (Intolerance & Discrimination against Muslims)”, OIC Observatory, *op. cit.*, note 139.

³⁷⁷ “Violence against Muslims”, Human Rights First, *op. cit.*, note 347; “Fourth OIC Observatory Report on Islamophobia (Intolerance & Discrimination against Muslims)”, OIC Observatory, *op. cit.*, note 139.

³⁷⁸ Information from the National Association of Muslim Police, London, 31 March 2011.

³⁷⁹ Information from the Institute of Race Relations, 25 March 2011.

³⁸⁰ Information from the Muslim Council of Britain, 1 April 2011.

³⁸¹ Information from ENGAGE, 31 March 2011.

³⁸² “Fourth OIC Observatory Report on Islamophobia (Intolerance & Discrimination against Muslims)”, OIC Observatory, *op. cit.*, note 139.

³⁸³ “Violence against Muslims”, Human Rights First, *op. cit.*, note 347; “Islamophobia and its impact in the United States: January 2009 – December 2010”, Council on American-Islamic Relations (CAIR), 2011, <<http://www.cair.com/Portals/0/pdf/islamophobiareport2009-2010.pdf>>.

³⁸⁴ “Violence against Muslims”, Human Rights First, *op. cit.*, note 347.

mosques, four cases of graffiti on mosques, four arson attacks on mosques and four cases of threats.³⁸⁵

Key resolutions and statements from international organizations

The Human Rights Committee recommended that Belgium should intensify its efforts to prosecute and punish “Islamophobic” crimes.³⁸⁶

ECRI noted that attackers continued to damage religious sites in Bosnia and Herzegovina.³⁸⁷ An ECRI report on Poland mentioned physical attacks against Muslims in Bialystok and crimes targeting Muslim places of worship.³⁸⁸ ECRI also noted that officials in France have taken a firm stance against “Islamophobia.”³⁸⁹

FRA issued a report in 2010 examining the discrimination and violence experienced by Muslim and non-Muslim youths in France, Spain and the United Kingdom. The report found that victims of violence and discrimination often suffered from feelings of social marginalization.³⁹⁰

The Ministers of Foreign Affairs of OIC Member States adopted a declaration expressing “profound regret and deep concern at the increasing acts of Islamophobia, growing trend of intolerance and hatred towards Muslims, and mounting number of acts of violence against Muslims.”³⁹¹

Government and NGO responses to anti-Muslim hate crimes and incidents

In Germany, on 1 July the city of Dresden, with the participation of Jürgen Martens, Justice Minister for the state of Saxony, marked the one-year anniversary of the murder of Marwa El-Sherbini, who was stabbed to death in a courtroom. Officials honoured her memory with a plaque to serve as a warning against intolerance and discrimination.³⁹²

In Bulgaria, the office of the Grand Mufti and the Director of the Commission for Protection against Discrimination, invited ODIHR staff to Sofia for an assessment visit to explore potential training activities with government officials and civil society. The Interior Ministry signed a memorandum of understanding with ODIHR for police training. ODIHR

³⁸⁵ “Islamophobia and its impact in the United States: January 2009 – December 2010”, CAIR, *op. cit.*, note 383.

³⁸⁶ “Draft concluding observations of the Human Rights Committee: Belgium” CCPR/C/BEL/CO/5, *op. cit.*, note 95.

³⁸⁷ “ECRI Report on Bosnia and Herzegovina (fourth monitoring cycle)”, ECRI, *op. cit.*, note 107, p.25.

³⁸⁸ “ECRI Report on Poland (fourth monitoring cycle)”, ECRI, *op. cit.*, note 218.

³⁸⁹ “ECRI Report on France (fourth monitoring cycle)”, ECRI, *op. cit.*, note 109.

³⁹⁰ “Experience of discrimination, social marginalization and violence: A comparative study of Muslim and non-Muslim youth in three EU Member States”, FRA, 2010, <http://fra.europa.eu/fraWebsite/attachments/Pub-racism-marginalisation_en.pdf>.

³⁹¹ Declaration by the Annual Coordination Meeting of Ministers of Foreign Affairs OIC Member States on Countering Islamophobia, UN Headquarters, New York, 24 September 2010 (OIC/ACM-2010/Islamophobie-DEC), <<http://www.oic-oci.org/english/conf/fm/acm2010/en/ACM-2010-DEC-English.pdf>>.

³⁹² “Dresden honours Egyptian veil martyr” The Local – Germany’s News in English, 1 July 2010, <<http://www.thelocal.de/national/20100701-28243.html>>.

and the Ministry of Interior will implement the Training Against Hate Crimes for Law Enforcement programme (TAHCLE) in the Bulgarian police academy in 2011.

The Swiss Federal Commission against Racism co-hosted a conference with ODIHR in Bern on 23 October aimed at supporting the efforts of Swiss Muslim NGOs to create an umbrella organization. The new organization would help empower the NGOs to counter stereotypes against Muslims in Swiss society. It was envisaged that the umbrella organization would also increase the capacity of NGOs to monitor hate crimes against Muslims.

The “All-Party Parliamentary Group on Islamophobia” was established in the Parliament of the United Kingdom to investigate the forms, manifestations and extent of prejudice and discrimination against Muslims in the country today; review the effectiveness of all legislation, with a view to improving the rate of success in the prosecution of hate crimes; review existing mechanisms for the recording of anti-Muslim hate crimes; and investigate and review the role of the media in fostering mutual respect and tolerance and guarding against misrepresentations of Islam and intolerance towards Muslims.³⁹³

Box 4: Violent demonstrations by the English Defence League

In 2009, the English Defence League (EDL) organized a series of demonstrations across England, claiming to be protesting against “extremist” Muslim activity. The protest marches were usually organized in areas with large Muslim and South-Asian populations. The general population and the Muslim community in the United Kingdom tend to see the EDL as a racist organization that uses confrontational tactics.

Prior to an organized EDL demonstration at Stoke-on-Trent, on 23 January 2010, the police carried out coordinated intelligence-gathering through the internet and social media, as well as extensive engagement activities aimed at reassuring the community and preventing a backlash reaction. The engagement activities included events in schools, mosques and businesses. The police recruited, trained and included within their operation a series of volunteer community mediators. This consultation was intensified on the day of the event, and continued until intelligence assessments suggested that tensions had diminished back to normal levels.

The event on 23 January became violent. Police officers defending sensitive locations such as mosques and businesses owned by people of a South Asian background were attacked and injured. The police made a series of arrests in relation to the event that were recorded as hate crimes. This resulted in a total of 21 convictions for a range of offences, including racially and religiously aggravated violence and public order offences. Offenders received sentences of up to 16 months imprisonment.

The police and community representatives reported that their collaborative approach prevented a violent backlash from a fearful community and enhanced the levels of trust of the police and other agencies from affected communities.³⁹⁴

³⁹³ House of Commons register of all Party Parliamentary Groups, All-Party Parliamentary Group on Islamophobia, <<http://www.publications.parliament.uk/pa/cm/cmallparty/register/islamophobia.htm>>.

³⁹⁴ Information from United Kingdom NPC, *op. cit.*, note 375.

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.³⁹⁵

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 Christians and members of other religions.³⁹⁶

In December 2010, ODIHR delivered training on freedom of religion or belief for more than 20 representatives of civil society and religious communities in the OSCE area. This event represented an opportunity to raise awareness of the issue of hate crimes based on religious bias and to discuss prevention and responses. Participants in the training also attended the Supplementary Human Dimension Meeting on Freedom of Religion or Belief held on 9 and 10 December. A number of speakers raised concerns about attacks against places of worship.³⁹⁷

In April 2010, Mario Mauro, 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, visited Georgia upon the invitation of the Georgian Government. He focused, in particular, on inter-religious and inter-ethnic relations in the country.

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

Currently, 35 participating States report collecting data on hate crimes based on religious bias.³⁹⁸ Fourteen states reported that they record data on crimes motivated by bias against Christians and members of other religions.³⁹⁹ Some states further disaggregate this data into

³⁹⁵ OSCE Ministerial Council, Decision No. 10/05, *op. cit.*, note 11; OSCE Ministerial Council, Decision No. 13/06, *op. cit.*, note 8; OSCE Ministerial Council Decision No. 10/07, *op. cit.*, note 14; "Cordoba Declaration by the Chairman-in-Office", *op. cit.*, note 263; "Bucharest Declaration by the Chairman-in-Office", *op. cit.*, note 232.

³⁹⁶ Astana Declaration by the Chairperson-in-Office, *op. cit.*, note 89.

³⁹⁷ Report of the Supplementary Human Dimension Meeting on Freedom of Religion or Belief, Vienna, 9-10 December 2010, available at <<http://www.osce.org/odihr/75755>>.

³⁹⁸ 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, Spain, Sweden, Switzerland, Tajikistan, United Kingdom, United States and Uzbekistan.

³⁹⁹ Belgium, Bulgaria, Canada, Croatia, Czech Republic, Finland, Moldova, Netherlands, Poland, Serbia, Sweden, Switzerland, United Kingdom and the United States.

categories such as “non-denominational”, “Catholic”, “Protestant” or “other religions”.⁴⁰⁰ However, at the time this report was written, Sweden was the only participating State that provided numerical data and only Bosnia and Herzegovina and Turkey reported on specific cases.

The Holy See provided information on incidents motivated by bias against Christians in 12 states. ODIHR requested information about these cases from NPCs and received responses from Germany, Hungary, Poland and Turkey.

Three NGOs provided information to ODIHR on incidents motivated by bias against Christians and members of other religions in five participating States.⁴⁰¹

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.

Denmark, Finland, France, Germany, Liechtenstein and the United Kingdom provided numerical data 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 and the Observatory on Intolerance and Discrimination against Christians reported a serious physical assault on a Catholic youth and two cases of damage to church property.⁴⁰²

Bosnia and Herzegovina: The NPC reported the desecration of three graves at an Orthodox Christian cemetery.⁴⁰³ The Holy See reported six cases of damage to property and two cases of graffiti on places of worship targeting Catholic churches and a parish house, as well of three cases of the desecration of cemeteries. In addition, three cases of damage to property and one of graffiti on a place of worship were reported targeting the Serbian Orthodox Church. Local police investigated all of these incidents.⁴⁰⁴ The OSCE Mission to Bosnia and Herzegovina reported one case in which an Orthodox Christian parish priest was threatened, one case of damage to an Orthodox Christian church, the desecration of three Catholic cemeteries, one case of anti-Christian graffiti on a private residence, and one case of graffiti on an Orthodox Christian church.⁴⁰⁵ No data on crimes against Christians or members of other religions were provided by NGOs.

⁴⁰⁰ Bulgaria, Canada, Czech Republic and the United States.

⁴⁰¹ Austria, France, Germany, Russian Federation and Turkey.

⁴⁰² Information from the Holy See NPC, 24 March 2011; “Shadow Report on Intolerance and Discrimination against Christians in Europe, 2005-2010”, Observatory on Intolerance and Discrimination against Christians, 10 December 2010, <http://www.intoleranceagainstchristians.eu/fileadmin/user_upload/Five-Year_Report_Intolerance_against_Christians_in_Europe_-_online_version.pdf>.

⁴⁰³ Questionnaire from Bosnia and Herzegovina, *op. cit.*, note 83.

⁴⁰⁴ Information from the Holy See NPC, *op. cit.*, note 402.

⁴⁰⁵ Communication from the OSCE Mission to Bosnia and Herzegovina, *op. cit.*, note 83.

Denmark: Official figures record 21 anti-religious hate crimes: one physical assault, six cases of damage to property, five cases of threats or threatening behaviour and nine other anti-religious crimes or incidents.⁴⁰⁶ The Holy See reported one physical assault and two cases of damage to property.⁴⁰⁷ No data on crimes against Christians or members of other religions were provided by NGOs.

Finland: Official figures record 41 anti-religious hate crimes.⁴⁰⁸ No data on crimes against Christians or members of other religions were provided by NGOs.

France: The NPC reported 104 convictions for anti-religious crimes.⁴⁰⁹ The Holy See reported one threat, one case of arson, five cases of graffiti on Church property, 13 cases of the desecration of cemeteries and another 11 of the desecration of churches or Church property.⁴¹⁰ The Observatory on Intolerance and Discrimination against Christians reported a series of cases of desecration of cemeteries taking place throughout the year.⁴¹¹

Georgia: No data on crimes motivated by bias against Christians or members of other religions were provided to ODIHR by the government or NGOs. UNHCR reported seven physical assaults and one threat made against Jehovah's Witnesses. UNHCR also reported one case of damage to a Baptist church.⁴¹²

Germany: Official figures record 248 anti-religious hate crimes, of which 15 were violent.⁴¹³ The Holy See and the Observatory on Intolerance and Discrimination against Christians reported one incident of graffiti on the birth place of Pope Benedict XVI.⁴¹⁴ The Holy See also reported a serious physical assault on a Catholic priest.⁴¹⁵ In addition, the Observatory on Intolerance and Discrimination against Christians reported six cases of damage to Church property.⁴¹⁶

⁴⁰⁶ Questionnaire from the Danish NPC, *op. cit.*, note 113. As indicated, it is unclear how many of these crimes were committed against Christians or members of other religious groups.

⁴⁰⁷ Information from the Holy See NPC, *op. cit.*, note 402.

⁴⁰⁸ Information from the Finnish NPC, *op. cit.*, note 171.

⁴⁰⁹ Questionnaire from the French NPC, *op. cit.*, note 116. As indicated, it is unclear how many of these crimes were committed against Christians or members of other religious groups.

⁴¹⁰ Information from the Holy See NPC, *op. cit.*, note 402.

⁴¹¹ "Shadow Report on Intolerance and Discrimination against Christians in Europe, 2005-2010", Observatory on Intolerance and Discrimination against Christians, *op. cit.*, note 402.

⁴¹² Communication from UNHCR, *op. cit.*, note 177, citing the 2010 Annual Report of the Public Defender of Georgia.

⁴¹³ Information from the German NPC, *op. cit.*, note 173. As indicated, it is unclear how many of these crimes were committed against Christians or members of other religious groups.

⁴¹⁴ Information from the Holy See NPC, *op. cit.*, note 402; "Shadow Report on Intolerance and Discrimination against Christians in Europe, 2005-2010", Observatory on Intolerance and Discrimination against Christians, *Ibid*; This case was confirmed by the German NPC and was recorded as a hate crime. Information from the German NPC, *op. cit.*, note 175.

⁴¹⁵ Information from the Holy See NPC, *op. cit.*, note 402; This case was confirmed by the German NPC but was not recorded as a hate crime. The perpetrator was charged with aggravated robbery and causing grievous bodily harm. Information from the German NPC, *op. cit.*, note 175.

⁴¹⁶ "Shadow Report on Intolerance and Discrimination against Christians in Europe, 2005-2010", Observatory on Intolerance and Discrimination against Christians, *op. cit.*, note 402.

Hungary: No data on crimes motivated by bias against Christians or members of other religions were provided to ODIHR by the government or NGOs. The Holy See reported eight cases of damage to property and one of the desecration of a cemetery.⁴¹⁷

Italy: No data on crimes motivated by bias against Christians or members of other religions were provided to ODIHR by the government or NGOs. The Holy See reported the desecration of one cemetery and two cases of graffiti.⁴¹⁸

Kyrgyzstan: No data on crimes motivated by bias against Christians or members of other religions were provided to ODIHR by the government or NGOs. The Holy See reported a series of attacks against places of worship, targeting evangelical houses of prayer and a Russian Orthodox community.⁴¹⁹

Liechtenstein: Official figures record three anti-religious hate crimes: one physical assault and two cases of damage to property.⁴²⁰ No data on crimes against Christians or members of other religions were provided by NGOs.

Poland: No data on crimes motivated by bias against Christians or members of other religions were provided to ODIHR by the government or NGOs. The Holy See reported three cases of damage to Church property, the desecration of a cemetery and two cases of vandalism of Christian sites.⁴²¹

Portugal: No data on crimes motivated by bias against Christians or members of other religions were provided to ODIHR by the government or NGOs. The Holy See reported two cases of damage to and graffiti on property.⁴²²

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 three physical assaults and one case of arson.⁴²³ The SOVA Centre for Information and Analysis reported the following hate incidents targeting Jehovah's Witnesses: 12 physical assaults, 11 cases of damage to property and three cases of arson. In addition, eight cases of damage to property and eight cases of arson were reported targeting Orthodox sites, as well as a further case of damage to property and two cases of arson targeting Protestant sites.⁴²⁴

⁴¹⁷ Information from the Holy See NPC, *op. cit.*, note 402; The Permanent Mission of Hungary to the OSCE confirmed five of the eight listed cases of damage to property. All investigation has been suspended in absence of the identification of any suspects. The desecration of a cemetery was also confirmed and is still under investigation. Information from the Permanent Mission of Hungary to the OSCE, 19 September 2011.

⁴¹⁸ *Ibid.*

⁴¹⁹ *Ibid.*

⁴²⁰ Questionnaire from the Liechtenstein NPC, *op. cit.*, note 188; As indicated, it is unclear how many of these crimes were committed against Christians or members of other religious groups.

⁴²¹ Information from the Holy See NPC, *op. cit.*, note 402; The Permanent Mission of the OSCE to Poland reported that the authorities received no complaints or notifications with regard to two cases of damage to property. One case of damage to property was confirmed and the perpetrators have been convicted and sentenced. The desecration of a cemetery and two cases of vandalism were confirmed. Communication from the Permanent Mission of the OSCE to Poland, 9 September 2011.

⁴²² *Ibid.*

⁴²³ *Ibid.*

⁴²⁴ Alexander Verkhovsky and Galina Kozhevnikova, "The Phantom of Manezhnaya Square: Radical Nationalism and Efforts to Counteract It in 2010", SOVA Centre for Information and Analysis, *op. cit.*, note 130.

Sweden: Official figures record 191 anti-religious hate crimes, of which 97 were anti-Christian crimes.⁴²⁵ No data on crimes against Christians or members of other religions were provided by NGOs.

Turkey: The NPC reported six incidents of damage to property belonging to the Catholic Church.⁴²⁶ The Holy See reported the desecration of a cemetery and one case of damage to property, both targeting Greek Orthodox sites.⁴²⁷ The Observatory on Intolerance and Discrimination against Christians reported the same murder of a Catholic priest reported by the NPC.⁴²⁸ The Ecumenical Federation of Constantinopolitans reported the desecration of one cemetery and one case of arson. Both incidents targeted Greek Orthodox churches.⁴²⁹

United Kingdom: Official figures record 2,007 anti-religious hate crimes in England, Wales and Northern Ireland.⁴³⁰ No data on crimes against Christians or members of other religions were provided by NGOs.

The OSCE Mission in Kosovo reported one case of damage to a Church and the desecration of one cemetery.⁴³¹ UNHCR reported two cases of the desecration of a cemetery.⁴³²

ECRI noted that attackers continued to damage religious sites in Bosnia and Herzegovina.⁴³³ ECRI noted cases targeting Orthodox Christian and Catholic churches in Poland,⁴³⁴ as well as several attacks on Jehovah's witnesses and their places of worship in Armenia.⁴³⁵

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

No governments or NGOs reported to ODIHR on activities they had undertaken to address crimes or incidents motivated by bias against Christians and members of other religions.

Box 5: Assaults on Christians in Georgia

On 13 April 2010, two Jehovah's Witnesses arranged to meet a local resident in the town of Lanchkhuti, Georgia, where they intended to hand out religious literature. When they

⁴²⁵ Information from the Swedish NPC, *op. cit.*, note 251.

⁴²⁶ Information from the Turkish NPC, 25 March 2011

⁴²⁷ Information from the Holy See NPC, *op. cit.*, note 402; The Permanent Mission of Turkey to the OSCE reported that the authorities received no complaints or notifications with regards to the damage to property case. The desecration of the cemetery was confirmed, and investigation was ongoing at the time of writing. Communication from the Permanent Mission of Turkey to the OSCE, 30 August 2011.

⁴²⁸ "Shadow Report on Intolerance and Discrimination against Christians in Europe, 2005-2010", Observatory on Intolerance and Discrimination against Christians, *op. cit.*, note 402.

⁴²⁹ Information from the Ecumenical Federation of Constantinopolitans, 9 September 2011.

⁴³⁰ Questionnaire from the United Kingdom NPC, *op. cit.*, note 123; As indicated, it is unclear how many of these crimes were committed against Christians or members of other religious groups.

⁴³¹ Communication from the OSCE Mission in Kosovo, *op. cit.*, note 208.

⁴³² Communication from UNHCR, *op. cit.*, note 177.

⁴³³ "ECRI Report on Bosnia and Herzegovina (fourth monitoring cycle)", ECRI, *op. cit.*, note 107, p. 25.

⁴³⁴ "ECRI Report on Poland (fourth monitoring cycle)", ECRI, *op. cit.*, note 218, p. 29.

⁴³⁵ "ECRI Report on Armenia (fourth monitoring cycle)", ECRI, *op. cit.*, note 135, p. 16..

reached the resident's home, they were met by four young persons, who physically assaulted them and targeted them with anti-religious insults. The victims reported the incident to the police.

On 29 April, a similar incident took place in the nearby village of Atsana. Two other Jehovah's Witnesses were also physically assaulted and verbally harassed. They reported the incident to the police, but allege that law-enforcement officials did not come to the scene of the incident.

Both cases were investigated by the Office of the Chief Prosecutor of Georgia, under Article 156(1) of the Criminal Code, which covers persecution on religious grounds. At the time of the preparation of this report, the Georgian National Human Rights Institution (Office of the Public Defender) was monitoring the status of both investigations.⁴³⁶

⁴³⁶ Communication from UNHCR, *op. cit.*, note 159, citing the 2010 Annual Report of the Public Defender of Georgia.

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”.⁴³⁷ 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”.⁴³⁸

There is no consensus among participating States as to which groups should be included in the definition of targets of hate crimes. 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, which are recognized as hate crimes by a substantial number of OSCE participating States.

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

Currently, 21 participating States collect data on crimes motivated by bias against lesbian, gay, bisexual or transgender (LGBT) people.⁴³⁹ Of those, nine include crimes against transgender people as a separate category.⁴⁴⁰ At the time this report was written, Denmark, Finland, Germany, Latvia, Sweden and the United Kingdom were the only participating States to have provided data to ODIHR. The Barcelona Provincial Prosecution Service on Discrimination and Hate Crime in Spain provided figures for the Catalunya region. Finland reported an example of a case.

Thirty-two NGOs in 28 participating States provided information on crimes against LGBT people.⁴⁴¹

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

⁴³⁷ “Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE”, *op. cit.*, note 154, pp. 3-8.

⁴³⁸ “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>>.

⁴³⁹ Andorra, Austria, Belgium, Canada, Croatia, Cyprus, Denmark, Finland, France, Germany, Iceland, Ireland, Liechtenstein, Lithuania, Netherlands, Norway, Portugal, Serbia, Spain, Sweden, United Kingdom and the United States.

⁴⁴⁰ Belgium, Canada, Finland, Germany, Norway, Portugal, Serbia and the United Kingdom.

⁴⁴¹ Azerbaijan, Belarus, Bosnia and Herzegovina, Croatia, Finland, France, Georgia, Germany, Hungary, Italy, Kazakhstan, Kyrgyzstan, Latvia, Lithuania, Moldova, Montenegro, Netherlands, Poland, Portugal, Russian Federation, Serbia, Slovakia, Slovenia, Spain, Sweden, Turkey, Ukraine and the United States.

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

Azerbaijan: No official data on crimes motivated by bias against LGBT people were provided to ODIHR. The European Region of the International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA-Europe) reported the murder of two transgender persons.⁴⁴²

Belarus: No official data on crimes motivated by bias against LGBT people were provided to ODIHR. ILGA-Europe and the NGO Volunteers without Borders reported six physical assaults, three of which involved serious bodily injury.⁴⁴³

Bosnia and Herzegovina: No official data on crimes motivated by bias against LGBT people were provided to ODIHR. The Organisation Q reported one physical assault against a transgender person.⁴⁴⁴

Croatia: No official data on crimes motivated by bias against LGBT people were provided to ODIHR. Two NGOs, Iskorak and Lesbian Group Kontra, reported three physical assaults leading to serious bodily injury during an LGBT Pride March, and an additional 23 hate incidents over the entire year.⁴⁴⁵

Denmark: Official figures record 17 crimes motivated by bias against sexual orientation: one murder, 11 physical assaults, one case of damage to property, two cases of threats or threatening behaviour, and two other unspecified cases.⁴⁴⁶ No information was provided by NGOs.

Finland: Official figures record 128 crimes motivated by bias against sexual orientation and four hate crimes against transgender persons.⁴⁴⁷ The NPC reported that dozens of people were attacked with tear gas during the Helsinki Pride Parade.⁴⁴⁸ IOM and the NGO SETA also reported on the Helsinki Pride Parade attacks and the positive response by the criminal justice system.⁴⁴⁹ The NGO SETA also reported one additional physical assault, one arson attack, two cases of property damage and three cases of graffiti on property.⁴⁵⁰

⁴⁴² Information from ILGA-Europe, *op. cit.*, note 132.

⁴⁴³ Information from ILGA-Europe, *op. cit.*, note 132; Information from Volunteers without Borders, 6 March 2011.

⁴⁴⁴ Information from Organisation Q, received through ILGA-Europe, *op. cit.*, note 132.

⁴⁴⁵ Information from Lesbian Group Kontra and Iskorak, received through ILGA-Europe, *Ibid*; “2010 Annual Report on the Status of Human Rights and Gender Minorities in Croatia”, Lesbian Group Kontra and Iskorak, <<http://www.kontra.hr/cms/documents/izvjestaj2010en.pdf>>.

⁴⁴⁶ Questionnaire from the Danish NPC, *op. cit.*, note 113.

⁴⁴⁷ Information from the Finnish NPC, *op. cit.*, note 171.

⁴⁴⁸ Questionnaire from the Finnish NPC, *op. cit.*, note 87.

⁴⁴⁹ Communication from IOM Vienna, *op. cit.*, note 20; Information from SETA, received through ILGA-Europe, *op. cit.*, note 132.

⁴⁵⁰ Information from SETA, received through ILGA-Europe, *op. cit.*, note 132.

France: No official data on crimes motivated by bias against LGBT people were provided to ODIHR. The NGO SOS Homophobie reported 125 physical assaults against LGBT people.⁴⁵¹

Georgia: No official data on crimes motivated by bias against LGBT people were provided to ODIHR. UNHCR, the NGO Inclusive Foundation and the NGO Public Movement Multinational Georgia reported an attack by a group against demonstrators who were protesting the proposed banning of a book promoting LGBT equality in the university bookstore; several protestors were physically assaulted. In connection with this incident, another attack by a group occurred two days later. A local television station hosted a talk show to discuss the protest incident and the studio was raided by people shouting homophobic slurs. Several participants and the television station owner were assaulted, and television station property was damaged.⁴⁵² The Inclusive Foundation also reported three physical assaults targeting lesbian women.⁴⁵³

Germany: Official figures record 187 crimes motivated by bias against sexual orientation, of which 48 were violent.⁴⁵⁴ The NGO RAA Sachsen reported 13 homophobic hate incidents occurring in eastern Germany.⁴⁵⁵ The NGO Maneo reported one attempted murder, a total of 60 incidents involving physical assault or attempted assault, 69 cases of theft and two cases of damage to property.⁴⁵⁶

Hungary: No official data on crimes motivated by bias against LGBT people were provided to ODIHR. ILGA-Europe reported one physical assault during the LGBT festival in Budapest.⁴⁵⁷ The Háttér Support Society for LGBT People reported five physical assaults, two of which involved serious bodily harm, and the desecration of the grave of a prominent LGBT activist.⁴⁵⁸ The Hungarian Civil Liberties Union reported three physical assaults during the LGBT festival in Budapest.⁴⁵⁹

Italy: No official data on crimes motivated by bias against LGBT people were provided to ODIHR. The NGO Arcigay reported two murders; one case of attempted murder; 15 physical assaults, eight of which involved serious bodily harm; three cases of damage to property; and nine cases of graffiti on property.⁴⁶⁰ Transgender Europe (TGEU) reported the murders of four transgender people.⁴⁶¹

⁴⁵¹ “Rapport sur l’homophobie 2011”, SOS Homophobie, 2011, <http://www.sos-homophobie.org/sites/default/files/rapport_annuel_2011.pdf>.

⁴⁵² Communication from UNHCR, *op. cit.*, note 177, citing the 2010 Annual Report of the Public Defender of Georgia; Information from Inclusive Foundation, received through ILGA-Europe, *op. cit.*, note 132; Information from the NGO Public Movement Multinational Georgia, *op. cit.*, note 172.

⁴⁵³ Information from Inclusive Foundation, received through ILGA-Europe, *op. cit.*, note 132.

⁴⁵⁴ Information from the German NPC, *op. cit.*, note 173

⁴⁵⁵ “Monitoring Hate Crime in Saxonia, Germany”, RAA Sachsen e.V, *op. cit.*, note 175.

⁴⁵⁶ Information from MANEO, 15 April 2011, “2010 Report: Anti-Gay Violence in Berlin”, MANEO/Opferhilfe: Berlin (May 2011).

⁴⁵⁷ Information from ILGA-Europe, *op. cit.*, note 132.

⁴⁵⁸ Information from the Háttér Support Society for LGBT people in Hungary, 1 April 2011.

⁴⁵⁹ Information from the Hungarian Civil Liberties Union, *op. cit.*, note 258.

⁴⁶⁰ “Homophobia in Italy – 2010”, Arcigay, <<http://www.arcigay.it/wp-content/uploads/report-omofobia-arcigay-20101.pdf>>; Information from Arcigay, received through ILGA-Europe, *op. cit.*, note 132.

⁴⁶¹ Information from Transgender Europe (TGEU), 17 May 2011.

Kazakhstan: No official data on crimes motivated by bias against LGBT people were provided to ODIHR. The NGO Amulet reported three serious physical assaults.⁴⁶²

Kyrgyzstan: No official data on crimes motivated by bias against LGBT people were provided to ODIHR. The NGO Kyrgyz Indigo reported two cases involving rape and physical assault.⁴⁶³ The NGO Labrys reported one physical assault.⁴⁶⁴

Latvia: The NPC reported one case of a threat on the basis of sexual orientation.⁴⁶⁵ The NGO Mozaika reported one murder, on which criminal proceedings have been initiated.⁴⁶⁶

Lithuania: No official data on crimes motivated by bias against LGBT people were provided to ODIHR. The Lithuanian Gay League reported an attack by a group during the Baltic Pride festival and an arson attack on the property of the NGO organizers of the associated pride march for equality.⁴⁶⁷

Moldova: No official data on crimes motivated by bias against LGBT people were provided to ODIHR. The NGO Gender Doc-M reported one serious physical assault against a homosexual person.⁴⁶⁸

Montenegro: No official data on crimes motivated by bias against LGBT people were provided to ODIHR. The NGO Juventas reported two physical assaults.⁴⁶⁹

Netherlands: No official data on crimes motivated by bias against LGBT people were provided to ODIHR. ILGA-Europe reported a series of attacks on the property of a homosexual couple.⁴⁷⁰

Poland: No official data on crimes motivated by bias against LGBT people were provided to ODIHR. The NGO Campaign against Homophobia (KPH) reported one physical assault during the Warsaw Independence Day parade, 31 attacks involving weapons, 103 physical assaults and 28 cases involving graffiti or destruction of property.⁴⁷¹

Portugal: No official data on crimes motivated by bias against LGBT people were provided to ODIHR. ILGA-Portugal reported two physical assaults, one of which involved serious bodily injury, and one rape.⁴⁷²

Russian Federation: No official data on crimes motivated by bias against LGBT people were provided to ODIHR. ILGA-Europe reported three physical assaults causing serious

⁴⁶² Information from Amulet, received through ILGA-Europe, *op. cit.*, note 132.

⁴⁶³ Information from Kyrgyz Indigo, 24 April 2011.

⁴⁶⁴ Information from Labrys, 1 April 2011.

⁴⁶⁵ Questionnaire from the Latvian NPC, *op. cit.*, note 185.

⁴⁶⁶ Information from Mozaika, received through ILGA-Europe, *op. cit.*, note 132.

⁴⁶⁷ Information from Lithuanian Gay League, received through ILGA-Europe, *Ibid.*

⁴⁶⁸ Information from GenderDoc-M, received through ILGA-Europe, *Ibid.*

⁴⁶⁹ Information from Juventas, received through ILGA-Europe, *Ibid.*

⁴⁷⁰ Information from ILGA-Europe, *Ibid.*

⁴⁷¹ Information from Campaign against Homophobia, received through ILGA-Europe, *Ibid.*

⁴⁷² Information from ILGA-Portugal via ILGA-Europe, *Ibid.*

bodily injury and an attack by a group against the participants in an LGBT rights demonstration.⁴⁷³

Serbia: No official data on crimes motivated by bias against LGBT people were provided to ODIHR. UNHCR and the NGO Labris reported two serious physical assaults and an attack by a group on participants and bystanders at a pride march, in which 160 people were reported to have been injured.⁴⁷⁴ In addition, the NGO Labris reported two physical assaults causing serious bodily injury and that 83 people have been charged for their alleged involvement in the attack at the gay pride parade. The court cases were ongoing at the time this report was prepared.⁴⁷⁵

Slovakia: No official data on crimes motivated by bias against LGBT people were provided to ODIHR. ILGA-Europe reported two physical assaults during an attack by a group during the Bratislava Rainbow Pride March.⁴⁷⁶

Slovenia: No official data on crimes motivated by bias against LGBT people were provided to ODIHR. The NGO ŠKUC-LL (Lesbian Section – Students’ Cultural Centre) reported two physical assaults against lesbians, two arson attacks against a lesbian café and two cases of graffiti.⁴⁷⁷

Spain: The Barcelona Provincial Prosecution Service on Discrimination and Hate Crime in Spain reported police figures on crimes committed with a bias against sexual orientation or gender identity, including 17 assaults causing injuries and 8 cases of threats being made.⁴⁷⁸ No information was provided by NGOs.

Sweden: Official figures record 770 hate crimes motivated by bias against sexual orientation and 31 hate crimes against transgender persons.⁴⁷⁹ The NGO Riksförbundet för homosexuellas, bisexuellas och transpersoners rättigheter (The Swedish Federation for Lesbian, Gay, Bisexual and Transgender Rights) reported 80 hate-motivated incidents.⁴⁸⁰

Turkey: No official data on crimes motivated by bias against LGBT people were provided to ODIHR. The NGOs Kaos GL, Black Pink Triangle Association and Pink Life reported 15 murders (in seven of which the victims were transgender people), eight physical assaults, three of which involved serious bodily injury, and three cases of rape.⁴⁸¹ TGEU reported the murders of seven transgender people.⁴⁸²

⁴⁷³ Information from ILGA-Europe, *Ibid*.

⁴⁷⁴ Communication from UNHCR, *op. cit.*, note 177; Information from Labris, received through ILGA-Europe, *op. cit.*, note 132.

⁴⁷⁵ Information from Labris, received through ILGA-Europe, *op. cit.*, note 132.

⁴⁷⁶ Information from ILGA-Europe, *Ibid*.

⁴⁷⁷ Information from ŠKUC-LL, received through ILGA-Europe, *Ibid*.

⁴⁷⁸ “Memoria Año 2010”, Communication from the Barcelona Provincial Prosecution Service on Discrimination and Hate Crime, *op. cit.* 120

⁴⁷⁹ Information from the Swedish NPC, *op. cit.*, note 251.

⁴⁸⁰ Information from RFSL, received through ILGA, *op. cit.*, note 132.

⁴⁸¹ Information from Kaos GL, Black Pink Triangle Association and Pink Life, received through ILGA-Europe, *op. cit.*, note 132.

⁴⁸² Information from TGEU, *op. cit.*, note 461.

Ukraine: No official data on crimes motivated by bias against LGBT people were provided to ODIHR. The NGO Our World Gay Lesbian Centre reported four physical assaults, three of which occurred on the occasion of International Memorial Day of Transgender Victims.⁴⁸³

United Kingdom: Official figures in England, Wales and Northern Ireland record 4,883 hate crimes motivated by bias against sexual orientation and 357 hate crimes against transgender persons.⁴⁸⁴ No information was provided by NGOs.

United States: No official data on crimes motivated by bias against LGBT people were provided to ODIHR. TGEU reported the murders of eight transgender people.⁴⁸⁵

Key resolutions and statements from international organizations

The UN Human Rights Council noted with concern reported hate crimes against LGBT people in Poland⁴⁸⁶ and Uzbekistan⁴⁸⁷ and encouraged both states to provide effective protection against violence based on sexual orientation.

The Council of Europe Committee of Ministers adopted the recommendation “Measures to combat discrimination on grounds of sexual orientation or gender identity”. Particular attention is placed in the recommendation on ensuring an effective criminal-justice response in combating hate crimes. This includes increasing punishment through sentencing provisions for crimes with aggravating circumstances, and improving victim support and data recording in cases of anti-LGBT hate crime.⁴⁸⁸

The Council of Europe Parliamentary Assembly adopted Resolution 1728 (2010), which endorsed the Committee of Ministers Recommendation to combat discrimination on the grounds of sexual orientation or gender identity and called on member states to take implementing action.⁴⁸⁹ The Parliamentary Assembly also adopted Recommendation 1915(2010), encouraging the Committee of Ministers, *inter alia*, to monitor the implementation of CM/Rec(2010)5 in member states.⁴⁹⁰

Government and NGO responses to crimes and incidents motivated by bias against LGBT people

⁴⁸³ Information from Our World Gay and Lesbian Centre, received through ILGA-Europe, *op. cit.*, note 132.

⁴⁸⁴ Questionnaire from the United Kingdom NPC, *op. cit.*, note 123.

⁴⁸⁵ Information from TGEU, *op. cit.*, note 461.

⁴⁸⁶ “Draft concluding observations of the Human Rights Committee: Poland” CCPR/C/POL/CO/6, p. 2, 15 November 2010, *op. cit.*, note 97.

⁴⁸⁷ “Concluding Observations of the Human Rights Committee: Uzbekistan” CCPR/C/UZB/CO/3, p. 7, <<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G10/415/25/PDF/G1041525.pdf?OpenElement>>.

⁴⁸⁸ “Measures to combat discrimination on grounds of sexual orientation or gender identity”, Council of Europe Committee of Ministers to Member States, Recommendation CM/Rec(2010)5, 31 March 2010, <<https://wcd.coe.int/wcd/ViewDoc.jsp?id=1606669&Site=CM&BackColorInternet=C3C3C3&BackColorIntranet=EDB021&BackColorLogged=F5D383>>.

⁴⁸⁹ Resolution 1728 (2010) of the Parliamentary Assembly on Discrimination on the basis of sexual orientation and gender identity, <<http://assembly.coe.int/Main.asp?link=/Documents/AdoptedText/ta10/ERES1728.htm>>.

⁴⁹⁰ Recommendation 1915 (2010) of the Parliamentary Assembly on Discrimination on the basis of sexual orientation and gender identity, <<http://assembly.coe.int/Main.asp?link=/Documents/AdoptedText/ta10/EREC1915.htm>>.

A project co-ordinated by the Danish Institute of Human Rights and its partners from eight European capitals, entitled “Tracing and Tackling Hate Crime against LGBT Persons”, aims to support the reporting of hate crimes and to raise awareness. As part of these efforts, a website has been created with resources, including training materials and country-specific information about registering hate crimes.⁴⁹¹

ILGA-Europe published a handbook entitled *Joining forces to combat homophobic and transphobic hate crime*.⁴⁹² As part of the ongoing project “Working with the police and challenging hate crime in Europe”, a seminar was held in 2010 on the dissemination of good practices, while another focused on developing training modules for police using LGBT joint strategies to combat hate crime.⁴⁹³

In Hungary, Háttér Support Society for LGBT People, funded by the EU Progress Programme and commissioned by the Ministry of National Resources, developed a two-day curriculum to be used in the summer and fall of 2010 for training Hungarian police officers on responding to homophobic and transphobic hate crimes.⁴⁹⁴

Box 6: Assaults at a Gay Pride event

In July 2010, 3,000 people took part in the Pride Parade in the centre of Helsinki. The participants were attacked by perpetrators using tear gas and pepper-spray. The attacks were accompanied by the shouting of homophobic insults. Dozens of people were affected by the gas, including many children, who displayed symptoms that included difficulties in breathing and respiratory pain. There was significant media coverage of the disturbance.

Three people were each charged with 87 counts of assault. The perpetrators received increased sanctions based on the applicable penalty-enhancement provision for bias-motivated crimes, even though the provision did not specifically include biases based on sexual orientation.⁴⁹⁵ According to the Finnish Security Intelligence Service, at least some of the perpetrators are connected with extreme right-wing groups. The police were perceived by local NGOs to have taken the case seriously. The attack was condemned by many politicians, including the President of Finland. The event sparked a nationwide discussion about prejudice towards LGBT people in Finland.⁴⁹⁶ In December 2010, legislation was introduced that amended bias-motivation sentence-enhancement provisions to specifically include crimes committed with a bias motivation against sexual orientation. It was adopted in March 2011.⁴⁹⁷

⁴⁹¹ See the Tracing and tackling hate crime against LGBT persons website: <<http://stophatecrime.eu/index.html>>.

⁴⁹² The publication can be found via the following link: <http://www.ilga-europe.org/home/news/latest_news/ilga_europe_s_new_publications_on_homophobic_transphobic_hate_crimes_and_working_with_the_police>.

⁴⁹³ Information from ILGA-Europe, *op. cit.*, note 132.

⁴⁹⁴ Information from the Háttér Support Society for LGBT people in Hungary, *op. cit.*, note 458.

⁴⁹⁵ Questionnaire from the Finnish NPC, *op. cit.*, note 87.

⁴⁹⁶ Information from NGO SETA, received through ILGA-Europe, *op. cit.*, note 132

⁴⁹⁷ Questionnaire from the Finnish NPC, *op. cit.*, note 87.

Information on crimes and incidents motivated by bias against people with disabilities and against people from other groups

Currently, 13 participating States have indicated to ODIHR that they record data on crimes against people with disabilities⁴⁹⁸ However, at the time this report was written, Finland, Germany and the United Kingdom were the only participating States that had provided data for 2010 to ODIHR.

At the time this report was written, ODIHR had received information on crimes or incidents motivated by bias against people with disabilities from only two NGOs in two participating States.

Finland: Official figures record 10 crimes motivated by bias against persons with disabilities.⁴⁹⁹ No information was provided by NGOs.

Germany: Official figures record 20 crimes motivated by bias against persons with disabilities, of which seven were violent.⁵⁰⁰ The NGO RAA Sachsen reported three hate-motivated incidents targeting disabled people occurring in eastern Germany.⁵⁰¹

United Kingdom: Official figures record 1,569 crimes motivated by bias against persons with disabilities in England, Wales and Northern Ireland.⁵⁰² No information was provided by NGOs.

United States: No official data on crimes motivated by bias against persons with disabilities were provided to ODIHR. Community Health Connections in Pennsylvania, reported the murder of a woman with a developmental disability.⁵⁰³

Government and NGO responses to crimes and incidents motivated by bias against people with disabilities and against people from other groups

In the United States, the National Coalition of the Homeless published a report titled “Hate Crimes Against The Homeless, 2010”. The report noted that the states of Florida and Rhode Island have added attacks against homeless people to their existing hate crime laws.⁵⁰⁴ The

⁴⁹⁸ Belgium, Canada, Croatia, Cyprus, Finland, France, Georgia, Germany, Moldova, Netherlands, Serbia, United Kingdom and the United States.

⁴⁹⁹ Information from the Finnish NPC, *op. cit.*, note 171.

⁵⁰⁰ Information from the German NPC, *op. cit.*, note 173.

⁵⁰¹ “Monitoring Hate Crime in Saxonia, Germany”, RAA Sachsen e.V, *op. cit.*, note 175.

⁵⁰² Questionnaire from the United Kingdom NPC, *op. cit.*, note 123.

⁵⁰³ Information from Community Health Connections (Western HCQU), 19 July 2011,

⁵⁰⁴ “Hate Crime Against the Homeless: America’s Growing Tide of Violence”, National Coalition for the Homeless, <<http://www.nationalhomeless.org/publications/hatecrimes/hatecrimes2009.pdf>>.

National Coalition of the Homeless produced a report providing information for homeless people on their rights and how to respond to hate crimes.⁵⁰⁵

In 2009, the United Kingdom Equality and Human Rights Commission (EHRC) published a report that presented research into disabled people's experiences of targeted violence and hate crime. The findings of the report, as well as concern about public authorities' responses to a number of high profile and serious offences committed against disabled people, led to a decision to launch an inquiry, carried out in 2010, into what actions public authorities are taking to discharge their legal duty to eliminate disability-related harassment and its causes. The inquiry involved substantial public consultation and evidence sessions with senior members of the criminal justice system, including the Director of Public Prosecutions. The findings of the inquiry will be published in 2011.⁵⁰⁶

Box 7: Murder of a woman with a developmental disability

On 11 February 2010, Jennifer Daugherty's body was found in a trash bin outside a school in Greensburg, Pennsylvania. Ms. Daugherty was 32 years old and had a developmental disability. She was held captive for 36 hours, during which time she had been forced to drink detergent, spices and urine, and was bound up with Christmas decorations. She was also forced to write a suicide note before she was stabbed and beaten with a towel rack, a vacuum cleaner hose and a crutch.⁵⁰⁷

On 20 February, 350 people came together for a candle light vigil in the victim's memory.⁵⁰⁸

Soon after the body was discovered, six people were charged with offences ranging from criminal homicide to kidnapping. The six defendants also faced potential hate crime offences under a recently enacted United States federal hate crime law.⁵⁰⁹

During the trial, which was ongoing as of May 2011, one of the suspects was reported to have testified, "We knew her brain didn't work as well as everyone else's" and "We thought it was funny to make fun of her."⁵¹⁰

⁵⁰⁵ "Hate Crimes Against the Homeless: An Organizing Manual for Concerned Citizens", Nation Coalition for the Homeless, August 2010,

<<http://www.nationalhomeless.org/publications/hatecrimes/hatecrimesmanual10.pdf>>.

⁵⁰⁶ EHRC Inquiry into Disability-Related Harassment, website: <<http://www.equalityhumanrights.com/legal-and-policy/inquiries-and-assessments/inquiry-into-disability-related-harassment/>>.

⁵⁰⁷ Information from Community Health Connections (Western HCQU), 19 July 2011; See also, "Jennifer Daugherty: 'Friends' Killed Disabled Woman, Forced Her to Write Suicide Note", CBS News website, 12 February 2010, <http://www.cbsnews.com/8301-504083_162-6202062-504083.html#ixzz1NpNEHBfR>.

⁵⁰⁸ "Healthy Connections: A life remembered, a lesson learned", Healthy Connections Special Edition, Spring 2010, <<http://www.aehc.org/generator/assets/Special%20Edition%20A.pdf>>

⁵⁰⁹ "Jennifer Daugherty: 'Friends' Killed Disabled Woman, Forced Her to Write Suicide Note", CBS News website, *op. cit.*, note 507.

⁵¹⁰ "Defendant lays out details of Jennifer Daugherty's murder", Pittsburgh Live website, 13 May 2011, <http://www.pittsburghlive.com/x/pittsburghtrib/news/westmoreland/s_736873.html>.

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 follow closely 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.⁵¹¹

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.⁵¹² 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 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:

⁵¹¹ See the TANDIS website: <<http://tandis.odihhr.pl>>.

⁵¹² 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,⁵¹³ 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.⁵¹⁴

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;⁵¹⁵
- 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;⁵¹⁶
- 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;⁵¹⁷
- Encouraging systems of reporting by third parties for victims 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 identify, investigate and register bias motives, and ensuring that prosecutors have been trained on how to bring evidence of bias motivation;
- 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;

⁵¹³ *Ibid.*

⁵¹⁴ *Hate Crime Laws: A Practical Guide, op. cit.*, note 23.

⁵¹⁵ OSCE Ministerial Council, Decision No. 9/09, *op. cit.*, note 1.

⁵¹⁶ *Ibid.*

⁵¹⁷ *Ibid.*

- Diversifying membership of law-enforcement and prosecution agencies, so as to increase representation of individuals from 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 the 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 and the OSCE all have important roles to play – individually and collaboratively – in developing activities and projects aimed at countering hate crimes. Many such initiatives are already underway around the OSCE region that could serve as models or inspiration for other participating States or organizations. 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;⁵¹⁸
- Public-awareness raising, including ensuring that the public understands the nature and scope of hate crimes, and encouraging the public to report offenses 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; 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;
- 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.

⁵¹⁸ *Ibid.*

PART IV – COUNTRY-BY-COUNTRY OVERVIEW

Participating State	ALBANIA
Number of cases in 2010	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	2008
Are data collected?	Yes
Authorities responsible for data collection	Law-enforcement agencies/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 crimes	-
- 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 2010	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	2010
Are data collected?	Yes
Authorities responsible for data collection	Interior Ministry
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 crimes	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 (www.justicia.ad) and press releases on the police website (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 2010	
- 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
Bias motivation determined by	Other (as provided by the law)
Bias motivations recorded based on	NA (There were no hate crimes registered.)
Multiple bias	No
Classification by type of crimes	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 2010	
- Recorded by police	99

- Prosecuted	-
- Sentenced	-
Information last updated?	2010
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 <u>Other: offences based on right wing extremism</u> <u>Specific categories:</u> Anti-Semitic crimes Anti-Muslim crimes
Multiple bias	No
Classification by type of crimes	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 Annual Security Report (www.parlinkom.gv.at) and the Annual State Protection Report (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	- A Turkish woman was physically harassed while being verbally abused about her national origin and her Islamic faith; - An unidentified perpetrator scratched a swastika and xenophobic slogans into the paint of a car
Practical Initiatives	-

Participating State	AZERBAIJAN
Number of cases in 2010	
- Recorded by police	1
- Prosecuted	-
- Sentenced	-
Information last updated?	2010
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 crimes	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	No
- Only upon request	-
- Restricted to authorities	No
Legislative Developments	-
Examples of hate crimes/incidents	-
Practical Initiatives	-

Participating State	BELARUS
Number of cases in 2010	
- 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 crimes	
- 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 2010	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	2009
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) NGO
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 crimes	Yes
- Homicide	Prosecutor's Office CEOOR
- Physical assault	Prosecutor's Office CEOOR
- Damage to property	<i>Ibid.</i>
- Desecration of graves	Prosecutor's Office CEOOR
- Attacks on places of worship	CEOOR
- Vandalism	Prosecutor's Office CEOOR
- Threats/threatening behaviour	Prosecutor's Office CEOOR
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	No
- Only upon request	Yes
- Restricted to authorities	No
Legislative Developments	-

Examples of hate crimes/incidents	-
Practical Initiatives	-

Participating State	BOSNIA AND HERZEGOVINA
Number of cases in 2010	
- Recorded by police	15
- Prosecuted	-
- Sentenced	-
Information last updated?	2010
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 crimes	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 2010	
- Recorded by police	20
- Prosecuted	34
- Sentenced	4
Information last updated?	2010
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 crimes	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 2010	Not yet available
- Recorded by police in 2009	1,473
- Prosecuted	-
- Sentenced	-
Information last updated?	2010
Are data collected?	Yes
Authorities responsible for data collection	Statistical office (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 Age <u>Specific categories:</u> Anti-Semitic crimes Anti-Muslim crimes Anti-Christian crimes (Anti-Catholic crimes)
Multiple bias	No
Classification by type of crimes	Police-reported hate crime data are collected on close to 200 crime classifications. Victimization data on hate crimes are recorded for eight crime types: sexual assault, robbery, assault, break and enter, 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 2010	
- Recorded by police	34
- Prosecuted	34
- Sentenced	3
Information last updated?	2010
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 Municipal Criminal Court Senior Magistrate Court
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 crimes	
- 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	-

Participating State	CYPRUS
Number of cases in 2010	
- Recorded by police	32
- Prosecuted	-
- Sentenced	-
Information last updated?	2010
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 crimes	No
- Homicide	-
- Physical assault	-
- Damage to property	-
- Desecration of graves	-
- Attacks on places of worship	-
- Vandalism	-
- Threats/threatening behaviour	-
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 2010	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	2009
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	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 Non-denominational
Multiple bias	Yes
Classification by type of crimes	
- Homicide	Law-enforcement agency/police 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	The government presents reports on the issue of extremism to the Parliament. These reports are publicly available; they inform the general public about the situation, law-enforcement strategy and measures to be taken.
Availability of data	
- Public	Yes Annual Report “Information on the Issue of Extremism in the Czech Republic” (http://www.mvcr.cz) Statistical Survey of Criminality in the Czech Republic are published monthly by the Czech Republic Police Presidium Informatics and Analytical Centre – (http://www.policie.cz/web-informacni-servis-statistiky.aspx)
- Only upon request	Yes The data are on characteristics of offenders (e.g. sex, age, education, influence of alcohol or citizenship). They are published and commented on annually in the Information on the Issue of Extremism.
- Restricted to authorities	Yes Information needed for investigation purposes
Legislative Developments	-
Examples of hate crimes/incidents	-
Practical Initiatives	-

Participating State	DENMARK
Number of cases in 2010	Not yet available
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	2010
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 crimes	
- 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 (http://www.pet.dk/Publikationer/RACI-indberetning.aspx).
- Only upon request	No
- Restricted to authorities	No
Legislative Developments	-
Examples of hate crimes/incidents	-
Practical Initiatives	Initiation of an Action Plan focusing on, among other issues, combating hate crimes-

Participating State	ESTONIA
Number of cases in 2010	
- 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 crimes	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	Legislation was drafted to ensure that bias motivation can be taken into account during sentencing.
Examples of hate crimes/incidents	-
Practical Initiatives	-

Participating State	FINLAND
Number of cases in 2010	
- Recorded by police	1,094
- Prosecuted	38
- Sentenced	-
Information last updated?	2010
Are data collected?	Yes
Authorities responsible for data collection	Interior Ministry Prosecutor's Office Ministry of Justice Statistical Office (Statistics Finland) Police College of Finland, Research Department
Bias motivation determined by	Victim

	Law enforcements 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> <u>Anti-Semitic</u> <u>Anti-Muslim</u> <u>Anti-Christian</u>
Multiple bias	Yes
Classification by type of crimes	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 preventive 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 introduced in parliament to include bias motivations against religion and sexual orientation in hate crime legislation.
Examples of hate crimes/incidents	An attack during a pride parade was prosecuted as a hate crime.
Practical Initiatives	-

Participating State	FRANCE
Number of cases in 2010	
- Recorded by police	-
- Prosecuted	2,007
- 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 crimes	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	Anti-Semitic attempted murder
Practical Initiatives	Practical guide on the use of penal provisions in the fight against racism, anti-Semitism and discrimination were updated; Online-reporting site (www.internet-signalement.gouv.fr) established to report cybercrime, including bias-motivated crimes

Participating State	GEORGIA
Number of cases in 2010	
- Recorded by police	19
- Prosecuted	1
- 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 Prosecutor's 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 crimes	
- 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 The Interior Ministry website (www.police.ge). The Main Prosecutor's Office (www.psg.gov.ge) The web-site of the Supreme Court (www.supremecourt.ge/default.aspx?sec_id=129□ =1).
- Only upon request	Yes
Legislative Developments	-
Examples of hate crimes/incidents	Physical assault against a Jehovah's Witness.
Practical Initiatives	-

Participating State	GERMANY
Number of cases in 2010	
- Recorded by police	3,770 (including 467 violent crimes)
- Prosecuted	-
- Sentenced	-
Information last updated?	2010
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 crimes	
- 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 for an assessment of the security situation.
Availability of data	
- Public	Yes (http://www.bmi.bund.de/SharedDocs/Pressemitteilungen/DE/2011/04/pmk.html) and (http://www.bmi.bund.de/SharedDocs/Downloads/DE/Broschueren/2011/vsb2010.html?nn=110428)
- 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	Physical assault on a man from Ecuador Arson attack on a synagogue and Jewish cemetery
Practical Initiatives	-

Participating State	GREECE
Number of cases in 2010	
- 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 crimes	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	Physical assault on a Bangladeshi citizen Arson attack on the premises of a group of Bangladeshi citizens
Practical Initiatives	-

Participating State	HOLY SEE
Number of cases in 2010	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	2010
Are data collected?	-
Authorities responsible for data collection	-
Bias motivation determined by	-
Bias motivations recorded based on	-
Multiple bias	-
Classification by type of crimes	
- 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 2010	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	2010
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 crimes	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 (www.crimesstat.b-m.hu)
- Only upon request	No
- Restricted to authorities	No
Legislative Developments	-
Examples of hate crimes/incidents	-
Practical Initiatives	-

Participating State	ICELAND
Number of cases in 2010	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	2009
Are data collected?	Yes
Authorities responsible for data collection	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
Multiple bias	No
Classification by type of crimes	
- Homicide	-
- Physical assault	-
- Damage to property	-
- Desecration of graves	-
- Attacks on places of worship	The National Police Commissioner of Iceland
- Vandalism	-
- Threats/threatening behaviour	The National Police Commissioner of Iceland
Use of data	Data are shared with the public.
Availability of data	
- Public	Yes
- Only upon request	No
- Restricted to authorities	No
Legislative Developments	-
Examples of hate crimes/incidents	-
Practical Initiatives	-

Participating State	IRELAND
Number of cases in 2010	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	2008
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
Multiple bias	No
Classification by type of crimes	
- 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 2010	
- Recorded by police	63
- Prosecuted	-
- Sentenced	-
Information last updated?	2010
Are data collected?	Yes
Authorities responsible for data collection	Law enforcement/police (General Command of the Carabinieri, Office of Organized Crime) Interior Ministry Department for Public Security, General Directorate of Preventive Policing)
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 crimes	
- 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 2010	
- Recorded by police	13
- Prosecuted	9
- Sentenced	9
Information last updated?	2010
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 crimes	
- 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 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 2010	
- 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 crimes	
- 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 2010	
- Recorded by police	-
- Prosecuted	6
- Sentenced	5
Information last updated?	2010
Are data collected?	Yes
Authorities responsible for data collection	Interior Ministry (Office of the Ombudsman) Law-enforcement agency/police (Latvian Security Police) Ministry of Justice (Courts Administration Department, Section of Statistics and Analysis) General Prosecutor's Office (Department of Management and Analysis)
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 crimes	
- 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 Ministry of Justice uses data to review and amend legislation where necessary The Prosecutor's Office uses data to analyze internal performance The Latvian Security Police provide annual data and trends for NGOs and to the Inter-Ministerial Working Group charged with drafting the National Report on the International Convention on the Elimination of all Forms of Racial Discrimination
Availability of data	
- Public	Yes Annual publications from the Latvian Centre for Human Rights
- Only upon request	Yes The Prosecutor's Office provides data upon request to other governmental bodies.
- 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 2010	
- Recorded by police	6
- Prosecuted	3
- Sentenced	3
Information last updated?	2010
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 and NGO <u>Specific categories:</u> Anti-Semitic Crimes Anti-Muslim Crimes
Multiple bias	No
Classification by type of crimes	
- 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 www.respect-bitte.li ; www.landespolizei.li
- Only upon request	No
- Restricted to authorities	No
Legislative Developments	-
Examples of hate crimes/incidents	-
Practical Initiatives	-

Participating State	LITHUANIA
Number of cases in 2010	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	2010
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 crimes	
- 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 make decisions about amendments to legislation and for the improvement of law-enforcement activities.
Availability of data	
- Public	-
- Only upon request	Yes Some disaggregated data on bias motivations (for example, by national origin or citizenship) are

	available only upon request.
- Restricted to authorities	No
Legislative Developments	The commission of crimes that “express hatred [...] on grounds of age, sex, sexual orientation, disability, race, nationality, language, descent, social status, religion, convictions or views” was added to the list of aggravating circumstances.
Examples of hate crimes/incidents	-
Practical Initiatives	The National Anti-Discrimination Programme 2009-2011 aims to improve data collection on hate crimes.

Participating State	LUXEMBOURG
Number of cases in 2010	
- 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 crimes	
- 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 2010	
- 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 crimes	
- 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 2010	
- 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 crimes	
- 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 2010	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	2010
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 <u>Specific categories:</u> Anti-Semitic crimes Anti-Muslim crimes Anti-Christian crimes Anti-Roma crimes
Multiple bias	No
Classification by type of crimes	
- 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 (www.mai.gov.md) and the General Prosecutor (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 2009	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	2010
Are data collected?	
Authorities responsible for data collection	-
Bias motivation determined by	-
Bias motivations recorded based on	-
Multiple bias	-
Classification by type of crimes	
- 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 2009	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	2009
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 crimes	
- 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 2010	
- Recorded by police	-
- Prosecuted	170
- Sentenced	90
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 crimes	
- 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	A campaign was introduced to raise awareness of the importance of reporting hate crimes and a national police plan to improve reporting and community confidence, as well as holding a conference to encourage a united effort among the government, police and NGOs to combat hate crime.

Participating State	NORWAY
Number of cases in 2010	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	2010
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 crimes	
- 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. Available at: (http://www.politi.no/pls/idesk/docs/f1127600376/hatkriminalitetinorge2007.pdf) (http://www.politi.no/pls/idesk/docs/f1253971624/hatkriminalitetioslo2007-januar2009)
- Only upon request	-
- Restricted to authorities	No
Legislative Developments	-
Examples of hate crimes/incidents	-
Practical Initiatives	-

Participating State	POLAND
Number of cases in 2010	
- Recorded by police	251
- Prosecuted	30
- Sentenced	30
Information last updated?	2010
Are data collected?	Yes
Authorities responsible for data collection	Interior Ministry and Administration, Department of Control, Complaints and Petitions (Monitoring Team on Racism and Xenophobia); Law-enforcement agency/police (Advisors on Human Rights); Prosecutor's Office; Ministry of Justice (Statistics Division).
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: religious indifference, 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 crimes	
- Homicide	Interior Ministry Law-enforcement agency 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	Data are shared with other institutions and NGOs, are utilized in law-enforcement training materials, and are used to inform future strategies regarding crime prevention.
Availability of data	
- Public	Yes National Prosecutor's Office (www.pk.gov.pl) Data are available in the Statistical Office of the Ministry of Justice.
- 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	Penal Code amended to punish those who "incite hatred based on national, ethnic, race or religious differences or for any lack of religious denomination".
Examples of hate crimes/incidents	Physical assault based on bias against race/ethnicity
Practical Initiatives	Continuing implementation of ODIHR's law-enforcement training programme Produced mapping exercise on hate crimes by region, types of crime and common targets

Participating State	PORTUGAL
Number of cases in 2010	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	2010
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 crimes	
- 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 2010	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	2009
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 crimes	
- 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	The Prosecutor's Office's data 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	-

Participating State	RUSSIAN FEDERATION
Number of cases in 2010	
- 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 crimes	
- 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 2010	
- 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 crimes	
- 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 2010	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	2010
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 and 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 crimes	
- 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 Public Prosecutor's Office, the Ministry of Human and Minority Rights, Ministry of Justice, Ministry of Interior and the Courts.
Availability of data	
- Public	Yes Annual Report of the Republic Prosecutor's Office and via an Internet page
- Only upon request	No
- Restricted to authorities	Confidential data
Legislative Developments	-
Examples of hate crimes/incidents	-

Practical Initiatives	-
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Participating State	SLOVAK REPUBLIC
Number of cases in 2010	
- 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 crimes	
- 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 Ministry of Justice's annual statistical yearbook
- Only upon request	No
- Restricted to authorities	No
Legislative Developments	-
Examples of hate crimes/incidents	-
Practical Initiatives	-

Participating State	SLOVENIA
Number of cases in 2010	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	2008
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 crimes	
- 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/portal_en/statistika/index.php)
- 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 2010	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	2010
Are data collected?	Yes
Authorities responsible for data collection	Interior Ministry Law-enforcement agency /police National Police Intelligence Department Intelligence Agency Civil Guard Intelligence Department Mossos d'Esquadra (Catalonia Regional Police) Ertzaintza (Basque Country Regional 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 crimes	
- 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 2010	
- Recorded by police	5139
- Prosecuted	440
- Sentenced	-
Information last updated?	2010
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 crimes	
- 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, at: < http://www.bra.se >. A summary of 2010 hate crime statistics is available in English at: < http://www.bra.se/extra/measurepoint/?module_instance=4&name=Hate_crimes_2010_summary.pdf&url=/dynamaster/file_archive/110729/3fe3a7b325336f000d7125374ba65e3e/Hate%255fcrimes%255f2010%255fsummary.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 2010	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	2010
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 Anti-Roma crimes
Multiple bias	Yes
Classification by type of crimes	
- 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/frb/index.html?lang=en)
- 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 2010	
- 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 crimes	
- 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 2010	
- Recorded by police	-
- Prosecuted	330
- Sentenced	-
Information last updated?	2010
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 crimes	
- 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 2010	
- 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 crimes	No data provided
- 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 2010	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	2008
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 crimes	
- 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 Report by the Interior Ministry www.mvs.gov.ua/mvs/control/main/uk/publish/article
- 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 2010	
- Recorded by police	48,127 (England, Wales and Northern Ireland) 5,819 (Scotland)
- Prosecuted	15,020 (England, Wales and Northern Ireland) 4,322 (Scotland)
- Sentenced	11,405 (England, Wales and Northern Ireland)
Information last updated?	2010
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 (any 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 crimes	
- 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://scotland.gov.uk/Publications/2011/03/24114924/0)
- 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 2010	
- 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 crimes	
- Homicide	United States 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 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 The 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 2010	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	2010
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 crimes	

- 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 of 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);
- “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);
- “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 and, in this context, also invites the participating States to facilitate the capacity development of civil society to contribute in monitoring and reporting hate motivated incidents and to assist victims of hate crimes” (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);
- “Strengthen 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);
- “Strengthen 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);
- “Combat 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:

- “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 of 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 “to 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 (gypsies)” (“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);
- “to 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:

- “Tasks the ODIHR, in co-operation and co-ordination with the 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 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
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-Dutchy 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 and Administration, 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 neighborhood (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 2010 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 2010 [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

Austria, *Dokumentationsarchiv der Intoleranz gegen Christen* (Observatory on Intolerance and Discrimination against Christians), website: <<http://www.intoleranceagainsthchristians.eu>>;

Austria, *Klagsverband zur Durchsetzung der Rechte von Diskriminierungsopfern* (Litigation Association for the Defense of the Rights of Victims of Discrimination), website: <<http://www.klagsverband.at>>;

Austria, *ZARA - Verein für Zivilcourage und Anti-rassismuarbeit* (ZARA) (ZARA – Civil Courage and Anti-racism Work), website: <<http://www.zara.or.at>>;

Belarus, *Волонтеры без Границ* (Volunteers without Borders), website: <<http://volunteers.blogseo.ru>>;

Belgium, *antisemitisme.be*, website: <<http://antisemitisme.be>>;

Belgium, *Forum of European Muslim Youth and Student Organisations* (FEMYSO), website: <<http://www.femyso.net>>;

Belgium, *Human Rights Without Frontiers*, website: <<http://www.hrwf.net/Joom/>>;

Bosnia and Herzegovina, *Organisation Q*, website: <<http://www.queer.ba>>;

Bulgaria, *Glavno Myuftinstvo Republika Bulgaria* (Office of Grand Mufti in Bulgaria), website: <<http://www.genmufti.net>>;

Bulgaria, *Организация на евреите в България* (Organization of Jews in Bulgaria), website: <<http://www.shalom.bg/>>;

Canada, *Alberta Hate Crimes Committee* (AHCC), website: <<http://www.albertahatecrimes.ca>>;

Canada, *League for Human Rights of the B'nai Brith Canada*, website: <<http://www.bnaibrith.ca/>>;

Canada, *Canadian Council on American-Islamic Relations* (CAIR-CAN), website: <<http://www.caircan.ca>>;

Canada, *Pink Triangle Services*, website: <<http://www.pinktriangle.org>>;

Croatia, *Iskorak sexual and gender minorities center*, website: <<http://www.iskorak.org>>;

Croatia, *Lezbijaska grupa Kontra* (Lesbian Group Kontra), website: <<http://www.kontra.hr>>;

Cyprus, *Kibrisli Turk Insan Haklari Vakfi Bulten* (KTIHV) (Turkish Cypriot Human Rights Foundation), website: <www.ktihv.org>;

Czech Republic, *Association Romea - Romani Media Agency*, website: <<http://romea.cz>>;

Denmark, *European Muslim Initiative for Social Cohesion (EMISCO)*, website: <<http://www.emisco.com>>;

Finland, *Seksuaalinen tasavertaisuus (SETA)* (Sexual Equality), website: <<http://www.seta.fi>>;

France, *Collectif contre l'islamophobie en France (CCIF)*, Association Against Islamophobia in France, website: <<http://www.islamophobie.net>>;

France, *Conseil de la Jeunesse Pluriculturelle (COJEP International)*, website: <<http://www.cojep.com>>;

France, *Ligue Internationale contre le Racisme et l'Antisémitisme (LICRA)* (International League Against Racism and Anti-Semitism), website: <<http://www.licra.org>>;

France, *Service de Protection de la Communauté Juive (SPCJ)* (Jewish Community Protection Service), website: <<http://www.spcj.org>>;

France, *SOS Homophobie*, website: <<http://www.sos-homophobie.org/>>;

Georgia, *Inclusive Foundation*, website: <<http://www.inclusive-foundation.org>>;

Georgia, *Public Movement "Multinational Georgia" (PMMG)*, website: <<http://www.pmmg.org.ge>>;

Germany, *Avrupa Batı Trakya Türk Federasyonu (ABTTF)* (Federation of Western Thrace Turks in Europe), website: <www.abttf.org>;

Germany, *Die Amadeu Antonio Stiftung* (The Amadeu Antonio Foundation), website: <<http://www.amadeu-antonio-stiftung.de>>;

Germany, *Heidelberger Forum für Politik und Wissenschaft* (Heidelberger Forum for Politics and Science), website: <www.forum-hd.de>;

Germany, *MANEO*, website: <<http://www.maneo.de>>;

Germany, *RAA Sachsen e.V* (RAA Saxony), website: <<http://www.raa-sachsen.de>>;

Germany, *Stiftung "Erinnerung, Verantwortung und Zukunft" (EVZ)* (Foundation "Remembrance, Responsibility and Future"), website: <<http://www.stiftung-evz.de>>;

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, *Praksis*, website: <<http://www.praksis.gr>>;

Hungary, *Háttér Társaság a Melegekért* (Háttér Support Society), website: <<http://www.hatter.hu>>;

Hungary, *Mozgalom a Deszegregációért (MAD)* (Movement for Desegregation Foundation);

Hungary, *Társaság a Szabadságjogokért (TASZ)* (Hungarian Civil Liberties Union (HCLU)), website: <<http://tasz.hu>>;

Ireland, *Front Line – International Foundation for the Protection of Human Rights Defenders*, website: <<http://www.frontlinedefenders.org>>;

Italy, *Arcigay Italian Lesbian Gay Association*, website: <www.arcigay.it>;

Kazakhstan, *Общественное Объединение «Амулет»* (Public association "Amulet"), website: <<http://www.amuletlgbt.kz>>;

Kyrgyzstan, *Kyrgyz Indigo*;

Kyrgyzstan, *Организация лесбиянок, геев, бисексуалов и трансгендеров (Лабрис)* (Lesbian, Bisexual and Transgender Organization in Kyrgyzstan - Labrys), website: <<http://labrys.kg>>;

Latvia, *Latvijas Cilvēktiesību centrs (LCC)* (Latvian Centre for Human Rights - LCHR), website: <<http://www.humanrights.org.lv>>;

Latvia, *Latvijas Cilvēktiesību komiteja (LCK)* (Latvian Human Rights Committee - LHRC), website: <<http://www.lhrc.lv>>;

Latvia, *Lesbiešu, geju, biseksuāļu, transpersonu un viņu draugu apvienība “Mozaīka”* (Alliance of lesbian, gay, bisexual, transpersons and their friends “Mozaika”), website: <<http://www.mozaika.lv>>;

Lithuania, *Lietuvos gėjų lyga (LGL)* (Lithuanian Gay League), website: <<http://www.lgl.lt>>;

Luxembourg, *Chachipe*, website: <<http://romarights.wordpress.com>>;

Moldova, *Centrul de informații “GenderDoc-M”* (GenderDoc-M Information Center), website: <<http://www.lgbt.md/eng>>;

Montenegro, *Juventas*;

Netherlands, *Turks Forum Netherlands (TFN)*, website: <<http://turksnl.net>>;

Poland, *Helsinki Fundacja Praw Człowieka* (Helsinki Foundation for Human Rights - HFHR), website: <www.hfhrpol.waw.pl>;

Poland, *Kampania Przeciw Homofobii (KPH)* (Campaign against Homophobia), website: <<http://www.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, *Centrul Romilor pentru Interventie Sociala si Studii* (Roma Center for Social Intervention and Studies – Romani CRISS), website: <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 (МБПР)* (Moscow Bureau for Human Rights - MBHR), website: <<http://antirasizm.ru>>;

Russian Federation, *Moscow Protestant Chaplaincy: Task force on Racial Violence and Harassment*, website: <<http://www.mprussia.org>>;

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>>;

Slovakia, *Ludia proti rasizmu* (People against Racism), website: <www.rasizmus.sk>;

Slovenia, *ŠKUC-LL*, website: <<http://www.skuc.org>>;

Spain, *Asociación Internacional para la Defensa de la Libertad Religiosa (ADLR)* (Association for the Defence of the Religious Freedom), website: <<http://www.adlr.org>>;

Spain, *Federación de Comunidades Judías de España (FCJE)* (Federation of Jewish Communities of Spain), website: <<http://www.fcje.org>>;

Spain, *Gabinet d'Estudis Socials (GES)* (Cabinet of Social Studies), website: <<http://gabinet.ath.cx>>;

Spain, *Observatori Contra L'Homofòbia* (Observatory against Homophobia), website: <<http://www.observatoricontrahomofobia.org>>;

Spain, *Observatorio de Antisemitismo en España* (Observatory of Antisemitism in Spain), website: <<http://observatorioantisemitismo.fcje.org>>;

Spain, *Unión de Comunidades Islámicas en España* (Union of Islamic Communities in Spain), website: <<http://es.ucide.org/home/>>;

Sweden, *Riksförbundet för sexuellt likaberättigande (RFSL)* (Federation for Lesbian, Gay, Bisexual and Transgender Rights), website: <<http://www.rfsl.se>>;

Turkey, *Cultural and Solidarity Association of Turks of Rhodes, Kos and Dodecanese, Ege University (RİOTKDD)*;

Turkey, *The Ecumenical Federation of Constantinopolitans*;

Turkey, *Helsinki Citizens Assembly of Turkey*, website: <<http://www.hyd.org.tr>>;

Turkey, *İnsan Hakları Gündemi Derneği (İHG)* (Human Rights Agenda Association - HRAA), website: <<http://www.rightsagenda.org>>;

Turkey, *Kaos Gl*;

Turkey, *Pembe Hayat* (Pink Life LGBTT Solidarity Association), website: <<http://www.pembehayat.org>>;

Turkey, *Siyah Pembe Üçgen Derneği* (Black Pink Triangle Association);

Ukraine, *Еврейский Фонд Украины* (The Jewish Foundation of Ukraine), website: <<http://www.jew-fund.kiev.ua/antisemitism.php>>;

Ukraine, *Інформаційно-правозащитний Центр для геїв і лесбіянок "Наш мир"* ("Our World" Gay and Lesbian Center), website: <<http://gay.org.ua>>;

Ukraine, *Центр "Соціальное Дійство"* (Centre for Social Action), website: <<http://noborders.org.ua/en/>>;

United Kingdom, *Board of Deputies of British Jews*, website: <<http://www.boardofdeputies.org.uk>>;

United Kingdom, *Community Security Trust (CST)*, website: <<http://www.thecst.org.uk>>;

United Kingdom, *Embargoed!*, website: <www.embargoed.org>;

United Kingdom, *ENGAGE*, website: <<http://www.iengage.org.uk>>;

United Kingdom, *Institute of Race Relations (IRR)*, website: <<http://www.irr.org.uk>>;

United Kingdom, *Muslim Council for Religious and Racial Harmony (MCRRH)*, website: <<http://www.imamsajid.com>>;

United Kingdom, *Muslim Council of Britain (MCB)*, website: <<http://www.mcb.org.uk>>;

United Kingdom, *National Association of Muslim Police (NAMP)*, website: <www.namp-uk.com>;

United Kingdom, *Roma Support Group (RSG)*, website: <<http://www.romasupportgroup.org.uk>>;

United States, *Council on American-Islamic Relations (CAIR)*, website: <<http://www.cair-net.org>>;

United States, *National Coalition for Homeless*, website: <<http://www.nationalhomeless.org/>>.

Regional NGOs:

Euro-Asian Jewish Congress (EAJC), website: <<http://eajc.org/en/>>;

Human Rights First, website: <<http://www.humanrightsfirst.org>>;

Human Rights Watch, website: <<http://www.hrw.org/>>;

ILGA-Europe, website: <<http://www.ilga-europe.org>>;

Europako Rromano Čačimasko Centro (ERRC) (European Roma Rights Center), website: <<http://www.errc.org>>;

The Stephen Roth Institute for the Study of Contemporary Antisemitism and Racism, website: <<http://www.tau.ac.il/Anti-Semitism/CR.htm>>;

Transgender Europe (TGEU), website: <<http://www.tgeu.org/>>, <<http://www.transrespect-transphobia.org/>>.

ANNEX E: List of media sources

CBS News, website: <<http://www.cbsnews.com/>>;

ICARE news: Internet Centre Anti Racism Europe, website:
<<http://www.icare.to/news.php?en>>;

Pittsburgh Live, website: <<http://www.pittsburghlive.com/x/>>;

Ria Novosti, website: <<http://en.rian.ru/>>;

Romea.cz, website: <<http://www.romea.cz/english/>>;

The Local: Germany's News in English, website: <<http://www.thelocal.de/>>;

Tribune de Geneve, website: <<http://www.tdg.ch/geneve/actu>> (available in French only).

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 2010 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

Updated question

B1. How do different agencies record and report hate crimes data? (Check all boxes that apply). (required)

	Min. of Int.	Law enf. agency	Intell. agency	Prosec. Office	Min. of Just.	Stat. office	Other (as spec. in A4.)
Specific forms for victims/witnesses	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Specific forms for police	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
Specific indicators in a police report	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
Specific forms for prosecutors				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Specific indicators in a prosecution file				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Official records by courts on hate crime judgments					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other (specify below)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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 2009 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

Updated question

B2. When agencies collect data, whose perception or description of bias motivation is recorded? *(Please check all boxes that apply)*

	Min. of Int.	Law enf. agency	Intell. agency	Prosec. Office	Min. of Just.	Stat. office	Other (as spec. in A4.)
Victim's	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Law enforcement's	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Offender's	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Prosecution's	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Court's	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other (please specify below)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

Updated question

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.

Updated question

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

Updated question

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)

	Min. of Int.	Law enf. agency	Intell. agency	Pros. Office	Min. of Just.	Stat. office	Other (as spec. in A4.)
Homicide	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Physical assault	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Damage to property	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Desecration of graves	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Attack against places of worship	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vandalism	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Threats/ threatening behaviour	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other (specify below)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Updated question

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

Updated question

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	2010	2009	2008	2007	2006
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<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	2010	2009	2008	2007	2006
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<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	2010	2009	2008	2007	2006
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<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

	2010			2009		
	recorded by police	prosecuted	sentenced	recorded by police	prosecuted	sentenced
Homicide	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Phys. assault	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Damage to property	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Desecr. of graves	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Attack against places of worship	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Vandalism	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Threats/ threatening behaviour	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Other (as spec. in C5)	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

D3. Bias motivation - number of cases

	2010			2009		
	recorded by police	prosecuted	sentenced	recorded by police	prosecuted	sentenced
Race/colour	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Ethnicity/nat. origin/minority	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Citizenship	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Language	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Religion	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Sexual orientation	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Transgender identity	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Disability	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Sex/gender	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Other (as spec. in C1)	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

D4. Crime type and bias motivation - number of cases

Cases recorded by the police

	Homicide	Phys. assault	Damage to property	Desecr. of graves	Attack against places of worship	Vandalism	Threats/ threatening behaviour	Other (as spec. in C4)	Unspecified
Race/colour	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Ethnicity/nat. origin/minority	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Citizenship	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Language	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Religion	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Sexual orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Transgender identity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disability	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sex/gender	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other (as spec. in C1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Unspecified	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Cases prosecuted

	Homicide	Phys. assault	Damage to property	Desecr. of graves	Attack against places of worship	Vandalism	Threats/ threatening behaviour	Other (as spec. in C4)	Unspecified
Race/colour	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ethnicity/nat. origin/minority	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Citizenship	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Language	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Religion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sexual orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Transgender identity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disability	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sex/gender	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other (as spec. in C1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Unspecified	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Cases sentenced

	Homicide	Phys. assault	Damage to property	Desecr. of graves	Attack against places of worship	Vandalism	Threats/ threatening behaviour	Other (as spec. in C4)	Unspecified
Race/colour	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ethnicity/nat. origin/minority	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Citizenship	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Language	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Religion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sexual orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Transgender identity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disability	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sex/gender	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other (as spec. in C1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Unspecified	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

D5. Do you have comparative tables on the number of hate crimes for any time-period from 2000 to 2010?

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.odihr.pl
INTERNAL: http://tandis

Hate crimes in the OSCE region : incidents and responses. Questionnaire for the 2010 annual report



Questionnaire II. Legislation

ODIHR's working definition of hate crime

ODIHR's working definition of hate crime

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 ODIHR working 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 previously submitted for the 2008 and 2009 Hate Crime Reports.

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.odihr.pl
INTERNAL: http://tandis

Hate crimes in the OSCE region : incidents and responses. Questionnaire for the 2010 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 ODIHR's working definition of a hate crime below and provide examples from 2010.

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.odihr.pl>
INTERNAL: <http://tandis>

Hate crimes in the OSCE region : incidents and responses. Questionnaire for the 2010 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.odihr.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.

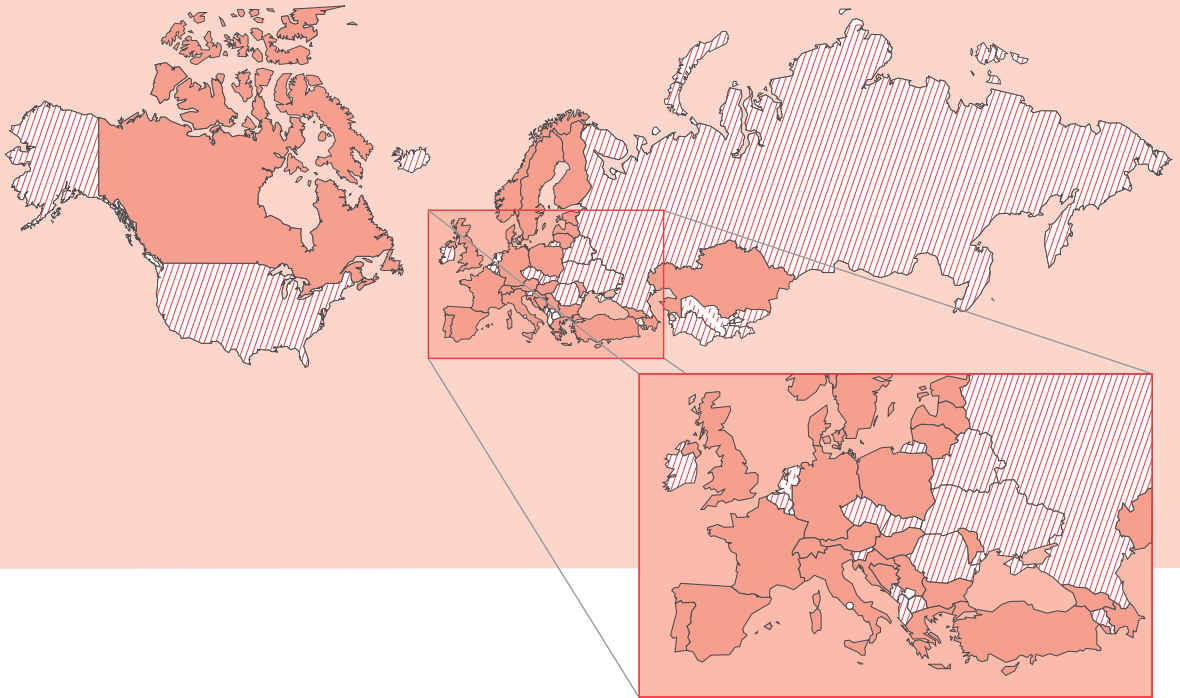
Please **upload** copies of any reports about the initiative and other relevant documents.

.....

Submitted by (name and position)

Email

MAP | No.1 Overview of information submitted by participating States



Participating States that completed the online questionnaires

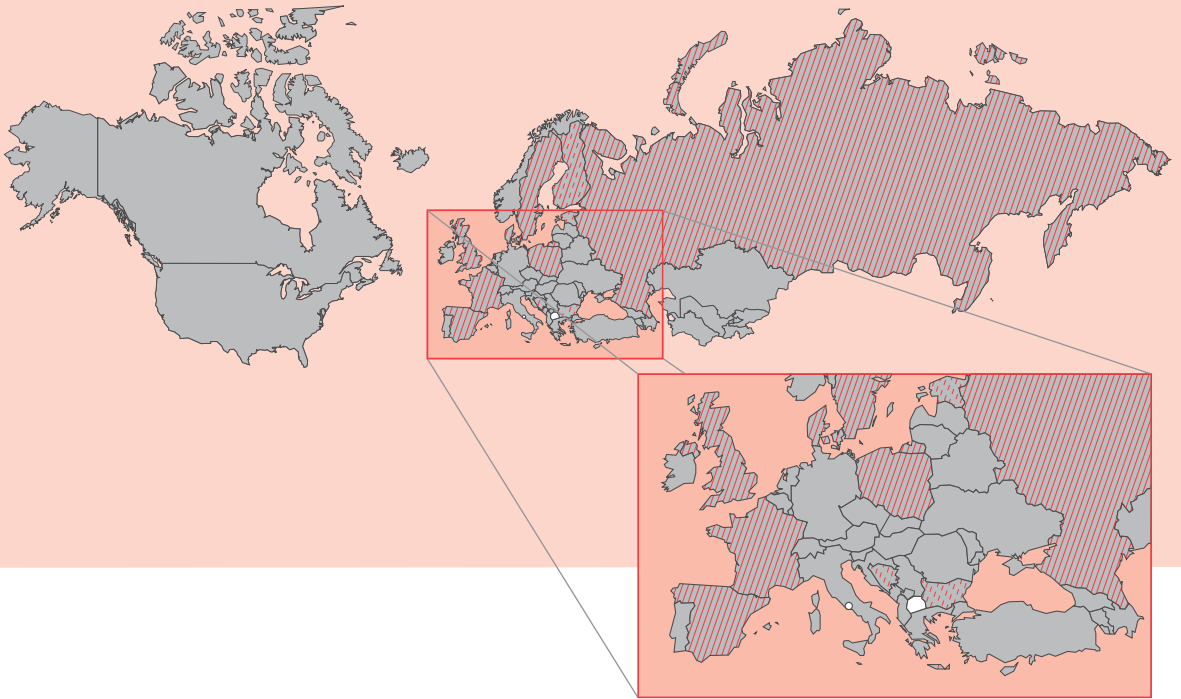
- Andorra
- Austria
- Azerbaijan
- Bosnia and Herzegovina
- Bulgaria
- Canada
- Croatia
- Cyprus
- Denmark
- Estonia
- Finland
- France
- Georgia
- Germany
- Greece
- Hungary
- Italy
- Kazakhstan
- Latvia
- Liechtenstein
- Lithuania
- Moldova
- Norway
- Poland
- Portugal
- Serbia
- Spain
- Sweden
- Switzerland
- Turkey
- United Kingdom

Participating States that provided questionnaires offline or general information

- ▨ Holy See
- ▨ Netherlands
- ▨ Uzbekistan

Participating States that did not complete the questionnaire or provide information at the time of writing

- ▨ Albania
- ▨ Armenia
- ▨ Belarus
- ▨ Belgium
- ▨ Czech Republic
- ▨ Iceland
- ▨ Ireland
- ▨ Kyrgyzstan
- ▨ Luxembourg
- ▨ Former Yugoslav Republic of Macedonia
- ▨ Malta
- ▨ Monaco
- ▨ Montenegro
- ▨ Romania
- ▨ Russian Federation
- ▨ San Marino
- ▨ Slovakia
- ▨ Slovenia
- ▨ Tajikistan
- ▨ Turkmenistan
- ▨ Ukraine
- ▨ United States



Who collects data in the OSCE region

- 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
- Uzbekistan

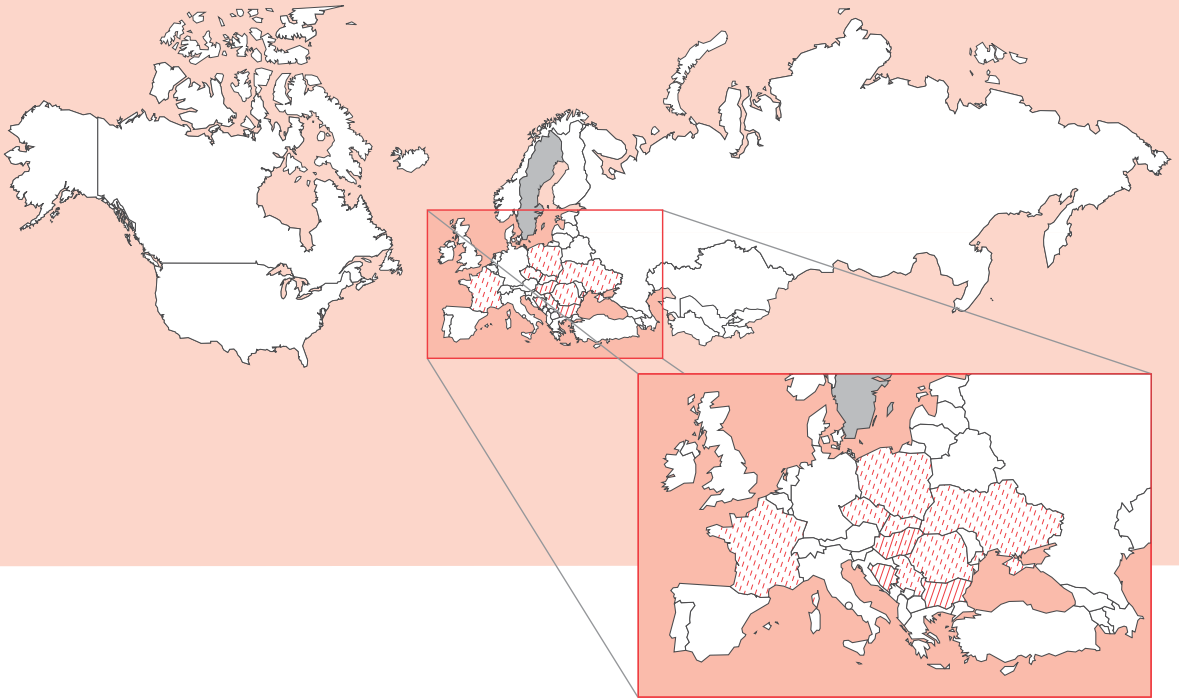
Legal framework developments in 2010

- Bosnia and Herzegovina
- Bulgaria
- Cyprus
- Estonia
- Finland

Institutional developments in 2010

- Denmark
- Finland
- France
- Poland
- Russian Federation
- Spain
- Sweden
- United Kingdom

MAP | No.4 Crimes and incidents motivated by bias against Roma and Sinti



Participating States that submitted data figures or provided information on specific incidents

■ Sweden

OSCE/IOM/UNHCR submission

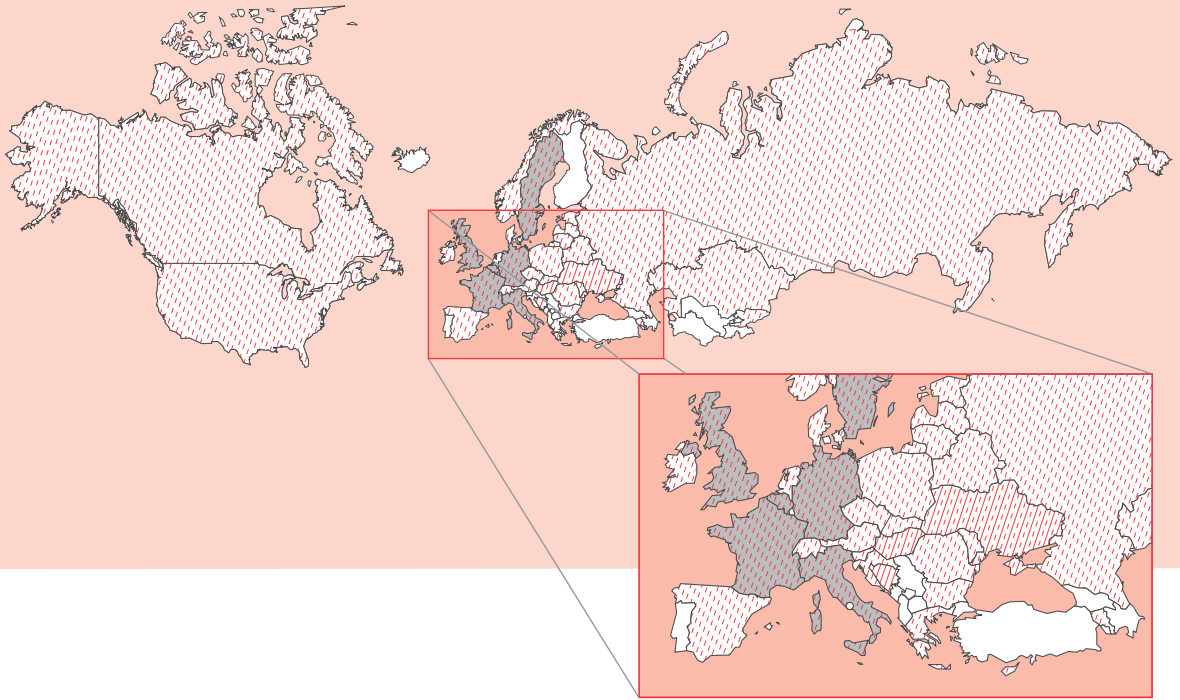
▨ Bosnia and Herzegovina (OSCE)
 ▨ Bulgaria (IOM)
 ▨ Hungary (IOM)

NGO reports

▨ Czech Republic
 ▨ France
 ▨ Hungary
 ▨ Poland
 ▨ Romania
 ▨ Serbia
 ▨ Slovakia
 ▨ Ukraine

Participating States that had not submitted data at the time of writing

- | | |
|---|----------------------|
| □ Albania | □ Monaco |
| □ Andorra | □ Montenegro |
| □ Armenia | □ Netherlands |
| □ Austria | □ Norway |
| □ Azerbaijan | □ Poland |
| □ Belarus | □ Portugal |
| □ Belgium | □ Romania |
| □ Bosnia and Herzegovina | □ Russian Federation |
| □ Bulgaria | □ San Marino |
| □ Canada | □ Serbia |
| □ Croatia | □ Slovakia |
| □ Cyprus | □ Slovenia |
| □ Czech Republic | □ Spain |
| □ Denmark | □ Switzerland |
| □ Estonia | □ Tajikistan |
| □ Finland | □ Turkey |
| □ France | □ Turkmenistan |
| □ Georgia | □ Ukraine |
| □ Germany | □ United Kingdom |
| □ Greece | □ United States |
| □ Holy See | □ Uzbekistan |
| □ Hungary | |
| □ Iceland | |
| □ Ireland | |
| □ Italy | |
| □ Kazakhstan | |
| □ Kyrgyzstan | |
| □ Latvia | |
| □ Liechtenstein | |
| □ Lithuania | |
| □ Luxembourg | |
| □ Former Yugoslav Republic of Macedonia | |
| □ Malta | |
| □ Moldova | |



Participating States that submitted data figures or provided information on specific incidents

- France
- Germany
- Italy
- Sweden
- United Kingdom

OSCE/IOM/UNHCR submission

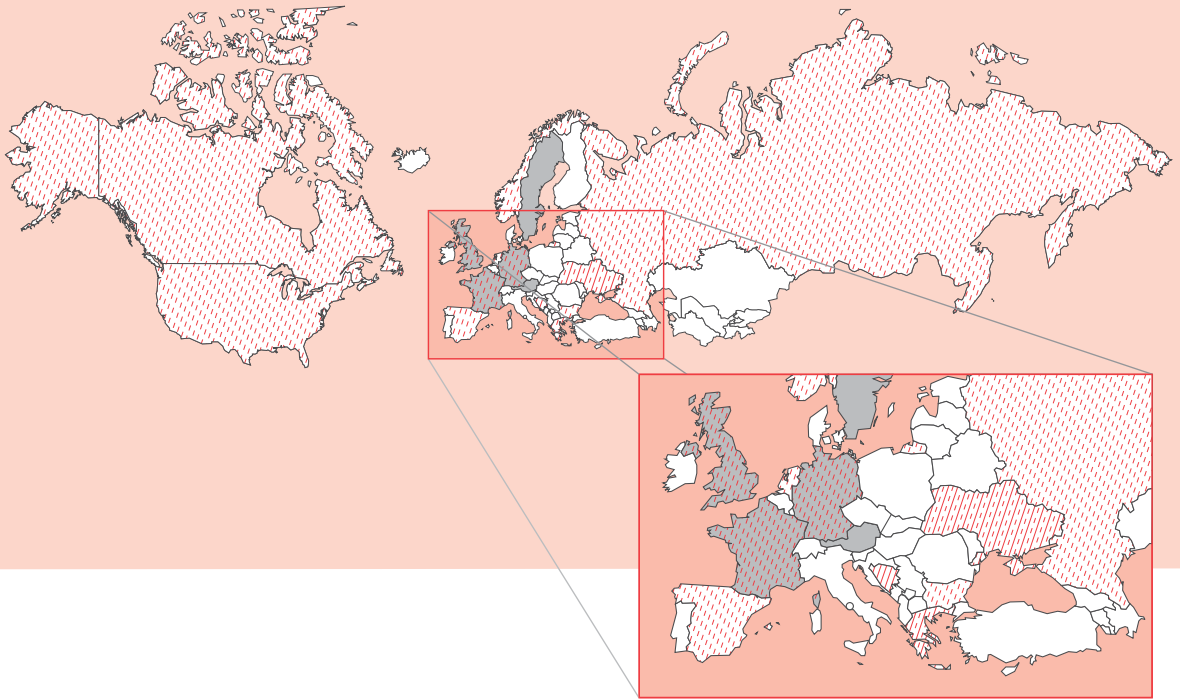
- ▨ Bosnia and Herzegovina (OSCE)
- ▨ Hungary (IOM)
- ▨ Ukraine (IOM)

NGO reports

- ▨ Armenia
- ▨ Austria
- ▨ Belarus
- ▨ Belgium
- ▨ Bulgaria
- ▨ Canada
- ▨ Croatia
- ▨ Czech Republic
- ▨ Denmark
- ▨ Estonia
- ▨ Finland
- ▨ France
- ▨ Germany
- ▨ Greece
- ▨ Hungary
- ▨ Italy
- ▨ Kazakhstan
- ▨ Kyrgyzstan
- ▨ Latvia
- ▨ Lithuania
- ▨ Moldova
- ▨ Netherlands
- ▨ Poland
- ▨ Russian Federation
- ▨ Slovakia
- ▨ Spain
- ▨ Sweden
- ▨ Switzerland
- ▨ Ukraine
- ▨ United Kingdom
- ▨ United States

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
- Georgia
- Greece
- Holy See
- Hungary
- Iceland
- Ireland
- 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



Participating States that submitted data figures or provided information on specific incidents

- Austria
- France
- Germany
- Sweden
- United Kingdom

OSCE/IOM/UNHCR submission

- ▨ Bosnia and Herzegovina (OSCE)
- ▨ Greece (UNHCR)
- ▨ Ukraine (IOM)

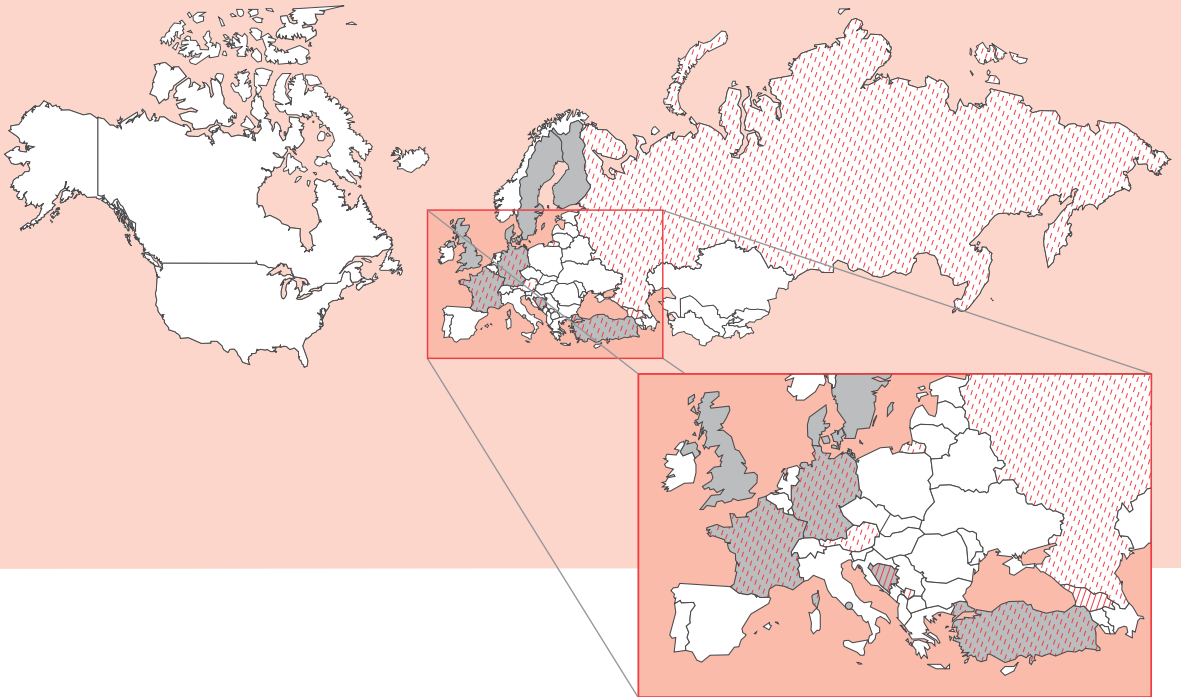
NGO reports

- ▩ Bulgaria
- ▩ Canada
- ▩ France
- ▩ Germany
- ▩ Greece
- ▩ Netherlands
- ▩ Norway
- ▩ Russian Federation
- ▩ Spain
- ▩ 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
- Georgia
- Greece
- Holy See
- 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
- Turkey
- Turkmenistan
- Ukraine
- United States
- Uzbekistan

MAP | No.7 Crimes and incidents motivated by bias against Christians and members of other religions



Participating States that submitted data figures or provided information on specific incidents

- Bosnia and Herzegovina
- Denmark*
- Finland*
- France*
- Germany*
- Holy See
- Liechtenstein*
- Sweden
- Turkey
- United Kingdom*

OSCE/IOM/UNHCR submission

- Bosnia and Herzegovina (OSCE)
- Georgia (UNCHR)
- Kosovo (OSCE & UNHCR)

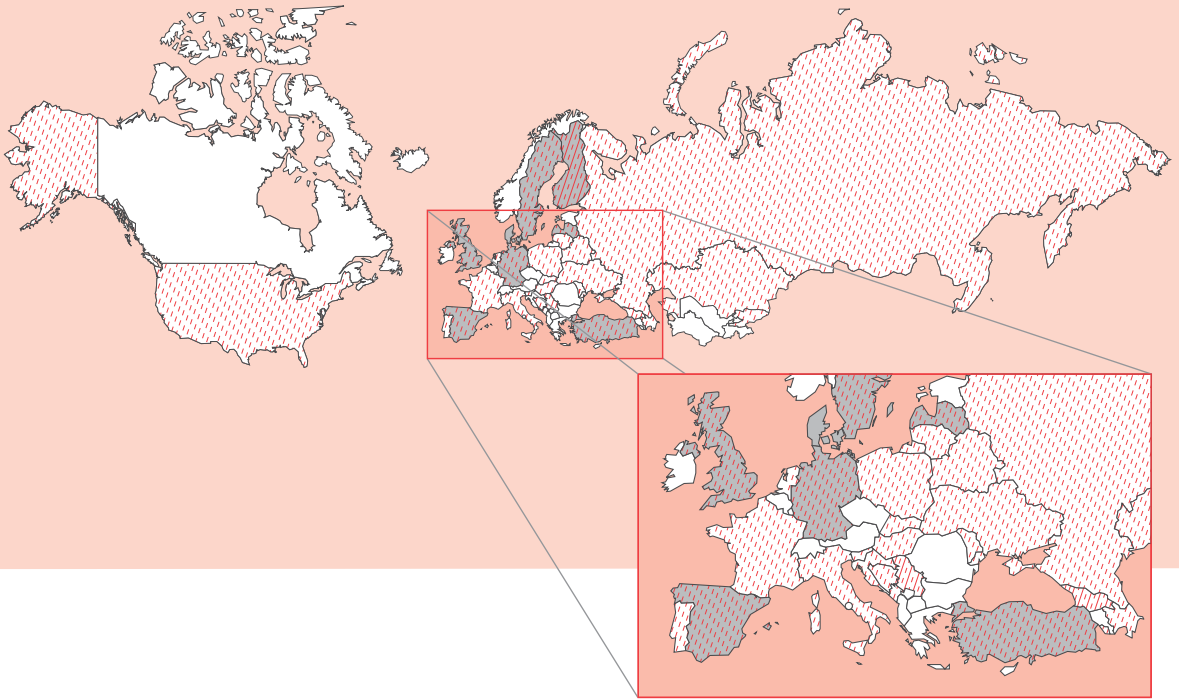
NGO reports

- Austria
- France
- Germany
- Russian Federation
- Turkey

Participating States that had not submitted data at the time of writing

- Albania
- Andorra
- Armenia
- Austria
- Azerbaijan
- Belarus
- Belgium
- Bulgaria
- Canada
- Croatia
- Cyprus
- Czech Republic
- Estonia
- Georgia
- Greece
- Hungary
- Iceland
- Ireland
- Italy
- Kazakhstan
- Kyrgyzstan
- Latvia
- 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

* Participating States that provided data on crimes committed with a religious bias without differentiation by faith.



Participating States that submitted data figures or provided information on specific incidents

- Denmark
- Finland
- Germany
- Latvia
- Spain
- Sweden
- Turkey
- United Kingdom

OSCE/IOM/UNHCR submission

- ▨ Finland (IOM)
- ▨ Georgia (UNHCR)
- ▨ Serbia (UNHCR)

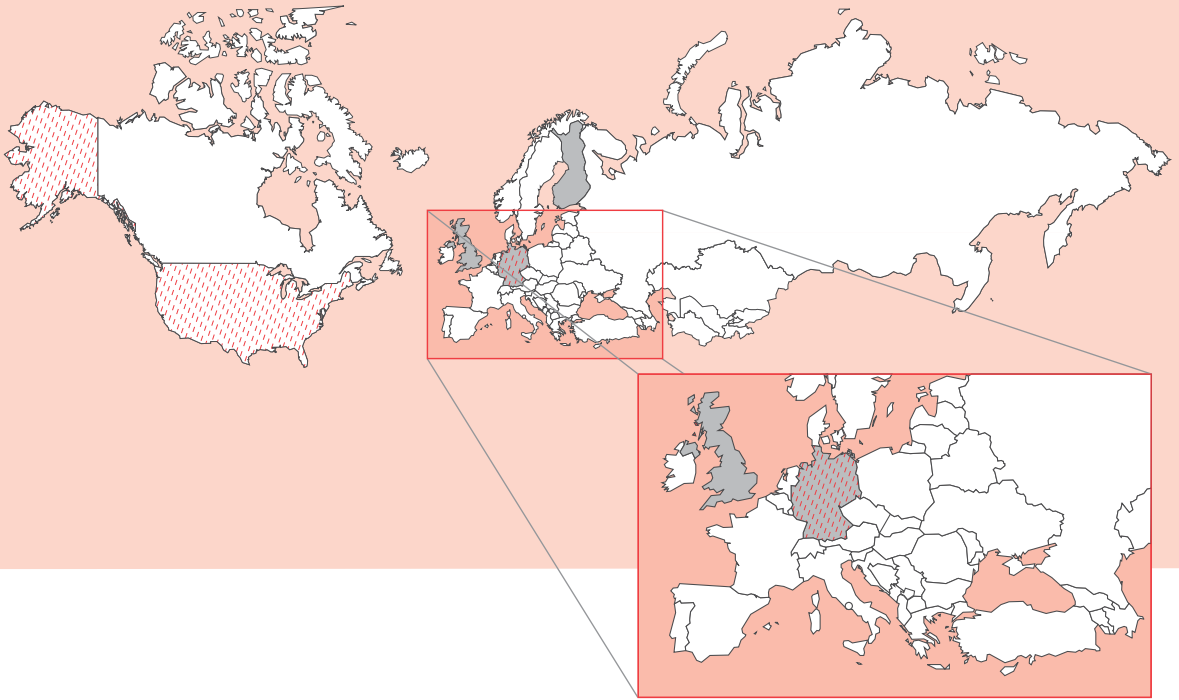
NGO reports

- ▨ Azerbaijan
- ▨ Belarus
- ▨ Bosnia and Herzegovina
- ▨ Croatia
- ▨ Finland
- ▨ France
- ▨ Georgia
- ▨ Germany
- ▨ Hungary
- ▨ Italy
- ▨ Kazakhstan
- ▨ Kyrgyzstan
- ▨ Latvia
- ▨ Lithuania
- ▨ Moldova
- ▨ Montenegro
- ▨ Netherlands
- ▨ Poland
- ▨ Portugal
- ▨ Russian Federation
- ▨ Serbia
- ▨ Slovakia
- ▨ Slovenia
- ▨ Spain
- ▨ Sweden
- ▨ Turkey
- ▨ Ukraine
- ▨ United States

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
- Estonia
- France
- Georgia
- Greece
- Holy See
- Hungary
- Iceland
- Ireland
- Italy
- Kazakhstan
- Kyrgyzstan
- Liechtenstein
- Lithuania
- Luxembourg
- Former Yugoslav Republic of Macedonia
- Malta
- Moldova
- Monaco
- Montenegro
- Netherlands
- Norway
- Poland
- Portugal
- Romania
- Russian Federation
- San Marino
- Serbia
- Slovakia
- Slovenia
- Switzerland
- Tajikistan
- Turkmenistan
- Ukraine
- United States
- Uzbekistan

MAP | No.9 Crimes and incidents motivated by bias against people with disabilities



Participating States that submitted data figures or provided information on specific incidents

- Finland
- Germany
- United Kingdom

OSCE/UNHCR submission



NGO reports

- Germany
- United States

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
- France
- Georgia
- Greece
- Holy See
- 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
- Sweden
- Switzerland
- Tajikistan
- Turkey
- Turkmenistan
- Ukraine
- United States
- Uzbekistan